

# University Prep Charter High School Staff Handbook



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## I. The School Mission:

**The Mission of University Prep Charter High School is to prepare students for success in college, leadership and life.** We achieve this mission by creating a student-centered environment that unifies the efforts of family, community and school to foster life-long learning, cross-cultural relationships, social responsibility, and academic excellence. The underlying belief at University Prep Charter High School is that all students can go to college and that their preparation is our professional responsibility and moral obligation.

## II. Core Values: The Core Four

Students at University Prep work towards a set of four core values that keep them on course to be successful at the college of their choice and beyond:

- **Core 1: Accepting Personal Responsibility:** students see themselves as the primary cause of their outcomes and experiences
- **Core 2: Discovering Self-Motivation:** students find purpose in their lives by discovering personally meaningful goals and dreams
- **Core 3: Mastering Self-Management:** students plan for and take purposeful actions in pursuit of their goals and dreams
- **Core 4: Creating Positive Interdependence:** students build mutually supportive relationships that help them achieve their goals and dreams—while helping others do the same

## III. Academic Guidelines

- The school year is divided into **four marking periods**.
- **Progress reports** will be distributed in the middle of each marking period and reviewed with students during advisory, and they will also be distributed during parent-teacher conference nights; teachers will be informed of when progress reports should be completed.
- **Passing grades include scores of 70%-100%.**
- **The lowest grade a student can receive is 60%,** indicating academic failure.
- **Failures due to truancy can be indicated with a score of 55%.**
- **Advisory** is a Pass/Fail course.
- For Regents bearing classes: students who fail the course for the year, but pass the Regents exam achieving the college readiness benchmarks (80% in mathematics, 75% in all other courses), their final grade in the course will be changed to 70%.
- Teachers' weekly office hours should provide ample opportunities for students to **improve their course grade** through make-up work, test-corrections, or alternate assignments, at the discretion of the teacher.

- When students are failing a course, **teachers should reach out to families**—and document this contact.
- **Advisors must call the families of students** who are failing two or more classes throughout the year. All calls should be logged on the Parent Outreach Monthly Call Log. Progress reports will be distributed during parent-teacher conferences.
- **Report cards will be mailed home to families** at the end of the marking periods; students will also receive report cards in advisory.
- **Advisors are responsible for calling home** to ensure that families have received the student’s report card.

## IV. Staff Policies

### Nature of Employment

- All employees of University Prep Charter High School are subject to the conditions set **this Staff Handbook**.
- The policies set forth in this Employee Handbook shall apply to Employees represented by the United Federation of Teachers (“UFT”) to the extent that such policies are not contrary to or inconsistent with the Collective Bargaining Agreement (“CBA”). To the extent that the Employee Handbook is contrary to or inconsistent with the CBA, the CBA supersedes the Employee Handbook.
- If your position requires additional pre-employment criteria, such as a driver's examination, a background investigation and/or a pre-employment drug test and if you have been offered employment before any such investigation or test is completed, your employment is contingent upon a satisfactory result on all required tests.

### Business Ethics and Conduct

- All employees will receive and be responsible for compliance with the **UPCHS Code of Ethics**, which is included in the Appendix.

### Time and Attendance

- All teachers and counselors must be in attendance for the entire student day.
- All Teachers and Counselors must **hold office hours once per week**.
- **All operations staff should adhere to their designated working hours** which are discussed prior to the beginning of each school year. The total number of hours worked per day is outlined in the collective bargaining agreement.

- **Absent and/or late** staff members must notify Principal d'Amato and Assistant Principal Raji via email as soon as you know you cannot attend school.
- Employees can use up to three **(3) sick days for personal business**. Employees will give prior notice for **planned personal days**, when possible.
- Returning Employees will **accrue sick days at a rate of one (1) day per work month**. The School will provide new Teachers, Guidance Counselors, Social Workers, School Assistant, School Secretaries/Operations Associates, and Teaching Assistants, in their first year only, with ten (10) available sick days at the commencement of their service.
- The School will provide Office Managers, Office Leads, Operations Leads, and Operations Assistants in their first year only, with twelve (12) available sick days at the commencement of their service.
- All new Employees will not accrue additional sick days until their second year of employment.
- Unused sick days for all Employees, up to a limit of two hundred (200) days, will be banked for future use.
- For an Employee's absences of one-half (1/2) a work day or less, the School will deduct from the Employee's accumulated days in hourly increments for every fraction of an hour the employee is absent from work.
- Absences of more than one-half (1/2) a work day shall be deducted as a full day of sick leave.
- Unit members with perfect attendance during a school year will be awarded a bonus of two (2) days pro-rata pay.
- For information regarding professional work day, please see the UPCHS collective bargaining agreement.

### Substitute Teacher Kit

- All teachers must create **2 substitute teacher kits for each course taught** and keep it on file in the principal's office. Each kit should include a lesson plan, and all material required for the lesson, and 30 copies of the student materials.
- The used substitute teacher kit shall only be **replaced after each absence**. If unused the teacher shall not replace.
- In the event of an absence, each advisor should have an **advisory distribution list** and post their list on the door of their advisory classroom.

### Classroom Environment

- **Classroom doors should remain unlocked** when occupied, and should be locked when unoccupied.

- **As per Danielson, teachers are rated on organization of their physical space.** Classrooms must be safe; all students must be able to see and hear what is going on in order to actively participate. To the extent possible, furniture arrangement should be suitable for the learning activities

### Student and Staff Safety

- In the event of **illness or accident**, trained school staff will render emergency care, and parents will be notified of the illness or injury as soon as possible.
- An **incident form** must be completed each time a student or staff member is injured; these forms are available in the principal's office.
- Students who are ill must be **signed out in the office by their parent or guardian** before leaving campus.

