



# **ASW Policy Manual 2021-2022**



ESTABLISHED  
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# 1.00 Bylaws

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## **1.01 Preamble**

The Board of Trustees of the American School of Warsaw, recognized as the highest duly constituted authority of the American School of Warsaw by the Embassy of the United States of America to the Republic of Poland, declares the following to be rules that govern the operation of the American School of Warsaw (hereinafter "School").

ASW Projekt Spolka z o.o. and ASW Foundation Inc., as coordinated entities of the American School of Warsaw, commit themselves to always act in coherence with the decisions made by the Board of Trustees or any other entity or individual to which the Board of Trustees has delegated rights to act on behalf of the School. Only members of the Board of Trustees or their designees can be members of any decisive body of ASW Projekt Spolka z o.o. and ASW Foundation Inc. The obligation of ASW Projekt Spolka z o.o. and ASW Foundation Inc. according to this section is confirmed in an agreement in their respective policy.

Revised: April, 2021

## 1.02 Definitions

For purposes of relevant policy, the following terms have the meanings specified below:

ASW	American School of Warsaw, located in Warsaw, Poland
Administration	The Director, the individual Division Principals, and all those involved in and responsible for the establishment and implementation of the necessary policies and procedures for the day-to-day operations of the School
Appeals Procedure	The process for appealing a decision made by an employee of the School that significantly affects the education, health or safety of a student to the Board of Trustees as set forth in policy.
Board of Trustees or Board	In the governance structure of ASW, the highest duly constituted governing body of the School
Bylaws	Refers to these policies expressing the governance structure, rules, and procedures of ASW (Section 1)
Chair	The Chair of the Board of Trustees
Committee Chair	The Board member serving as the chairperson of the standing committees or any other committee established under policy and/or by the Board of Trustees
Department	An organizational unit providing operational and educational services across all divisions and led by a designated administrator.
Director	The chief executive or overall lead administrator of ASW who is duly appointed by, and reports to, the Board of Trustees
Division	An organizational unit comprised of a span of grade levels and led by a designated principal.
Division Principal	Lead administrator for a Division, who is appointed by and reports to the Director, with the advice and concurrence of the Board of Trustees
Finance Committee	A standing committee of the Board of Trustees as set forth in Policy 1.06
Governance Committee	A standing committee of the Board of Trustees as set forth in Policy 1.06
Honorary Chair	The Chief of Mission of the Embassy of the United States is the Honorary Chair of the Board of Trustees
Polish Authorities	Authorized representatives of the Government of Poland, including, but not limited to, members of parliament, ministries, and government agencies
School	Refers to ASW in its entirety
School Association	The portion of the ASW community composed of the parents and guardians of the students enrolled at the School
School Community	The entirety of the ASW community including students, faculty, staff, administration, parents and guardians of students, the Board of Trustees, and all their respective family members
Secretary	The Secretary of the Board of Trustees and Chair of the Governance Committee
Treasurer	The Treasurer of the Board of Trustees and Chair of the Finance Committee

Trustees	The individual members of the Board of Trustees
U.S. or United States	Refers to the United States of America
Vice Chair	The Vice Chair of the Board of Trustees

Revised: May, 2020

### **1.03 Role of the Board of Trustees**

- a. The Board of Trustees is the governing body of the School.
- b. The Board of Trustees expresses its will through resolutions, which, unless otherwise provided for herein, must be approved by a majority of Trustees present during a legally constituted meeting in which there is a quorum presided over by the Chair of the Board of Trustees or, in his/her absence, by the Vice Chair. In the event of a tie vote, the vote of the Chair, or in his/her absence, the vote of the Vice Chair, shall be decisive.
- c. The Board of Trustees is responsible for the establishment and maintenance of administrative and educational policies and standards for the School, including policies associated with the terms and conditions of employment of all staff. In relation to the terms and conditions of employment of staff, the Board will adhere to the timeline and procedures articulated in policy.
- d. The Board of Trustees sets policy, focuses on and addresses long-range strategic plans for the School, determines the School's Core Values, Mission, Vision, and strategic goals, and monitors, measures, and, as appropriate, supports the School and the Director in meeting them.
- e. The Board of Trustees is responsible for the selection, employment, and evaluation of the Director, and for setting and updating the conditions for the continued employment of the Director. A resolution regarding employment, revising conditions of employment, or dismissal of a Director requires an affirmative vote of at least seven (7) members of the full Board of Trustees.
- f. The Board of Trustees is responsible for sound financial management of the School, as well as long-range financial planning and security. It is responsible to approve the annual budget submitted by the Director and subsequent amendments of the budget as appropriate.
- g. The Board of Trustees will also serve as an appellate body and final arbiter of appealable matters brought before the Board in accordance with contract terms and conditions, as applicable, or the Appeals Policy (9.02).

Revised: May, 2020

#### **1.04 Composition of the Board of Trustees**

- a. The Chief of Mission of the Embassy of the United States is the Honorary Chair of the Board of Trustees.
- b. The Board of Trustees is composed of either twelve (12) or thirteen (13) members as stipulated herein.
  1. The Director shall serve as an ex-officio member of the Board of Trustees with no voting rights.
  2. The Honorary Chair shall appoint two (2) members from the U.S. Embassy community. The terms of office for these appointments are at the discretion of the Honorary Chair.
  3. The School Association shall elect four (4) members to represent the school community. Elected members must be members of the School Association and meet the same eligibility requirements as appointed members. The elected members of the Board of Trustees shall represent the school community in the following manner: two (2) members shall be citizens of the United States and two (2) members shall be non-U.S. citizens.
  4. The Board of Trustees shall appoint five (5) members from the School Association. At least two (2) of the five (5) appointed members shall be citizens of the United States and at least two (2) shall be non-U.S. citizens.
  5. The Board of Trustees may optionally appoint a maximum of one (1) non-member of the School Association to the Board of Trustees.
- c. No members of the same family may serve on the Board of Trustees simultaneously. No ASW employees, their spouses, or immediate family members of employees may serve on the Board of Trustees. More detailed requirements as to the eligibility for Board membership may be set forth in policy.
- d. For purposes of the definition for “citizens of the United States,” any person holding dual citizenship of the United States and another country shall only be entitled to run for election for or be appointed to the Board of Trustees as a citizen of the United States.