### Communication

- Federal Educational Right to Privacy Act (FERPA) requirements must be honored when discussing student and family information.
- Teachers should **check e-mail at reasonable, regular intervals**.

### Corporal Punishment

- Corporal punishment consists of any act of **physical force upon a student for the purpose of punishing that student**.
- Corporal punishment is **forbidden** in public schools in New York State, although the use of physical force is permitted where alternatives cannot be reasonably employed. (*CR 11:123*)

### Dress Code

- Employees should dress **in a professional manner**. Employees should avoid wearing ripped or revealing clothing, shorts, flip-flops, hats, sweatpants or workout clothing, unless the teacher is engaged in physical activity during the day.

### Materials and Textbook Sign-Out Policy

- All teachers should maintain a **record of the textbooks and materials** they distribute each year. A copy of these records should be submitted to the Assistant Principal of Operations.
- Mathematics Teachers will receive **one set of 30 graphing calculators** to use in class with students. **Students are not to take the calculators home for any reason**. Math teachers should **ensure that all calculators are returned after each course and that they are stored**

**in a locked cabinet. Any missing calculators should be reported to administration immediately.**

- Teachers should **collect textbooks and materials** at the end of the year, checking in materials based on the original record.

### **Technology Policy**

- **Teachers should reserve laptop and tablet carts using the sign-out system.**
- Reservations are on a first come, first served basis.
- Teachers are responsible for ensuring that **devices are in the appropriate shelf** in the technology carts and that carts are kept charged.
- Carts should be **returned to their home base** after use.
- **Any technology issues with the carts or devices should be reported to the Assistant Principal of Operations and the Operations Lead as soon as possible.**

### **Passing Time between Periods**

- During passing between periods, all Employees should **step into the hallway** to monitor students' movement.
- When possible, teachers should **actively welcome students into their classrooms**, directing them to the "Do Now" or other opening activity and encouraging students to transition quickly.

### **PowerSchool**

- Teachers should **update their course grades in PowerSchool on a weekly basis.**
- When progress reports are printed, **students' grades should be current** and should reflect all of the work the student has submitted to date if it has been submitted by a reasonably sufficient date.
- Teachers should enter student **attendance** into PowerSchool on a daily basis.

### **Proctoring Procedures**

- All teachers and counselors are **expected to proctor and/or grade Regents exams.** Teachers may not proctor exams given in their subject area or grade exams belonging to students in their class.
- While proctoring, proctors should **regularly walk around the classroom** monitoring student progress.

- Non-Proctoring staff members are expected to support testing procedures as directed by administration and/or the testing coordinator.
- If any proctor believes that **cheating** is occurring or has occurred, he or she should notify the testing coordinator immediately.

### Professional Development and Staff Norms

- All staff should attend **all professional development meetings and staff meetings that occur within the workday**, and they should arrive on time. All other professional development meetings and staff meetings are voluntary.

### Social Media Expectations

- UPCHS provides employees with access to the Internet, however employees are prohibited from reading, writing or otherwise contributing to blogs, chat rooms, online message boards, or online discussion groups during work hours or from using any School-provided equipment or systems unless such activity is directly related to and necessary for an employee to perform his or her job.
- UPCHS recognizes that blogging or participating in online forums is a personal activity, and therefore only seeks to regulate such activity when it impacts the School and/or employees of the School. When you are away from the office, on your own time and equipment, you may choose to read or contribute to blogs, maintain a personal blog, or participate in an online chat room, message board, or discussion group.
- Staff should not identify UPCHS, management, co-workers or students, or discuss the School or individuals in a manner that could disparage the School or its students, defame any individual associated with the School or any student, or damage the reputation of anyone associated with the School or any student. If your blog post concerns your job, you should prominently post a disclaimer stating that you are expressing only personal opinions that are not endorsed by and do not represent the opinion or viewpoints of the School. Pictures or descriptions of conduct that would subject a teacher to school discipline could be detrimental to that teacher's status as an educator and could impact negatively on the academic process. It is important to remember that communications to the public that undermine confidence in individual School employees may make it more difficult to manage and motivate students.
- If an employee posts something favorable about the services of UPCHS using any type of social media (i.e., a blog or an online message board), the employee must disclose that he or she is employed by UPCHS.
- Any employee engaging in social networking or blogging for legitimate business purposes (i.e., on a school-sponsored blog or media site) must get express approval of all content prior to posting. Employees engaged in such school-authorized social networking or blogging are responsible for complying with all School policies.
- Staff may not disseminate any UPCHS information that could be considered proprietary, confidential, or intellectual property, and may not use the School's logo, graphics,

trademarks, trade names, or corporate slogans. It is critical to maintain the confidentiality of nonpublic School information.

- Please remember that UPCHS may monitor blogs or School-related chat rooms. If you fail to abide by the above guidelines or the School's policies, you may be subject to legal or disciplinary action by the School and others. If you have any questions or concerns about this Policy, please contact the Principal or Assistant Principal of Operations.
- Nothing herein shall limit an employee's right to engage in concerted activity as defined by the NLRA.

### **Political Activities**

- Employment shall not be offered as a consideration or reward for the political support of any political party or candidate for public office. Furthermore, no employee may engage in any political activity at any time as a representative of UPCHS. No employee may use work time, property or materials of UPCHS to try to affect proposed legislation. UPCHS may respond to requests for information from local, state and federal officials. All such responses shall be issued from the Principal's office. Should an employee be invited to testify at a hearing or other activity, permission shall be obtained from the Principal prior to such participation and testimony.

### **Solicitations at School**

- It is UPCHS's policy that faculty and staff may not engage in non-school business solicitation and distribution at school during their working hours. Non-school solicitation or distribution by students and school families is also prohibited in work areas at all times. In addition, the use of school resources (such as stationery, e-mail, voice-mail, bulletin boards, and meeting facilities) for non-school solicitation is prohibited. Commercial ventures that wish to solicit the faculty, staff, students, or parent body of the school may only do so if they have the express written consent of the Principal, in accordance with UPCHS Board policies which also apply. The Principal is encouraged to present any proposals for such solicitation to the Board of Trustees for recommendation.

### **Whistleblower Policy**

- UPCHS requires its Trustees, Officers and employees to observe high standards of business and personal ethics, as such personal ethics relate to the organization, in the conduct of their duties and responsibilities. Employees and representatives of UPCHS must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.
- This policy is designed to protect from retaliation employees who report suspected improper conduct. No trustee, officer, employee or volunteer of UPCHS who in good faith reports any action or suspected action taken by or within UPCHS that is illegal, fraudulent or in violation of any adopted policy of the School shall suffer intimidation, harassment, discrimination or other retaliation or, in the case of employees, adverse employment consequence. This policy is not intended as a vehicle for reporting problems with co-workers or managers, or

for reporting issues related to alleged employment discrimination or sexual or any other form of unlawful harassment, all of which may also be dealt with in accordance with the Handbook sections specifically applicable to such matters.

- The matters which should be reported under this policy, include suspected fraud, theft, embezzlement, accounting or auditing irregularities, bribery, kickbacks, misuse of the school's assets, or suspected regulatory, compliance, or ethics-related issues, concerns, or violations.
- Under the Occupational Safety and Health Act (OSHA), employees may file complaints with OSHA if they believe that they have experienced discrimination or retaliation for exercising any right afforded by OSHA, such as complaining to the OSHA, or any other government agency about workplace safety or health hazards; or for participating in OSHA inspection conferences, hearings, or other OSHA-related activities. Under the Asbestos Hazard Emergency Response Act (AHERA), employees may file complaints with OSHA if they believe they have experienced discrimination or retaliation for reporting alleged violations of environmental laws relating to asbestos in elementary and secondary school systems.
- **Reporting Responsibility.** It is the responsibility of all Trustees, Officers and employees to report in good faith violations or suspected violations of business and personal ethical standards, as such personal ethics relate to the organization, and/or applicable legal requirements ("Violations") in accordance with this Whistleblower Policy.
- **Reporting Violations.** Questions, concerns, suggestions, or complaints regarding the ethical and legal standards noted above should be addressed directly to the Principal, who will maintain the confidentiality of such reported information to the extent practicable. In the event the complaint concerns the Principal, such information may be reported to Trustee Burt Sacks. The Principal is designated by the Board of Trustees to administer the Whistleblower Policy and to report on whistleblower activity and investigations to the Board's Audit/Finance Committee or other committee of independent Trustees or, if there are no such committees, to the Board.
- **Non-Retaliation.** No employee who in good faith reports a violation shall suffer harassment, retaliation or adverse employment consequences because of such report. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the school prior to seeking resolution outside the school. Notwithstanding anything contained herein to the contrary, this Whistleblower Policy is not an employment contract and does not modify the employment relationship between UPCHS and its employees, nor does it change the fact that employees of a school are employees at will. Where provisions exist elsewhere under law and/or O.W.N.C.S. policy governing the disclosure of information and other obligations, and /or retaliation relative to such disclosure, such laws and/or UPCHS policies shall govern.
- **Investigations.** The Board of Trustees may delegate the responsibility to investigate a reported violation, whether relating to accounting and auditing matters or otherwise, to one

or more employees of a school or to any other individual, including persons not employed by a school selected by the Board of Trustees. The Board of Trustees may not delegate such responsibility to an employee or other individual who is the subject of the reported Violation or in a manner that would compromise either the identity of an employee who reported the Violation anonymously or the confidentiality of the complaint or resulting investigation. Notwithstanding anything herein to the contrary, the scope, manner and parameters of any investigation of a reported Violation shall be determined by the Board of Trustees in its sole discretion and a school and its employees will cooperate as necessary in connection with any such investigation.

- **Acting in Good Faith.** Anyone filing a complaint concerning a violation must act in good faith and have reasonable grounds for believing the information disclosed may indicate a violation of such standards. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
- **Confidentiality.** In making a complaint or submission, an employee of a school may request that such complaint be treated in a confidential manner (including that the school take reasonable steps to ensure that the identity of the employee making the complaint remains anonymous). UPCHS takes seriously its responsibility to enforce this Whistleblower Policy and therefore encourages any employee reporting a violation to identify him or herself so as to facilitate any resulting investigation. Employees may, however, submit complaints on an anonymous basis. Reports of violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.
- **Handling of Reported Violations.** A UPCHS official will notify the sender and acknowledge receipt of the reported violation or suspected violation within five (5) business days, but only to the extent the sender's identity is disclosed or a return address is provided. All reports will be promptly investigated; the scope of any such investigation being within the sole discretion of the Board of Trustees, and appropriate corrective action will be taken if warranted by the investigation.
- **Records.** The Principal will retain on a strictly confidential basis for a period of seven (7) years (or otherwise as required under the UPCHS record retention policies in effect from time to time) all records relating to any complaint and to the investigation and resolution thereof. All such records are confidential to the school and such records will be considered privileged and confidential.
- **Distribution of Whistleblower Policy.** A copy of the policy shall be distributed to all Trustees, Officers, employees and volunteers who provide substantial services to a school. The policy shall be posted on the UPCHS website and in a conspicuous location in each school accessible to employees and volunteers.