Revised: May, 2020

## **1.05 Officers of the Board of Trustees**

- a. The officers of the Board of Trustees are the Chair, the Vice Chair, the Treasurer, and the Secretary.
  - 1. The Chair is appointed by the Honorary Chair in consultation with the Board of Trustees. When making his or her selection, the Honorary Chair will take into consideration a set of selection criteria provided by the Board of Trustees.
  - 2. The Vice Chair shall be appointed by a majority vote of the Board annually at its first meeting.
  - 3. The Chair shall appoint the Treasurer and the Secretary.
- b. No member of the Board of Trustees shall hold two (2) of the offices specified in 1.05a above, simultaneously.
- c. The duties of the Chair are as follows:
  - 1. To call meetings of the Board of Trustees. The Chair shall insure that parents and School Community members are informed that regular Board of Trustees meetings are open to the School Community.
  - 2. To preside at the meetings of the Board of Trustees.
  - 3. To prepare an agenda in co-operation with the Director, taking into consideration any suggestions made by members of the Board of Trustees.
  - 4. To act or enter agreements on behalf of the Board of Trustees as authorized by the Board of Trustees beforehand or, in cases of emergency, as soon as possible thereafter.
  - 5. To conduct correspondence on behalf of the Board of Trustees.
  - 6. To represent the Board of Trustees and the School in their relations with the School Association, the U.S. Embassy, the U.S. Department of State and the Polish Authorities.
  - 7. To settle all minor policy matters which arise between meetings.
  - 8. To recommend all committee chairs and committee membership to the Board of Trustees for adoption.
  - 9. In carrying out these duties, the Chair is guided by the policy resolutions of the Board of Trustees and is required to report to the Board of Trustees any actions taken.
- d. The Vice Chair shall perform the duties of the Chair in his/her absence.
- e. The Treasurer shall serve as the Chair of the Finance Committee having the following responsibilities:
  - 1. To ensure that the annual budget is prepared and presented to the Board of Trustees for approval.
  - 2. To ensure that a financial report for the current school year is prepared and presented to the Board of Trustees for approval.
  - 3. To ensure that an annual audit is performed.
- f. The Secretary shall serve as the Chair of the Governance Committee having the following responsibilities:
  - 1. To ensure that Trustees and the School Community are informed of the dates of executive and regular Board meetings in a timely manner.
  - 2. To ensure that minutes of all Board meetings are faithfully recorded and all materials distributed to the Trustees.
  - 3. To oversee elections of new Trustees.
  - 4. To conduct the annual self-evaluation of the Board of Trustees.

Revised: May, 2020

## **1.06 Committees of the Board of Trustees**

- a. The Finance Committee shall be responsible for developing annual budget guidance for Board approval prior to budget development initiation for the ensuing school year. The Finance Committee is also responsible for reviewing annual budget execution, monitoring income and expenses throughout the year, ensuring that the question of risk management is properly managed, nominating for Board of Trustees approval an independent auditing firm to audit the School's financial statement and accounts and other duties as deemed necessary.
- b. The Governance Committee shall be responsible for organizing elections and appointments to the Board of Trustees, inducting new Trustees, ensuring that the Board of Trustees assesses its own performance annually, maintaining the School's Policy Manual, recommending the methodology for the Director's performance appraisal and succession, and other duties as deemed necessary.
- c. The Executive Committee shall be responsible for oversight and coordination of the leadership of each Board committee, in support of the Chair of the Board of Trustees. The Executive Committee advises the Chair in the development of Board meeting agendas, coordination of committee contributions to the work of the Board, and overall supervision of the work of each committee. The Committee shall serve as the primary advisory committee to the Chair and will be consulted on matters of rules of order.
- d. Each member of the Board of Trustees shall serve on at least one (1) Board committee.
- e. The Board of Trustees may establish other standing and ad-hoc committees as deemed appropriate by Board of Trustee resolution.
- f. Board of Trustees committees shall be composed of three (3) or more Board members, each serving as a voting member. Individuals from the School Community as well as from outside of the School Community may be invited to sit as non-voting members on Board of Trustees committees. The Board of Trustees will seek representation of teachers, students, and School Community members on its committees in accordance with the guidelines set forth in policy and procedure.
- g. Members of the School Community who serve on committees shall observe the guidelines set forth in policy and procedures.
- h. Records of the committee meetings shall be kept in accordance with the regulations set forth in policy and procedure.

Revised: March, 2021

## **1.07 Board Obligations**

The Board of Trustees has a responsibility to monitor the performance of the Board (1.05.f.4) and to address concerns relative to the performance of individual trustees under the expectations set forth in these bylaws and associated policies and procedures. The Board may take action by motion and affirmative vote of at least seven (7) members of the Board of Trustees in executive session to remove a trustee when they fail to meet one or more of the following obligations:

- a. Trustees shall attend all Board meetings and assigned committee meetings to mean that they should not be absent for three (3) consecutive Board or committee meetings or absent from a total of five (5) Board or committee meetings during an academic year.
- b. Trustees shall adhere to all terms of policy and procedures.
- c. Trustees and committee members shall not conduct Board business outside of the duly constituted Board meetings or Board committee meetings except as specifically granted by the Board of Trustees or Bylaws.
- d. Board of Trustees members shall not accept gifts or gratuities in connection with their official duties.
- e. Trustees shall refrain from participating in or encouraging legal action against the school.
- f. Board of Trustees members shall observe the Board member commitments set forth in policy.

Revised: March, 2021

## **1.08 Conducting Meetings of the Board of Trustees**

- a. The Board of Trustees holds regular meetings usually once a month, except during the months of July, August and December. Additional meetings may be called by the Chair or upon the request of at least four (4) Trustees. The Board of Trustees shall meet a minimum of eight (8) times a year.
- b. Regularly scheduled Board of Trustees meetings shall be open to the School Community, except for those portions of such meetings which the Board Chair calls into executive session. Special meetings or study sessions will be assumed to be executive sessions unless otherwise stipulated.
- c. The Board may hold an executive session to discuss items of a sensitive and confidential nature or involving sensitive documents. These sessions will be open to voting members only and applicable parties, for the discussion of items including, but not limited to, those listed below:
  1. Materials and information concerning criminal or civil actions;
  2. Strategy sessions pertaining to pending or potential litigations;
  3. Discussions which would disclose the identity of a bona fide and lawful donor to the School, when the donor has requested anonymity;
  4. The hearing of appeals in student expulsion or disciplinary cases;
  5. The hearing of appeals in employee disciplinary or dismissal cases;
  6. Personnel and student matters in which the names, competency, and abilities of individual employees or students are discussed;
  7. Discussion of potential or actual emergencies or matters of security related to the preservation of health and safety;
  8. Financial or Legal advice rendered to the Board concerning an issue or matter under Board discussion, where the Board has not yet taken a public stand or reached a conclusion;
  9. Negotiations or consideration of bids relative to contracts that are of a confidential nature;
  10. Preliminary discussions of tentative information relating to student admission, fees, personnel needs, or fiscal requirements.

Confidential minutes of these meetings shall be maintained by the Board Secretary.

- d. Minutes shall be taken at both the regular and executive sessions of the meetings of the Board of Trustees.
- e. Six (6) of the voting members of the Board of Trustees shall constitute a quorum for the conduct of its business. The Chair or the Vice Chair must be present at each Board of Trustees meeting.
- f. The Director shall be present during all regular, executive, and committee meetings of the Board of Trustees except when the Director's terms of employment and/or his/her evaluation are under consideration. The Director may designate a senior member of the Administration to attend in his/her place with the Chair's approval.
- g. Initiatives shall be brought to the Board of Trustees for discussion and consent in accordance with the procedures set out in policy. Meetings are conducted in accordance with the current edition of *Robert's Rules of Order*, except when they conflict with the rules contained in the Bylaws. In such cases, the Bylaws prevail.
- h. Trustees shall abstain from voting and decision making, and be excused from the deliberations on any issues that may be construed a conflict of interest as defined in the Policy Manual. The Board of Trustees shall determine when those conditions exist.
- i. Written ballots may be used when deemed necessary by the Chair.
- j. Meetings must be held at the School facilities located at Bielawa, ul. Warszawska 202, 05-520, Konstancin-Jeziorna, unless otherwise unanimously agreed upon by the Board of Trustees. Trustees may participate in the meeting electronically (via telephone or video conference), provided that appropriate facilities are available.