## Ban on Acceptance of Gifts

- No employee of UPCHS may knowingly accept gifts of any kind of a value exceeding fifty dollars (\$50.00) – including but not limited to money, goods, food, entertainment, or services – directly or indirectly from:
  - Individuals, parents, schools, partner organizations, or companies serving as vendors for UPCHS;
  - Elected officials or representatives;
  - Candidates for public office or their representatives;
  - Political party officials or their representatives.
- Offers of such gifts in excess of \$50.00, even when refused, must be communicated immediately by the employee receiving such offer to the Principal.
- In certain limited circumstances, the Principal may make an exception to the dollar limitation where a gift in excess of \$50.00 is intended for and will be used by UPCHS itself.

## Personal Property

- **UPCHS is not responsible for personal items brought to work or left on UPCHS' premises.**

## Drug and Alcohol Free Workplace

- Alcohol and illegal drugs in the workplace are a danger to us all. They impair safety and health, set a bad example for our students and community, promote crime, lower productivity and quality, and undermine public confidence in the work that we do.
- UPCHS has a zero tolerance policy on drugs and alcohol in the workplace. UPCHS prohibits the manufacture, distribution, dispensing, possession, sale or use of alcohol, intoxicants and controlled substances in the workplace, or while engaged in business off premises, such as at a parent's home, is strictly prohibited. A violation of this policy may result in immediate discharge of employment.
- To educate employees on the dangers of drug and alcohol abuse, employees may be periodically required to attend information and training sessions in the area of alcohol and illegal drug dangers, treatment resources and workplace policy. Employees are required to immediately report any arrest and conviction for, among other things, illegal drugs, controlled substances and/or driving while under the influence or while impaired.
- Employees who violate any aspect of this policy may be subject to disciplinary action, up to and including termination of employment.

## V. Student Policy

All UPCHS staff members should familiarize themselves with the **Student and Parent Handbook** and uphold all of the expectations outlined within.

## VI. Student Discipline

### Monitoring Student Conduct

- **All staff members are responsible for managing student conduct** in classrooms, hallways, and all other areas of the UPCHS campus.
- All UPCHS staff members should familiarize themselves with the **Student Discipline Policy** in the Student and Parent Handbook and uphold all of the expectations outlined within.
- **Teachers should keep a record of infractions** by student as well as documentation of any conferences or interventions with students. These records will be used to as evidence of the number of interventions put into place before additional steps are taken. These notes can be kept in EdClick.
- The **Progressive Disciplinary Response Ladder** divides infractions into five levels of severity, and it should be reviewed with students at the start of each term:

**Level 1:** uncooperative or noncompliant actions, lateness, dress code violation

**Level 2:** disorderly and malicious behavior, repeated lateness, repeated dress code violation

**Level 3:** repeatedly disruptive behavior, or displaying a pattern of negative behavior

**Level 4 (*immediate in-school suspension*):** aggressive and/or excessive pattern of negative behavior

**Level 5 (*immediate probation or expulsion*):** injurious, violent, or dangerous behavior

### Detention

- Detention will be held **during lunch M-TH (30 min)** and **after school M-F (1 hr)**.
- When a student does not meet behavioral expectations, it is the responsibility of the teacher to **ensure that the student knows the rules**, understands how to comply, and has the opportunity to act appropriately.
- After the teacher has assessed that the student understands the rules and determines that the student is intentionally disregarding expectations, **these infractions can result in an after-school detention.**
- Teachers should enter a “quick-demerit” in the EdClick system.
- Students who arrive late or out of uniform will receive a **lunch detention**. Excessive lateness or uniform violations will result in more severe consequences.
- All demerits that are entered into EdClick before 3pm will result in same-day detention assignment. Demerits issued after 3pm will result in a detention assignment the following applicable school day.

- Detention may be used as a consequence for other infractions at the administration's discretion

## VII. Facility, Security, and Maintenance Policies

- When the order is given to **evacuate** verbally or by alarm, students should be led out of the building through an assigned exit, school leaders should be notified if there are any extra, missing, or injured students, and students should be reminded that they may not use their electronic devices.
- When a **soft lockdown** occurs, this means that the danger is outside the building. Students should be brought into the classroom from the hallway, the classroom doors should be locked, lights turned off, and everyone should be out of the sight lines of the door windows. No staff or students should leave the classroom for any reason until the lockdown has been lifted. Administration will conduct safety sweeps.
- When a **hard lockdown** occurs, this means that the danger is inside the building. Students should be brought into the classroom from the hallway, the classroom doors should be locked, lights turned off, and everyone should be out of the sight lines of the door windows. No staff or students should leave the classroom for any reason until the lockdown has been lifted. Administration will not conduct safety sweeps.
- When everyone is told to **shelter in place**, due to an event outside the school building, class should be conducted as usual but no one may leave the building; students may be asked to exit through different doors.

## VIII. Field Trips

- Students will be given a **Walking Field Trip Permission Form at the start of the year**, which will allow students to participate in walking trips in the UPCHS neighborhood throughout the year.
- Field trips to destinations outside of the UPCHS neighborhood **require a separate permission slip**.
- All trips must be approved by the principal at least two weeks two weeks in advance to ensure that all staff members can be informed and make appropriate accommodations.
- There must be a **1:15 ratio of staff to students on each trip**.

## IX. Parent Outreach

- Teachers should regularly call parents of their **advisees**, as well as students in their classes.
- Teachers should summarize conversations with families in the **“Notes” section of PowerSchool, and log the call in the monthly phone log.**

## X. Employment Policies and Procedures

### Equal Opportunity Employer

- In order to provide equal employment and advancement opportunities to all individuals, employment decisions at UPCHS will be based on merit, qualifications, and abilities. UPCHS is an equal employment opportunity employers and does not discriminate against any person because of race, color, creed, religion, sex, national origin, disability, age or any other characteristic protected by law (referred to as "protected status"). This nondiscrimination policy extends to all terms, conditions and privileges of employment as well as the use of all company facilities, participation in all company-sponsored activities, and all employment actions such as promotions, compensation, benefits and termination of employment.
- UPCHS will make reasonable accommodations for qualified individuals with known disabilities to the extent required by law. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.
- Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor at UPCHS or the Assistant Principal of Operations. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.
- UPCHS shall comply with Title IX of the Education Amendments of 1972, as amended, and shall not knowingly discriminate against individuals on the basis of gender.
- The School’s Title IX Coordinator’s contact information is as follows:

**Deborah Raji**  
Assistant Principal of Operations  
600 St. Ann’s Avenue  
Bronx, NY 10455  
draji@upchs.org  
718-292-6543

- The Title IX Coordinator may be used for all discrimination complaints. In the event a complaint concerns the Title IX Coordinator, **Miguel Suarez** should be contacted.

## Recruitment

- UPCHS will make every effort to ensure that both the letter and the spirit of the laws prohibiting discrimination are fully implemented in all of its working relationships. UPCHS actively seeks diversity in its student/parent body, faculty, staff, and administration and is committed to equal employment opportunity. UPCHS will take all appropriate steps to verify the information provided on an employment application. These steps may take place before or after commencement of employment. Any misrepresentation, falsifications, or omissions of any information or date on an employment application may result in your exclusion from further consideration for employment and/or termination of employment.

## Nepotism

- While UPCHS may hire and retain relatives of employees, it will not do so if it determines that hiring or retaining a relative may or does create problems of supervision, security, morality, or conflicts of interest. Relatives will not be permitted to work in direct supervisory or reporting relationship. UPCHS will attempt to provide alternative employment within UPCHS for relatives who are affected by the policy stated in this paragraph but this attempt creates no legal obligation.
- With respect to the employment of a relative, UPCHS defines relatives as spouses, partners, parents, children, step-children, siblings, in laws, step parents, and step brothers or sisters. Additionally, this policy also relates to individuals who are not legally related but who reside with other employees.

## Fingerprinting/Background Checks

- Employees who will work with children or be present in schools when students are present will have to undergo a criminal background check supported by fingerprints or handscans through the New York State Education Department (NYSED) in accordance with NY Education Law §§ 2854(3)(a-2) and 3035. Until UPCHS receives the fingerprint clearance from NYSED, the employee must sign the required forms to receive a conditional clearance from the Board of Trustees of its designee and follow the supervisory policy for employees who have not received clearance. Such conditional clearances must be updated in accordance with NY Education Law.

## Arrest of Employees

- Any person employed by UPCHS who has been arrested and charged with a violation, misdemeanor or felony must notify the Principal as soon as practicable. The employee must provide a copy of the criminal court complaint. The employee may be removed from direct contact with children initially. Upon final disposition of the criminal charges, the employee shall provide UPCHS with all documentation. If necessary, the appropriate disciplinary action up to and including termination will be enacted as appropriate.

## Immigration Reform and Control Act

- Under federal immigration law, each employee hired must provide certain documentation and complete an “I-9” form demonstrating that he or she is authorized to work in the United States. Failure to provide such documentation in a timely manner will require discharge of the employee. Should an employee subsequently become unauthorized to work, the law requires that he or she must be discharged pending receipt of additional documentation demonstrating an extension of the authorization to work in the United States.

## Employees with Disabilities

- In 1990, Congress passed a civil rights law prohibiting discrimination on the basis of disability in the private and public sectors. The Americans with Disabilities Act (<http://www.ada.gov/pubs/ada.htm>) provides civil rights protection to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications.
- Subject to applicable law, UPCS will comply with the requirement to provide a reasonable accommodation(s) to any qualified employee or applicant with a known disability, where his or her disability affects the performance of his or her essential job functions, except where doing so would be unduly disruptive or would result in undue hardship.
- Individuals who believe they need an accommodation to perform the essential functions of their jobs should submit a written request to the Assistant Principal of Operations with appropriate medical documentation to support their request, describing the activities that can and cannot be performed. Consideration of a request for an accommodation may be delayed or denied if the appropriate documentation is not provided in a timely manner. Employees requesting an accommodation may be required to provide medical certification from the employee’s health care provider that includes: (1) identification of the health care provider; (2) the health care provider’s diagnosis of the disabling condition; (3) specific limitations and/or suggested restrictions and their relation to the disability; and (4) suggested accommodations.

## Certifications

- To the extent required by New York State law, it is the responsibility of all school employees to acquire the necessary teaching or administrative certification as it may pertain to their current position. Unless otherwise agreed upon in writing between the UFT and the School or the Employee and the School if not part of the Bargaining Unit, the costs of gaining certification, including the costs of all tests, courses, or application fees, are the responsibility of the individual employee. The School can be a helpful resource in guiding employees through the certification process. It is, however, the individual employee’s responsibility to work toward achieving and maintaining his or her certification status.

## Personnel Records and Files

- An employee's personnel file includes information such as his or her job application, résumé, offer letter, contracts, benefit forms, work history, salaries, vacations, sick days, performance evaluations, and correspondence concerning discipline. In accordance with the Americans with Disabilities Act, UPCHS keeps medical records in a file separate from personnel files. Personnel and medical files are the property of UPCHS and access to the information is restricted. In addition to the employee to whom the personnel file applies, the only persons allowed to review personnel files are supervisors that may have a legitimate reason to do so. If an employee wishes to review his or her own personnel or medical file, the employee should contact the Assistant Principal of Operations. With reasonable advance notice an employee may review his or her own personnel or medical file in UPCHS offices and in the presence of an individual appointed by the Principal to maintain the files. Employees have a right to copy the information and to submit written statements to their personnel files.
- Alternatively, employees can make a written Freedom of Information Law (FOIL) request for the contents of their personnel files, which may be redacted in accordance with FOIL.
- The contact information for University Preparatory Charter High School's Records Access Officer is as follows:

**Deborah Raji**  
600 St. Ann's Avenue  
Bronx, NY 10455  
draji@upchs.org

- It is an employee's responsibility to immediately notify the Assistant Principal of Operations, in writing, of any changes in personnel data such as:
  - Legal name
  - Number of dependents
  - Change in marital status
  - Change in alien status
  - Professional certificates or licenses
  - Cell phone number
  - Names/numbers of emergency contacts
  - Change of beneficiary
  - Military status
- Failure to report the correct information may adversely affect the benefits to which an employee is entitled. All employees are required to complete all applicable federal and state tax withholding forms. Failure to file such documentation with the School will result in the employee not being paid. Providing false information may result in disciplinary action, including termination of employment.
- All reference checks or inquiries from other employers should be directed Assistant Principal of Operations. No one in UPCHS other than the Principal or the Assistant Principal of

Operations is authorized to respond either verbally or in writing to personnel inquiries of any type about current or prior employees of UPCHS. UPCHS will not release any information about its current and prior employees to external sources other than dates of employment and job title, except where such release is required or authorized by law or otherwise authorized by employees. Employees who wish to have the Assistant Principal of Operations department provide information to any particular company or individual must provide a written release.

## Grievances

- Employees should familiarize themselves with the School's grievance policy, which is contained in the UPCHS Collective Bargaining Agreement

## Resignation Policy

- On or before February 14th of each year, Employees must sign a **notice of intent to return** in order to assure assignment with the School for the following school year.
- Employees who indicate that they do not intend to return may change their election up until April 1st of each year and will be assured an assignment for the following year.
- An Employee may extend the April 1st deadline in a written request to the School, dated prior to April 1st, until April 15th, and such a request will not be unreasonably denied.

## Return of School Property

- Upon separation, termination or resignation, employees must return all keys, records, files, supplies, or any other School property, and shall keep confidential such information to which employee has access during his or her employment that is protected by the Family Educational Rights and Privacy Act or otherwise protected by the Law or School policy. The employee will be responsible for any lost or damaged items.
- Staff may be asked to return school property for the summer months.

## Intellectual Property Agreement

### Definitions:

- "Lesson Plan" shall mean a plan created by and for the use of one or more UFT Teachers which provides the teacher with sufficient information to teach the lesson.
- "Intellectual Property Rights" shall mean any and all rights arising in the United States or any other jurisdiction throughout the world in and to (a) patents, patent disclosures and inventions (whether patentable or not), (b) trademarks, service marks, trade dress, trade names, logos, other designations of source, sponsorship, affiliation or origin, together with all related goodwill, (c) copyrights, copyrightable works and other works of authorship (including computer programs), data, data

collections and databases, (d) moral rights, and (e) any and all other intellectual property rights, in each case whether registered or unregistered.

**IP Clauses:**

- If a UFT Teacher creates a lesson plan as part of his or her employment by the School, the School and the UFT Teacher(s) who created the Lesson Plan shall, from the date that such Lesson Plan is created, jointly own all right, title and interest in and to the Lesson Plan including any Intellectual Property Rights therein (collectively the “Jointly Owned Rights”), without a duty to account or pay any royalties to the other joint owner.
- Except as expressly provided in this Agreement, neither the School nor the UFT teachers shall have any individual ownership rights in the Lesson Plans except as is necessary to fully effect the joint ownership thereof as set forth in this Section. For the avoidance of doubt, it is acknowledged and agreed that joint ownership of the Jointly Owned Rights shall provide the School and the UFT Teacher(s) who created the Lesson Plan each the undivided right, subject to this Agreement and applicable law, to exploit the Jointly Owned Rights, including, but not limited to, the rights to reproduce the Lesson Plan in any medium or manner; prepare derivative works of the Lesson Plan, distribute copies of the Lesson Plan to the public by sale, license, lease or otherwise; perform and display the Lesson Plan publicly; make, have made, use, offer to sell, sell and import the Jointly Owned Rights and freely exercise, transfer, assign, license, encumber and enforce all of its rights in the Jointly Owned Rights without the consent, joinder, or participation of, or payment or accounting, to the other joint owner(s). Except as expressly provided in this Agreement, neither the School nor the UFT teachers shall have any right as a joint owner of the Jointly Owned Rights to require such consent, joinder, participation, payment or accounting. For sake of clarity, nothing herein shall prohibit the use of Lesson Plans by the joint owners at schools other than the School; and nothing herein prohibits the UFT Teachers from offering for sale and selling the Lesson Plans on the Internet.
- The UFT Teachers and the School shall not require additional consideration for the rights, title and interest in the Jointly Owned Rights.

**XI. Confidentiality**

- Employees of UPCHS shall not, in any way, release any information about UPCHS, its activities, or the activities of its personnel except as normally required by their duties, except as expressly permitted by the Principal, and in conformity with the requirements of applicable law, such as the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), and any other applicable federal, state, or local law or regulation on school policy or regulation.
- No employee shall publish, disclose, use, or authorize anyone else to publish, disclose, use, or in any way cause to be published, disclosed, or used any private or proprietary information which such employee may in any way acquire, learn, develop, or create by reason of employment with this school, unless otherwise permitted by the Principal. Any

document or other material containing such information is required to be returned to the Principal upon an employee's termination or resignation.