Revised: June, 2021

**1.09 Business Year and Annual Accounts of the School**

- a. The business year and annual accounts will close as of June 30.
- b. Annual accounts shall be audited by a certified independent auditor appointed by the Board of Trustees, no later than six (6) months from the closing of the accounts.

Revised: December, 2016

### **1.10 Board Elections, Appointments, and Terms of Office**

- a. Voting for elected members (1.04.b.3) of the Board of Trustees shall be held annually not later than May 31 of each school year for two of the 4 available positions. Elections shall be staggered such that no more than two positions will be open for nomination each year. Elections will be conducted with paper or electronic ballots. All members of the School Association are eligible to vote. Each member of the School Association shall have one vote. No proxy votes will be allowed. The term of office for elected members of the Board of Trustees is two (2) years. Members of the School Association, who wish to stand for election for the Board of Trustees, may place their name in nomination. The Governance Committee shall prepare a list of eligible candidates' names for election by members of the School Association. Specific procedures for conducting elections will be approved by the Board of Trustees.
- b. Appointed members (1.04.b.4) of the Board of Trustees shall be appointed not later than June 30 of the school year prior to the start of their terms. The term of office for appointed members of the Board of Trustees is no more than three (3) years. The Board of Trustees may appoint a member perpetually for successive terms.
- c. The optional appointed member (1.04.b.5) shall be appointed not later than June 30 of the school year prior to the start of their term. The term of office for the non-member of the association appointed by the Board of Trustees is at the discretion of the Board of Trustees and shall be stipulated prior to the appointment. The term of office will be no longer than three (3) years. The Board of Trustees may appoint this member perpetually for successive terms and terms may have varying lengths.
- d. All terms of office begin on July 1 preceding the school year that his/her term begins and ends on June 30 in the final school year of the term length.
- e. If any vacancy appears on the Board of Trustees for any reason, the Board of Trustees may, at its discretion, either appoint a person, only in accordance with the qualification stipulations of Sections 1.04.b.3, 1.04.b.4, and 1.04.b.5, to serve until the end of the unexpired term or leave the position vacant.

Revised: May, 2020

### **1.11 Role of the Director**

- a. The Board of Trustees acknowledges that the Director, consistent with the relevant law and policies of the School, shall have the authority, right, and responsibility to:
  1. Supervise and direct the administrative and supervisory staff, including instructional as well as non-instructional personnel, in a manner which best serves the interests of the School and its students.
  2. Select, assign, transfer, and terminate employment of all staff in accordance with (1), above.
  3. Develop the overall educational policies, goals, and objectives of the School, in consultation with the Board of Trustees, and then implement such policies, goals, and objectives after they have been approved by the Board.
  4. Develop and implement the educational program and curriculum of the School.
  5. Develop, implement, and supervise policies and procedures, consistent with plans and policies adopted by the Board of Trustees, to ensure the safe and efficient operation of the School.
  6. Prepare and administer the approved budget of the School.
  7. Supervise needs for renovation, repair, and maintenance of the School facilities.
  8. Supervise and direct strategic planning and programs and execute advancement initiatives approved by the Board of Trustees, which may include fundraising goals.
  9. Report to the Board of Trustees.
- b. The Board of Trustees may from time to time assign additional duties and responsibilities to the Director, provided that such duties and responsibilities are consistent with those normally associated with the position.

Revised: March, 2020

### **1.12 Indemnification of Members of the Board of Trustees**

The School shall indemnify, defend and hold harmless each Trustee from and against any and all liabilities, claims, losses, expenses, and costs (including attorney's fees) arising out of acts or omissions performed by the Trustees in their capacity as members of the Board of Trustees, unless such acts or omissions are in breach of these Bylaws or the School policies. In the event of any such claim or action being taken against a Trustee, such Trustee shall promptly provide written notice to the Board of Trustees and shall reasonably cooperate with the School in the defense of such claim or action.

Revised: December, 2016

### **1.13 Dissolution of the School**

- a. A decision to dissolve the School shall be made by an affirmative vote of at least nine (9) members of the Board of Trustees, including the vote of the Chair of the Board of Trustees or, in his/her absence, the Vice Chair. In this context it shall be noted that the real estate used and rented by the School is owned by ASW Projekt Spolka z.o.o., which is wholly owned by ASW Foundation, Inc. The certificate of incorporation of ASW Foundation, Inc., including rules regarding disposal of any kind of assets (including liquidation and bankruptcy), the physical or legal persons authorized to act on behalf of ASW Foundation Inc., as well as the possible beneficiaries of such transactions or proceedings, shall be adhered to where required in any action to dissolve.
- b. The decision to dissolve the School and as to the distribution of the assets of the School, ASW Projekt Spolka z.o.o., and ASW Foundation Inc., is subject to approval by the Honorary Chair of the Board of Trustees.

Revised: May, 2020

#### **1.14 Amendments to the Bylaws**

A resolution amending these Bylaws must be read at two successive board meetings and adopted at the second meeting by an affirmative vote of at least seven (7) members of the Board of Trustees.

Revised: May, 2021

## **2.00 The School and Its Goals**

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## **2.01 Core Values and Mission Statement**

### Core Values

- Make the whole world your classroom.
- Step forward and make things happen. Don't wait.
- Work together. Because without us all, we're nothing.
- Bounce back when things don't go your way.
- Put the same into life as you put into school.

### Mission Statement

We're determined to be a community that changes the world for the better.

Here, it's all about what you can do rather than what you can't; where every student, at any level of ability, from any culture, is happy and excited because they can choose how they want to learn, not just what they want to learn.

It's a school where asking the right questions is more important than memorizing the right answers; where you make friendships that last a lifetime; and develop life skills that send you out into the world with enough self-belief to change it for the better.

Revised: April, 2019

## **2.02 Non-Discrimination**

Except for the provisions contained in Admissions Policy 8.01, the American School of Warsaw prohibits discrimination based on race, religion, gender, sexual orientation, or national origin.

Revised: December, 2016

### **2.03 Administrative Organization Plan**

All administrative positions in the School are established by the Board of Trustees. The number of such positions shall be sufficient to promote the attainment of the School's goals. An organizational chart for the School will be prepared by the Director and approved by the Board of Trustees.

The Director and the Division Principals selected for this School should reflect high standards inherent in schools in the United States.

Revised: December, 2016

#### **2.04 Qualifications and Appointment of the Director**

The Director shall be hired by the Board of Trustees, who may seek the advice of consultants and utilize any other reasonable procedures they deem necessary to select the best candidate.

The Director should have as a minimum a master's degree plus five (5) years' experience working in school administration. It is desirable he/she has a minimum of two (2) years' experience as a chief executive officer of a school. His/her record of experience and references should clearly illustrate integrity, professional achievement, awareness of the needs of students and staff, and an ability to carry out successfully the functions and responsibilities of the Director.

Revised: December, 2016

## **2.05 Function and Responsibility of the Director**

As the chief executive officer, the Director is responsible for administering the American School of Warsaw within the limits imposed by policies and procedures established by the Board of Trustees. The Director is responsible for the selection and assignment of all School employees, the management of the plant and the equipment, the administration and supervision of the education program, and the maintenance of relations with the School Community. The Director shall inform the Board of Trustees of any promotions, significant personnel changes, and resignations.

The Director shall be responsible for the development of administrative procedures which provide additional detail or clarification of School policy. The Board of Trustees must be informed of all procedures and proposed changes. These procedures shall not conflict with the Bylaws or School policy.

Revised: December, 2016

## **2.06 Annual Evaluation of the Director — Appraisals by the Board of Trustees**

The Board of Trustees conducts an appraisal of the Director's performance twice a year (in December and May) in the form of a survey provided by the Governance Committee. Based on such an appraisal, the Chair of the Board of Trustees prepares a written evaluation which is then submitted to the Director and report thereof is presented and discussed in executive session at the January and June Board meetings, respectively.

Revised: December, 2016

## **2.07 Functions, Responsibilities and Qualifications of the Division Principals**

The minimum educational requirement for the Division Principals shall be a Master's Degree plus two (2) years' experience in school administration, preferably as a principal in a United States school, unless otherwise approved by the Board of Trustees.

Revised: December, 2016

## **2.08 School Calendar**

The Director shall prepare the school calendar for at least two years in advance and submit it to the Board of Trustees for approval after consultation with the administration and opportunity for public feedback on the proposals. The school year shall consist of between 175 and 185 student contact days.

Changes to the calendar for the current or next academic year require the approval of the Board through amendment at any regular meeting or, in the case of an emergency, through electronic vote of a quorum of trustees.

Revised: March, 2021

## **2.09 School Day**

The Administration shall schedule the school day to offer the greatest return for the time spent, within the limitations of school facilities. The normal school day shall consist of a minimum of six (6) hours. The actual length of the school day, including instructional time and non-instructional time, shall be determined by the Administration and conform to the minimum amount required by the School's accrediting agencies.

The Administration may arrange release time for special activities for students or teachers when such activities are deemed beneficial to the instructional program.

Revised: December, 2016

## 2.10 Harassment

- a. The school will not tolerate harassment or bullying at any time by any member of the community (student, teacher, administrator, parent), contracted staff, or visitor.

- b. Definitions

Harassment is the creation of a hostile environment by speech or conduct. Not all unpleasant speech or conduct constitutes harassment. However, conduct or communication, be it verbal or written (including notes, graffiti or electronic communication), that is either intended to or reasonably could be expected to create an intimidating, hostile, or offensive environment constitutes harassment. Harassment may be subtle and ambiguous or direct and overt. It may arise between students, between a student and an adult, including visitors to the school, and between adults.

It is not, therefore, possible to give a complete list of conduct that constitutes harassment. The following are examples of conduct prohibited by this policy:

1. Persistent and unwelcome requests for a personal or physical relationship, including a dating relationship;
2. Unwelcome and offensive jokes, remarks or epithets, including, but not limited to, those based on race, color, religion, age, gender, sexual orientation, physical appearance, national origin, or disability;
3. Speech or the display of materials (including, but not limited to, any display of materials on the internet or otherwise by electronic means) that is intended to be demeaning or degrading or reasonably could be considered so; and
4. Physical contact including, but not limited to, violence, patting, pinching, hugging or kissing that is unwelcome, persistent, and/or intentional.

- c. Education and Prevention

The prevention of harassment requires a thoughtful educational program. Each year, Administrators and counselors will discuss bullying and harassment with Faculty, Staff and students so that everyone will understand the intention of this policy, how to take action and the possible consequences of violating the policy. Reflecting their joint responsibilities, parents are urged to support school efforts by discussing the issues covered by this policy at home and to address any questions to the administration.

- d. Anyone informed about conduct defined by this policy should refer to procedures in staff and student handbooks associated with reporting and adjudication of relevant actions.

Revised: May, 2018

## 3.00 Board of Trustees

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### **3.01 Policy Development**

Policy resolutions must be read and discussed at two (2) Board meetings before a vote is taken.

Amendments proposed and approved during first reading can move forward to second reading and adoption. Changes to policy at second reading shall be limited to non-substantive edits and corrections.

Governance Committee (1.06b) will maintain the policy manual through a multi-year review cycle.

In addition to policy, the Director will have full responsibility for associated procedures and, while they do not require two readings as noted above, the Director will keep the Board informed of any changes. The Board has a responsibility for regular review of the effective interpretation of policy and implementation.

Revised: November, 2018

### **3.02 Conflict of Interest**

Members of the Board of Trustees and Board committee members are responsible and accountable for identifying and avoiding any situations which may present a potential or actual conflict of interest or be perceived as having material involvement in the matter under debate. Material involvement includes real or potential benefits for self, friends, family members, or business associates.

For the purposes of this policy, a conflict of interest is any situation in which an individual has a personal or financial interest that may:

- affect his/her judgment and/or the performance of his/her duties or responsibilities,
- cause him/her to act, or appear to act, for the purpose of personal gain
- result in personal gain based on the use of position, influence, resources, facilities, and/or access to student or staff information

#### **Disclosure**

Members of the Board of Trustees and Board committee members are required to disclose any potential or actual conflicts of interest, that could compromise or be perceived to compromise their objectivity and judgment, to the Chair of the Board of Trustees immediately.

Further, the Chair of the Board of Trustees and Committees Chairs are expected to initiate an inquiry if a conflict appears to exist whether or not a member has made it known.

#### **Determination**

The Chair of the Board of Trustees or the Committee Chair will initiate an inquiry into the matter to establish if the conflict of interest exists and propose actions to be taken, subject to the final approval of the Board in Executive Session.

In making recommendations for action to the Board of Trustees, the Chair should consider the capacity for the interest to affect decision-making and how others may view perceive the lack of objectivity, as the test of reasonable materiality.

All matters of inquiry under Conflict of Interest will be treated as confidential and considered in the Executive Session of the Board of Trustees.

#### **Remedy**

Members of the Board of Trustees or Board committees may be required to recuse themselves from specific duties or transactions where the Board has confirmed conflict of interest.

#### **Consequences of Breach**

In case a member of the Board of Trustees or Board committees fails to disclose a conflict of interest according to the above procedure, the Board of Trustees may initiate sanctions as otherwise provided for under the Bylaws and in conjunction with stipulations associated with Board and Committee Member Commitments and relevant policy.

Revised: May, 2020

### **3.03 Eligibility for Candidacy for a Board Member**

A candidate for the elected or appointed member positions on the Board of Trustees must share the vision, mission, and core values of the School. Further, they should agree to abide by its policy procedures. A candidate must confirm that their presence on the Board does not constitute a conflict of interest as defined in Policy 3.02 Conflict of Interest.

Additionally, a candidate will be considered as eligible for election or appointment when...

- a. the candidate has successfully participated in aspiring board member training at ASW or has a minimum of 1 year of academic institution board membership experience,
- b. the candidate demonstrates willingness to accept Board Member commitments, essential working agreements, and post-service obligations, as defined in 10.02.

Revised: May, 2020

### **3.04 Strategic Planning**

#### **a. Purpose**

The Board of Trustees affirms strategic planning as an integral component of its governance and leadership functions. The Strategic Plan provides overall direction, common goals, and focused utilization of time and resources. The Strategic Plan provides an opportunity for participatory leadership through broad stakeholder involvement to articulate the overall strategic direction of the Board of Trustees and the School Association.