- Protecting the confidential information about the school, its programs, students, their parents/guardians, and employees is vital to the interests of UPCHS and its success and required by law, including those specifically referred to above, among others. During your employment at UPCHS, you will likely learn or work with and be entrusted with confidential and/or privileged information about fellow employees, administrators, school parents/guardians, students or applicants. You will also learn about the school's programs, curriculum and other proprietary information. Confidentiality must be maintained with respect to all aspects of your employment relating to UPCHS' students, their records, the school's program and personnel. You must exercise the highest degree of care not to disclose any such information, even inadvertently, to any unauthorized person within or outside of UPCHS. You may not disclose any confidential or privileged information except to persons specifically designated in advance and in writing by the Principal.
- Employees must use professional judgment in avoiding exchanges of information about parents/guardians, colleagues or students with other parents/guardians, colleagues or students. Employees shall not refer to or discuss any student with the parents/guardians of other students. An important part of each UPCHS employee's role is that of respecting the confidentiality of students and their families, which is an aspect of ethical professional conduct. If in doubt about the confidentiality of any record or the appropriateness of disclosing information (including within UPCHS), contact the Principal prior to making any such disclosure to obtain guidance and advice.
- Confidential information includes, but is not limited to the following examples:
  - Student records
  - Financial information concerning the school, personnel or students
  - Personnel records
  - Payroll records
  - Computer programs, codes, processes, reports, and passwords
  - Personnel information regarding school parents/guardians and students
- With respect to official, confidential student records protected by applicable federal and/or state law (e.g., FERPA), a child's parent/guardian may request access to his/her child's educational records. Such records may only be provided following a written request on the appropriate form and with prior approval of the Principal. If a parent/guardian requests a review or copies of his/her child's protected educational records, you must refer the parent/guardian to the Principal/Assistant Principal for the appropriate consent and release form.
- If you believe confidential information must be disclosed to a third party, you must first consult with the Principal, prior to the contemplated disclosure. There is no excuse for the improper disclosure of confidential information. Failure to follow this policy may result in disciplinary action up to and including termination of employment.

- This policy against misusing, misappropriating or sharing information and records applies equally during the employee’s employment at UPCHS and after employment at UPCHS ends.
- Upon termination of employment, all confidential information in the employee’s possession must be returned to UPCHS.
- Nothing herein shall limit an employee’s right to engage in concerted activity as defined by the NLRA.

## **XII. Child Abuse and Neglect**

### **Child Abuse or Mistreatment Pursuant to Social Services Law, §411 *et. seq.***

- Pursuant to §413 of New York State’s Social Services Law, school officials are required to report instances of suspected child abuse or maltreatment to the State Central Register of Child Abuse and Maltreatment (“SCR”). A hotline has been established for reporting by mandated reporters, which include school officials. For purposes of the mandatory reporting obligations, every employee at UPCHS is considered a school official. The hotline is 1-800-635-1522.
- Child “abuse” occurs when a parent or other person legally responsible for the child inflicts serious physical injury upon the child, creates a substantial risk of serious physical injury, or commits a sex offense against the child. In addition, the definition includes instances where the parent (or person legally responsible) knowingly allowed another to inflict such harm.
- Child “maltreatment” (which includes neglect) occurs when a child’s physical, mental, or emotional condition has been impaired, or is in imminent danger of impairment, by the parent’s (or other person legally responsible for the child) failure to exercise a minimum degree of care by (1) failing to provide sufficient food, clothing, shelter or education; (2) failing to provide proper supervision, guardianship, or medical care; or (3) inflicting excessive corporal punishment, abandoning the child, or misusing alcohol or other drugs and, in doing so, causing the child to be placed in imminent danger.
- As mandated reporters, school officials, teachers, and employees are required to report suspected child abuse or maltreatment when they have reasonable cause to suspect either has. “Reasonable cause” to suspect child abuse or maltreatment means that, based on a school official’s rational observations, professional training, and experience, the official suspects that the parent or other person legally responsible for the child has harmed the child or placed the child in imminent danger of harm.
- The following procedures must be followed in reporting instances of child abuse and maltreatment:

- If a school employee learns of or suspects a situation of abuse or maltreatment of a student by his or her parent or person legally responsible for the student’s care, the employee must report the situation to the Principal, Assistant Principals or Guidance Counselors immediately.
- If, based on the employee’s report, the Principal, Assistant Principals or Guidance Counselors reasonably believes that abuse or maltreatment has occurred, the State Central Register (SCR) hotline must be immediately called at **1-800-635-1522** and a verbal report must be made.
- The caller must ask the SCR representative his or her name and the “Call I.D.”
- Within 24 hours of the School’s verbal report to the SCR hotline, the caller must complete and submit to the SCR mandated reporter a form “LDSS-2221A”. A form LDSS-2221A may be obtained from the New York State Office of Children and Family Services website at: [www.ocfs.state.ny.us/main/forms](http://www.ocfs.state.ny.us/main/forms) or by calling (518) 472-0971.
- If the school official is uncertain about whether a situation rises to the level of abuse or maltreatment, the official should contact the hotline to discuss the matter with a trained SCR specialist.
- The Principal shall document for his or her confidential file the events, conversations, and facts associated with an allegation of child abuse or neglect, whether or not those circumstances rise to the level of reasonable suspicion that cause him or her to make a report to SCR.
- All information relating to reports of child abuse or maltreatment shall be strictly confidential.

### **Child Abuse in the Educational Setting Pursuant to Education Law Article 23-B**

- Pursuant to New York State Education Law §1126, and the regulations of the Commissioner of Education (8 N.Y.C.R.R. 100.2(hh)), any oral or written allegation to a teacher, school nurse, guidance counselor, psychologist, social worker, administrator, board member, or other school personnel required to hold a teacher or administrator license or certificate, that a child has been subjected to child abuse by an employee or volunteer in an educational setting, shall promptly make a report, on a form provided by the Commissioner of Education, consisting of the following:
  - The name of the child’s parent;
  - The name of the person who reported the abuse and their relationship to the child;
  - The name of the employee or volunteer against whom the allegation is made;
  - A listing of the specific allegations.
- The report must be given to the Principal immediately. The report and all other written materials, photographs, and/or videos concerning the allegation and report are strictly

confidential and may only be disclosed to law enforcement authorities involved in the investigation of the alleged child abuse, or as expressly authorized by law or pursuant to a court-ordered subpoena. Willful disclosure to a confidential record to an unauthorized person is a violation of law and a crime.