#### **b. Elements of Strategic Planning**

- Core Values
- Vision and Mission
- Objective
- Strategies
- Strategic Projects

#### **c. Principles**

1. Strategic planning is a shared responsibility of the members of the School Community. The Board of Trustees values public engagement and will consult broadly in the development and monitoring of the strategic plan.
2. Student success and achievement is the priority of the Board of Trustees and therefore, a priority of strategic planning.
3. Annual planning and monitoring of strategic projects and long-term objectives allow the Board of Trustees to align and prioritize the most important work of the school.
4. Strategic plans define a clear and compelling vision empowered by a set of strategies that identify the framework for project design and implementation.
5. Data-driven planning and monitoring of the strategic plan ensures that goals are measurable and attainable within the timeline of each plan or project and based on articulated success metrics.
6. Regular reporting supports the Board of Trustees' governance role in regard to their oversight of strategic work.

Revised: April, 2019

## 4.00 Fiscal Management

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#### **4.01 General Policy**

The School operates as a not-for-profit organization. The Board of Trustees recognizes that prudent commercial and financial management is essential as a foundation for sustainable success of the institution. To that end, the Board of Trustees will oversee the fiscal affairs of the school including:

- a. Review and approval of the School's annual budget;
- b. Advance financial planning through both long-term (up to five years) and short-term cash forecasts and appropriate budgeting of income and expenditures;
- c. Establishment of sound ethical fiscal values;
- d. Implementation of appropriate fiscal risk management processes;
- e. Application of internationally acceptable accounting policies in the preparation of the School's annual financial statements;
- f. Contingency planning that endeavors to maintain the continued operation of the school;
- g. Design, implementation and maintenance of an effective system of internal controls; and
- h. Maintenance of adequate accounting records that is sufficient to show and explain the School's transactions and disclose with reasonable accuracy at any time the financial position of the School.

Revised: June, 2018

#### **4.02 Financial Management/Depository**

The Director, upon the advice of the Director of Finance & Operations, is responsible for the management of the School's funds. He/she shall meet regularly with the Finance Committee to inform them of the current financial status of the School and seek their guidance concerning future management of funds.

Financial management by the Director shall ensure sufficient ready access to funds to enable the School to operate efficiently, yet should also provide for an investment of funds in a manner which will provide maximum security and interest on money not needed for the immediate future. The reserves shall be reviewed by the Finance Committee annually.

Revised: March, 2018

### **4.03 Budget**

The budget shall be considered as a controlled spending plan for the ensuing year and shall be approved by the Board of Trustees in the context of a three(3)-year rolling forecast to retain a longer term perspective for decision-making purposes.

- a. The budget will support strategic goals and Board approved resource allocations, incorporate cost controls, and be reviewed and analyzed by the Board of Trustees. The budget shall provide funds to adequately finance school operations, allowing for additions or alterations under policy, and provide for a contingency plan in the case of unforeseen financial liabilities.
- b. Preparation of Budget Documents - The preparation of the budget is the responsibility of the Director of Finance & Operations, after consulting with the Director, Finance Committee, and members of the administrative staff. The budget shall be reviewed and submitted by the Finance Committee to the Board of Trustees for approval.
- c. Budget Adoption and Amendments - The Board of Trustees shall approve the budget for the ensuing school year not later than its April meeting. Amendments can be made at any time to the approved budget. Proposed amendments shall be reviewed and submitted by the Finance Committee to the Board of Trustees for approval.
- d. The budget should be prepared on a fully consolidated basis incorporating all legal entities within the ASW group. The consolidated budget should clearly group similar line items and should exclude any inter-entity transactions.
- e. At the last Board meeting every year, the Board will designate an exchange rate for the following fiscal year that will be used for converting USD to PLN for the purpose of reporting, budgeting, determining reserve percentage, and all other annual fiscal comparisons.

Revised: June, 2018

#### **4.04 Authorization and Limits of Authority for Expenditures of Money**

Any expenditure or commitment which will result in an individual budget category exceeding the Board-approved budget by five percent or \$50,000, whichever is greater, requires the prior approval of the Board of Trustees. The Director shall present such requests to the Finance Committee, which will make its recommendation to the Board of Trustees, accompanied by supporting data on the availability and sources of funds.

All long-term, recurring expenditures greater than \$15,000 per annum (i.e., commitments that exceed one school year) shall be approved by the Board of Trustees.

Revised: May, 2018

#### **4.05 Bank Signatures**

The Director, Director of Finance and Operations, and the Chief Accountant (“Authorized Signatures”) shall be designated as those persons authorized to act as bank signatories. Any other designees shall require Board of Trustee prior approval. All disbursements or movements of School funds shall require at least two (2) Authorized Signatures.

Revised: May, 2018

#### **4.06 Cash Handling**

The Director, or a designee, is responsible for fiduciary control and shall establish procedures to minimize the amount of cash, regardless of currency, held on-site to that required for day-to-day operational needs. The Director will establish and oversee the implementation of clear and rigorous internal controls, to assure accountability and transparency, and to minimize the potential for error and malfeasance.

Revised: June, 2018

#### **4.07 Capital Fund**

The School shall maintain a Capital Fund for capital expenditures and maintenance projects. The Capital Fund shall be financed by funds designated within the annual Board approved budget, and any funds designated by the Board from any annual surplus. The Capital Fund shall be perpetual in nature with any unspent funds carried forward for future expenditures. With approval of the Board of Trustees, the School may reallocate funds from other designated funds to the Capital Fund.

Revised: June, 2018

#### **4.08 Currency Holdings**

ASW tuition shall be charged in both U.S. Dollars (USD) and Polish Złoty (PLN), the split of which is to be incorporated into the annual ASW budget and approved by the Board of Trustees. ASW shall maintain excess cash on deposit in a combination of PLN and USD based upon the expected ratio of expenses. Periodically, the Board of Trustees will review currency holdings and approve exchanges between currencies at the recommendation of the Finance Committee.

Revised: May, 2018; March, 2021

## 4.09 Fees and Refunds

### Fees

All application, registration, tuition, and other established fees are approved by the Board of Trustees annually.

Application fees are non-refundable. Payment of the application fee does not guarantee acceptance or enrollment. Other fees or portions thereof may also be designated as non-refundable.

Enrolment contracts are established between the School and each student's parent(s) and/or legal guardian(s). The parent(s) or legal guardian(s) are entirely responsible for the payment of all invoiced fees, even if these fees are ultimately supported in whole or in part by a sponsoring organization.

Failure to pay a student's tuition or fees in full according to payment deadlines will result in:

- Temporary or permanent restriction from attending school
- Withholding of school reports, references, and/or examination results
- Expulsion from the School with immediate effect.

The administration, under the guidance of the Director, may allow alternative payment plans for no longer than one school year from the date of the original invoice.

Students who enroll at any time during a semester will be invoiced the full tuition for that semester. However, students may enroll and attend classes for any portion of the last 15 school days of the semester prior to the semester of primary enrollment and be charged a pro-rata daily tuition rate.

### Refunds

Tuition and fees are billed according to an academic year. In the event a student withdraws in advance of or during any academic year, tuition paid by the due date of the invoice will be refunded for full semesters in which the student does not attend school as below:

<b>Withdrawal Notice Received</b>	<b>Paid Tuition Refund of Semester 1 Portion</b>	<b>Paid Tuition Refund of Semester 2 Portion</b>
Before July 1	100 %	100 %
July 1 - August 15	50 %	100 %
August 16 - November 15	0 %	100 %
November 16 - December 15	0 %	50 %
After December 15	0 %	0 %

Any refunds will be net of fees, deposits, or portions thereof stipulated as non-refundable.

If tuition is not paid in full by the due date, the invoiced amount of the tuition remains due and payable irrespective of any withdrawal, with no right to a discount or refund on the invoiced amount due.

Revised: June, 2021

#### **4.11 Requests for Financial Aid**

The School will award a limited amount of financial aid to families whose incomes are temporarily inadequate to meet the full cost of education at ASW in accordance with tax regulations and the School's admissions policies and fee structure. Financial aid will only be available to existing families whose financial circumstances have changed due to a change in terms of employment, loss of employment, or the death, separation, or transfer of the supporting member. Parents requesting financial aid will submit an application to the Director of Finance and Operations (DFO). The application will include information with supporting documentation about the family's financial circumstances. Applications will be accepted at any time but will only be considered 30-60 days prior to the start of any term of enrollment. Applications must be renewed on a semester basis. All applications for financial aid will be reviewed prior to each term and will take into account any changes in the family's income and the student's progress and conduct at school. The application process will adhere to all other policies with regards to privacy and security of student and family personal data.

The Director will form a Financial Aid Committee which will meet to discuss the merits of pending Financial Aid applications and assign aid where appropriate and within Board-approved budgetary parameters. The Board will determine the total amount of financial aid available in any given academic year in the context of annual budgeting.

Under no circumstances will a family receive financial aid exceeding four semesters in total.

Priority will be given to assisting parents:

- with more than one child enrolled in the school.
- who receive no educational allowance from any source.
- who have a long-term association with the school.
- who will, in the future, pay full tuition.

Revised: June, 2018

#### **4.12 Federal Grants**

The Director shall advise the Board of Trustees when he/she believes the School is eligible for grants under the provisions of applicable laws and/or regulations. The Director may submit an application for such assistance without the prior approval of the Board of Trustees, so long as acceptance of the funds does not include conditions contrary to School policy.

Revised: March, 2018

#### **4.13 Fundraising**

Identifying fundraising opportunities for the purpose of supporting educational or operational goals of the school is a strategic priority.

Solicitations, canvassing, and fundraising made in the name of the School or any of its organizations may only occur after first obtaining the prior written approval of the Director or his/her designee.

Fundraising by approved organizations within the school community for charitable or activity purposes must follow normal financial procedures and controls for the management of funds collected.

The Director, in consultation with the Board of Trustees, reserves the right to refuse donations, funds, gifts, or money offered to the School. Any funds generated through fundraising, gifts, or donations shall be reported to the Board of Trustees monthly.

Revised: June, 2019

#### **4.14 Reserves**

The Board of Trustees will maintain an Emergency Reserve with sufficient funds available to ensure the continued operation of the School in case of an emergency or contingency event. The Board may establish other reserve funds for specific purposes as approved by the Board on recommendation of the Finance Committee. The amount of the Reserves shall be established annually by the Board, upon recommendation of the Finance Committee.

- a. The Finance Committee in making its recommendation shall consider the audited financial statements for the prior year and the operational and capital budgets for the forthcoming school year and any other relevant financial information.
- b. The Reserves shall be established and maintained primarily through appropriations, approved by the Board on the recommendation of the Finance Committee, from surplus capital and operational funds as and when they arise. It may also be funded by way of specific amounts in the School's annual operating budget as well as through other sources of funds received by the School subject again to the approval of the Board upon the recommendation of the Finance Committee.
- c. In the instance where reserves fall below established thresholds, the Finance Committee will present a plan to the Board for replenishment of the reserves consistent with and as part of strategic and operational goals.
- d. The Reserves shall be disclosed in the School's financial statements as a separate item in the statement of accumulated funds. The assets representing the Reserve may be held as cash, other liquid assets, and financial investments that can be liquidated or accessible within a short period of time, subject however to the School's overall cash management policy.
- e. Reserves are held in both USD and PLN accounts in a distribution that best represents the estimated annual outflows in each respective currency. The Reserve calculation, typically a function of cash and investments less short term liabilities, shall be reviewed and determined by the Finance Committee on an annual basis.
- f. In the event of force majeure or other emergency situation, the Board may, on the recommendation of the Finance Committee, authorize disbursements from the Reserve.
- g. The Board is also authorized, upon the recommendation of the Finance Committee, to draw upon the Reserve for specific purposes.

Revised: December, 2016; May, 2017; June, 2018; March, 2021

#### **4.15 Periodic Financial Reports**

The School shall maintain its financial books and records in a manner consistent with prudent financial management.

The Director shall be responsible for seeing that the books and records of the School are properly maintained. The Director shall prepare, or cause to be prepared, all fiscal and financial reports and keep necessary records to adequately control the financial transactions of the School.

Financial reports shall be presented at each Finance Committee meeting and the subsequent scheduled meetings of the Board of Trustees.

Revised: March, 2018; March, 2021

#### **4.16 Inventories of Capital Assets**

The Director is responsible for developing and maintaining an inventory of capital assets. The inventory record shall include such items as a description of each item, the quantity, the location, the date of purchase, and the cost or the estimated replacement cost. An annual reconciliation shall be conducted, and any significant discrepancies reported to the Finance Committee.

Revised: June, 2018

#### 4.17 Purchasing

Purchase of (or commitment to purchase) equipment, supplies, or services (other than employment contracts as specified in Policy 6.03) shall be carried out in a manner which assures a competitive price and meets proposed specifications. Any purchased items with an annual value greater than 50,000 PLN shall be procured based upon a competitive tender process. Criteria for the tender process shall be determined operationally by ASW management and approved by the Director of Finance and Operations. The criteria should achieve the best possible value considering the school's prudent financial practices.

In general, the individual signatures of the Director, the Director of Finance and Operations, or a designated budget manager will authorize expenditures within budget under the amount of 200,000 PLN. Any documents committing the School to total expenditures over 200,000 PLN will require two authorized signatures, including the signature of the Director. Purchases that have a total contract value (total value over contracted period) greater than 1 million PLN require approval by the Board of Trustees through resolution.

<b>Expenditure Level (in PLN)</b>	<b>Authorization</b>
< 200,000	One signature
200,000 - 1,000,000	Two signatures (including Director)
> 1,000,000	Board of Trustees specific approval by resolution and 2 signatures (including Director)

Revised: June, 2018

#### **4.18 Taxes**

The School will adhere to all relevant tax filing requirements as required by applicable laws.

Revised: June, 2018

#### **4.19 Financial Investments**

The Board may authorize the Director to invest School funds in securities and other financial instruments subject to:

- a. The risk of loss associated with the security or investment being relatively low and at a level acceptable to the Board bearing in mind the School's long-term financial stability;
- b. Maximizing return on investment whilst ensuring the preservation of capital; and
- c. Allowing reasonable access to the funds should an unexpected event require it.

The School's Director, Director of Finance and Operations together with the Finance Committee will recommend to the Board from time to time, after due investigation, suitable investments for the Board's consideration and approval. The School Administration will report at least annually to the Board of Trustees on the performance of such investments in accordance with the above criteria.

Revised: June, 2018

#### **4.20 Insurance**

The school shall maintain adequate levels of insurance, as the Board determines necessary, against losses through fire, theft, accidents, liability, and other concerns as identified by review associated with risk management. The Director, in conjunction with the Director of Finance & Operations and after consultation with appropriate risk management and insurance consultants, shall determine the appropriate levels of coverage needed and present their recommendations to the Board at the request of the Finance Committee.