- The duties of administrators upon receipt of a written report alleging child abuse in an educational setting, where the administrator has a reasonable suspicion that an act of child abuse has occurred, shall be as follows:
  - If the alleged child-victim made the report, promptly notify the parent of the allegation and provide the parent with a written statement pursuant to §100.2(hh) of the Commissioner's Regulations setting forth the duties of employees and administrators upon receipt of the allegation, additional duties of superintendents, notification by the district attorney pursuant to Education Law §1130, and actions to be taken upon criminal conviction of a licensed or certified school employee pursuant to Education Law §1131.
  - If the parent made the allegation, promptly provide the parent with the above-referenced written statement.
  - If someone other than the child-victim or parent made the report, ascertain from the reporting person the source and basis of the allegation, promptly notify the parent and provide the parent with the requisite written statement.
  - If a public school administrator received the written report alleging abuse, the administrator must promptly provide UPCHS' Board Co-Chairs with a copy of the report as well.
  - A report of child abuse in an educational setting must be promptly forwarded to the appropriate law enforcement agencies.
  - UPCHS shall forward the report of child abuse to the Commissioner of Education if the accused employee or volunteer holds a license or certification issued by the New York State Education Department.
  - Any child abuse report that does not, after investigation, result in criminal conviction shall be expunged after five years or at such earlier time that the School determines.
- If the alleged abuse was by an employee or volunteer of a school other than one within the school district of the child's attendance, the report must be forwarded promptly to the Principal.
- At least annually, UPCHS will provide training to all new teachers, school nurses, guidance counselors, psychologists, social workers, administrators, board member and other school personnel required to hold a teacher or administrator's license or certificate requirements of reporting of child abuse in an educational setting.

## Appendix A: UPCHS Code of Ethics

All Trustees, officers and employees of University Prep Charter High School (UPCHS) are expected to behave at the highest level of professional standards and ethics. The following code of conduct applies to Trustees, officers or employees as specified:

- The Board of Trustees (the “Board”) shall conduct its affairs subject to the Charter Schools Act, applicable provisions of the Education Law, provisions of the Not-For-Profit Corporation Law made applicable to education corporations by section 216-a of the Education Law and federal law and regulations related to the School’s I.R.C. 501(c)(3) status, as well as the school’s charter and by-laws and other applicable provisions of law and regulations. The Board may delegate aspects of the management of the activities of the school to others, so long as the affairs of the school are managed, and its powers are exercised, under the Board’s ultimate jurisdiction.
- Trustees shall avoid at all times engaging in activities that would appear to be unduly influenced by other persons who have a special interest in matters under consideration by the Board. If a Trustee inadvertently engages in such activities, such Trustee shall promptly notify the Board in writing of such activities and shall disclose all known facts prior to participating in a Board discussion of these matters.
- Trustees shall make full disclosures whenever there may be a conflict of interest with respect to a matter under discussion or consideration by the Board.
- Trustees shall not acquire or receive any gift for their personal use from someone doing business with the school.
- Trustees, officers and employees cannot have an interest in any for-profit contract with the school.
- Trustees, officers, and employees must disclose contracts with not-for-profit entities, such as charter management organizations, and partners and founding organizations.
- Trustees, officers and employees may work on political campaigns on non-school time. However, Trustees, officers or employees never may ask a subordinate, a student or a parent/guardian of a student to work on or give to any political campaign.
- Trustees, officers and employees owe their loyalty to the school. Therefore, they may not communicate with the school on behalf of a person or a firm unless such communication is part of their official duties for the school.
- Trustees, officers and employees may not use confidential school information for a non-school purpose or disclose it to a private person or a firm for non-school purposes.
- Trustees, officers and employees may not have a financial relationship with supervisors or subordinates outside their employment relationship with the school and the Board.
- Trustees, officers and employees may not act in connection with any lawsuit or administrative hearing as a lawyer or an expert for a private interest if the school interest is involved.
- Trustees, officers, and employees will abide by General Municipal Law section 805-a which states that no trustee, officer or employee shall:

- Directly or indirectly, solicit any gift, or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties or was intended as a reward for any official action on his part;
  - Disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests;
  - Receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee; or
  - Receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- Trustees, officers and employees must abide by section 803 of the General Municipal Law which states, “Any officer or employee who has, will have, or later acquires an interest in—or whose spouse has, will have, or later acquires an interest in—any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the municipality of which he or she is an officer or employee, shall publicly disclose the nature and extent of such interest in writing to his or her immediate supervisor and to the governing body thereof as soon as he or she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the official record of the proceedings of such body.” Any such trustee, officer or employee who shall knowingly and intentionally violate any of the provisions of this code may be suspended or removed from office.
  - The Board, or a board of ethics, which it may establish, shall render advisory opinions to Trustees, officers and employees with respect to the code of ethics.

This Code of Ethics will be distributed to all employees upon hiring by the school and to all officers and Trustees upon appointment to the Board, and each such person will be required to abide by this Code. If amendments are made to the Code of Ethics, all employees, officers and Trustees shall receive an updated copy. Time will be allotted at an appropriate Board and staff meeting to explain the Code. The School Leader shall serve as the compliance officer to ensure compliance with the Code of Ethics; one Trustee (with no affiliation with the school’s partner organization) shall be appointed to oversee the Principal in this role.