The School shall purchase and maintain insurance for or for the benefit of any persons who are or were at any time Board members, officers or employees of the School including insurance against any liability incurred by such persons in respect of any act or omission in the actual or purported execution and/or discharge of their duties and/or the exercise or purported exercise of their powers and/or otherwise in relation to or in connection with their duties, powers or offices in relation to the School.

Revised: June, 2018

#### **4.21 Priority Seat Reservations**

At the recommendation of the Finance Committee and with consent of the board, the school may issue priority seats. The purpose of the priority seat offering is restricted to funding capital projects and/or debt retirement. The Director will report annually to the Board of Trustees on the status of the Priority Seats and shall incorporate into admissions reporting the standing of all currently held reservations.

Revised: November, 2018

## **4.22 Marketing and Branding**

### **Objective**

The objective of this policy is to protect and enhance the school's reputation by establishing and promoting correct and consistent use of the ASW brand.

### **Scope**

The school logo and other branding materials confirm the school's ownership or interest and further the school's image and standing.

The ASW Brand Guidelines are the official register and reference source of all approved school brand marks.

### **Policy**

All staff and students, when using the school logo and any other brand marks, must comply with associated Brand Guidelines to communicate a consistent, standard visual identity, and have a general authorization to use the brand in this way.

The Director, in coordination with the Marketing and Communications Department:

- ensures alignment of the brand with the school's strategic direction and core values;
- approves the use of the school logo for official school purposes in accordance with the Brand Guidelines;
- reviews and updates the Brand Guidelines;
- assesses and approves, if appropriate, use of the school logo and brand materials at variance with the Brand Guidelines;
- approves the use of the school logo and brand materials by third parties;
- recommends changes to the school brand to the Board of Trustees for approval; and
- takes action to rectify breaches of policy or address disputes.

All staff and students must comply with the Brand Guidelines by:

- using only approved brand marks such as logos, devices, emblems, colors, and typefaces;
- setting out School brand marks according to the Brand Guidelines;
- using brand marks only when and where allowed;
- following the style templates for word documents, letterhead, business cards, PowerPoint displays, charts, tables, signage, photographs, devices, emblems, advertising, and other communications;
- complying with the terms and conditions governing the use of brand marks; and
- following the key brand messages.

All staff and students must:

- obtain the approval of the Director's designee before using any brand mark in association with the school, a division, a department, or entity where the intended use of the brand mark is not in accordance with the Brand Guidelines; and
- use only the approved logo to identify activities and functions (including academic divisions, schools, offices, units, facilities and controlled entities of the School).

School entities and affiliated student bodies must obtain the approval of the Director or his/her designee before using any brand marks.

Principals, Vice Principals, and department heads are responsible for ensuring that staff members adhere to the Brand Guidelines.

Staff wishing to use any School brand mark in a manner that does not conform to, or for a purpose not approved in, the Brand Guidelines must submit an application to the Director or his/her designee.

A third-party organization may use a School brand mark, as supplied by Communications and Marketing, on the approval of the Director and on condition that it complies with the approved terms and conditions of usage as outlined in School standard agreements.

Advertising on the school premises by individuals or other organizations other than the school and its organizations is at the sole discretion of the Director or his/her designee.

The Director or designee maintains a register on behalf of the Brand Governance Panel containing all applications for use of School brand marks and relevant approvals.

The Board of Trustees reserves the right to approve the naming rights within the School facility.

The School may take legal action for unauthorized use of the School logo or other brand marks.

Revised: June, 2019

## 5.00 Safety, Security, and Emergency Procedures

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### **5.01 General Safety**

The Director is responsible for the development of the detailed safety, security, and emergency procedures of the School.

The final responsibility for determining when the School shall take emergency action and what the action shall be rests with the Director.

The Director shall designate and make known to each school office an acting Chief Administrator to act in his/her absence.

Revised: December, 2016

## **5.02 Serious Incident Management**

The Administration shall prepare and submit to the Board of Trustees for approval, a set of procedures that defines serious incidents and specifies how they shall be addressed. Thereafter, such Board-approved procedures shall be implemented during any response to circumstances that qualify as a serious incident.

The School shall comply with the applicable laws of Poland when reporting and managing serious incidents.

Revised: December, 2016

### **5.03 Personal Data Protection**

The School is committed to the protection of all personal and sensitive data for which it holds responsibility of as the Data Controller. The School will maintain organizational procedures for handling such data in compliance with current data protection principles and the European General Data Protection Regulation (GDPR) 2016/679.

The School will be transparent about the intended processing of data and communicate these intentions by notifying staff, parents, and students prior to the processing of an individual's data. The School will recognize all individuals' legal rights to request access to their data or the information being held and will respond in a timely manner.

The requirements of this policy are mandatory for all staff employed by the School and any third party contracted to provide services to the School. The Director will ensure that staff are aware of operational data protection policies and procedures.

Changes to data protection legislation shall be monitored and necessary updates implemented to remain compliant with all relevant requirements.

Revised: June, 2018

#### **5.04 Health**

It is the responsibility of the Director or his/her designee to ensure accepted health procedures, practices, and systems are in place and implemented to support, maintain, and promote the health and wellbeing of students and staff when at school or involved in school-sponsored activities.

Revised: June, 2019

## 6.00 Personnel

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## **6.01 Personnel Policy Statement**

The American School of Warsaw will maintain high standards for the recruitment and continued employment of effective faculty and staff and maintain a process for evaluating performance.

The American School of Warsaw is an equal opportunity employer that is committed to diversity and inclusion in the workplace. We prohibit discrimination and harassment of any kind based on race, color, sex, religion, sexual orientation, national origin, disability, age, marital status, pregnancy, or any other protected characteristic as outlined by U.S., EU, or Polish law.

This policy applies to all employment practices within our organization, including hiring, recruiting, promotion, termination, layoff, recall, leave of absence, compensation, benefits, training, and apprenticeship. ASW makes hiring decisions based solely on qualifications, merit, and specific needs at the time.

Revised: May, 2021

## 6.02 Personnel Ethics

All members of the American School of Warsaw faculty and staff will carry out their duties in a professional, moral, and ethical manner.

- a. Each staff member in our School has the right to be treated with respect, courtesy and consideration by every employee, student, or other adult in the School. He/she has the right to be informed of school policies and procedures and has the responsibility to know and adhere to them.
- b. Members of Staff shall not at any time engage in any activity or employment that would:
  - affect their usefulness or objectivity as employees in the School;
  - make time and/or energy demands upon them which could interfere with their effectiveness in performing their contractual duties;
  - compromise or embarrass the School;
  - adversely affect their employment status or professional standing; or in any way conflict with, or violate, professional ethics.
- c. Staff members should not accept any gift or service which might be perceived as compromising his or her professional integrity. However, gifts of appreciation from parents and from other collective groups may be accepted with all due propriety. The Director shall further specify procedures and guidelines in the Staff and Student handbooks including limits of value and necessary reporting procedures.
- d. Nepotism, understood as the showing of favoritism for relatives or friends based upon that relationship rather than on an objective evaluation of ability or suitability, shall be unacceptable. The School endeavors not to violate this rule. At the same time the Board of Trustees acknowledges that the hiring of qualified teaching couples may be beneficial to the School and grants complete discretion to the Director for such employment. All staff openings must be duly advertised and applications processed. No member of Staff should be the direct or sole supervisor or evaluator of a spouse or a relative. There should be no conflict of interest in the supervision and evaluation of Staff. Professional responsibilities must prevail in any situation where relatives take part in the same activity.

Revised: May, 2021

### **6.03 Salary and Benefits**

It is the goal of the School to provide a competitive salary and benefits package to recruit and retain outstanding staff. Full-time and Part-time Staff members will receive benefits in accordance with this Policy Manual, the specific terms of their contracts, and supplementary benefit schedules as appropriate.

Substitutes, consultants, and other independent contractors or temporary workers are not entitled to benefits. Benefits for staff will be described in the appropriate contracts, handbooks, and contract supplements as determined by the Director.

It is the intent that salary and benefits for Overseas Hire Staff be competitive with the corresponding salary and benefits offered by similar international schools in the same or similar recruiting markets. In addition, locally hired staff will be competitive within the market in the local economy for comparable positions.

Salary, benefits, and staffing requirements will be reviewed annually by the Board in the context of budgetary planning. The Director will give staff an opportunity to provide feedback on salary and benefits prior to the relevant Board review as and when appropriate.

The Board of Trustees will approve the initial and any changes to the salary and benefits package of the Director.

Revised: May, 2021

#### **6.04 Professional Organizations**

The Board of Trustees recognizes the Teachers' Association (TA) as a professional association of teachers at the American School of Warsaw.

Revised: December, 2016

#### **6.05 Disciplinary Measures and Grievances**

The Board of Trustees shall be informed by the Director prior to the suspension, dismissal for cause, or non-renewal of any contract of employment previously entered into by the School.

The Board of Trustees will forthwith be informed by the Director of any appeal of employee-related disciplinary decisions and grievances and will act as the final arbiter in accordance with the terms and conditions of the applicable employment contract.

Revised: December, 2016

## **6.06 Annual Evaluation of Administration, Faculty, and Staff**

The ASW Director and Division Principals will ensure that a performance evaluation of all faculty, instructional, and other direct-hire staff is conducted on an annual basis. Faculty and instructional staff evaluations will be conducted in accordance with a system and process approved by the Board of Trustees. Evaluation results will contribute to decisions regarding contract renewal and professional development.

The Director will report annually to the Board of Directors concerning the ASW evaluation system and its implementation. The Director will also ensure that evaluations for employees are properly maintained and archived as part of a formal Human Resource file maintained on all employees. Evaluations of members of the Administration by the Director may be reviewed, on a confidential basis, by the Chair of the Board of Trustees.

Revised: December, 2016

## **6.07 Confidential Disclosures**

The American School of Warsaw (ASW) is committed to the principle of public accountability and to developing a culture where it is safe and acceptable for all its employees to raise their concerns about what is happening at work if they have a reasonable belief of wrongdoing.

To that end, the Director will ensure that there are procedures associated with this policy that provide for appropriate structure and multiple lines of communication to assure safe reporting and diligent investigation of claims.

Revised: April, 2017

# 7.00 Instructional Program

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## **7.01 Curriculum**

The American School of Warsaw will provide an education reflecting its vision, mission and core values. Knowledge, skills, and understanding from internationally recognized academic standards will inform the planning and implementation of a curriculum that is locally and globally relevant, engaging, significant, and challenging. Changes which have a financial impact on the school budget will be approved by the Board of Trustees. The Director and/or designee will report annually to the board on the status of the educational program.

Revised: June, 2017

## **7.02 Assessment and Reporting**

Assessment is vital to creating a culture of learning because it supports student development, impacts teaching and learning, connects the learning community, and provides evidence to guide decisions about how to best meet the needs of students.

The American School of Warsaw will maintain and implement a comprehensive plan for the assessment of student learning that:

- Has processes and systems for recording, analyzing and reporting evidence of school wide and individual student achievement.
- Incorporates a wide range of strategies and tools to assess student learning.
- Uses assessment data to inform teaching and learning, program development and curricular planning.
- Provides students and parents with timely feedback and opportunities to participate in and reflect on the assessment of student work.
- Communicates student achievement to parents at regular intervals.

The Director and/or designee will communicate annually to the Board of Trustees on the assessment of student learning and the way it is reported.

Revised: May, 2018

Note – this policy replaces 7.07 Student Progress Reporting and Systems

### **7.03 Instructional Practices**

The American School of Warsaw will offer the International Baccalaureate Primary Years, Middle Years, and Diploma Programmes. Teaching, learning, and assessment will be learner centered and developmentally appropriate as aligned with the International Baccalaureate Standards and Practices.

Revised: June, 2017

#### **7.04 High School Graduation Requirements**

To achieve an ASW diploma, a minimum of twenty-three (23) credits plus successful completion of the Creativity, Action, and Service (CAS) program are required.

Revised: December, 2016

## **7.05 Co-Curricular Activities**

ASW is focused on the holistic development of the child as enhanced by Activities and Athletics that reach each student, allowing them to develop socially, emotionally, physically, intellectually, and creatively.

The School will implement and maintain a comprehensive co-curricular program where students of all ages will be given the opportunity to participate in a broad variety of activities, athletics, and service programs in any given school year.

The Director or a designee will report to the Board seasonally regarding these programs including participation and accomplishments.

Revised: June, 2021

## **7.06 Class Sizes**

The Board of Trustees authorizes the Administration to maintain the class sizes specified below. If the class size for any particular grade level is projected to exceed the number specified below, the Director may make adjustments with the prior approval of the Board of Trustees.

Pre-Kindergarten	15
Kindergarten	18
Grades 1 and 2	20
Grades 3 to 12	22

Revised: December, 2016

## **7.08 Field Trips and Travel**

The School Board of Trustees encourages field trips for educational purposes provided such trips have been approved by the Director in consultation with the Security Officer.

- a. Definition. A field trip is defined as an educational activity that provides a relevant and meaningful learning experience off campus. Field trips may be within walking distance of the School, local trips, or overnight excursions.
- b. Parent/Guardian Communication. Signed written parent/guardian permission is required for all day and overnight travel. Parents must be informed in advance of walking field trips. If parents do not give a written authorization for a student to attend a trip, the student will be the parents' responsibility and will remain at home. If the School does not authorize a student to attend a trip, then the School will make appropriate arrangements.
- c. Chaperones. A minimum of two chaperones will accompany students on all field trips and School travel. The student-to-chaperone ratio for overnight travel must be no more than 8:1. The student-to-chaperone ratio for walking and day field trips must be no more than 10:1. A chaperone is defined as a teacher, teacher assistant, parent, coach, School employee, or other responsible adult that has been approved by the Director.
- d. Transportation. School transportation vehicles, if available, will be used for School trips. Vehicles used for transport must be fitted with working seatbelts. All transport, including, without limitation, commercial ground, rail, sea and air travel must be approved by the Director.
- e. Regulations and Procedures. Regulations and procedures related to field trips and school travel are the responsibility of the Director in coordination with the Divisions/Departments organizing the field trips and school travel. Regulations and procedures must take into account safety, security, cost, rationale and communication of the respective trips while meeting Board policy. Risk assessment will be carried out prior to any field trip approval being granted. Accommodations are to be clean and safe.
- f. Design. When designing field trips, the Faculty recognizes that because such trips are an integral part of the educational experience, an effort must be made to recognize the different economic backgrounds of families and plan such trips to be as accessible to every student as practicable.

Revised: May 2017

## **7.09 Language**

At the American School of Warsaw, language is the key to understanding ourselves, our community, and it is our means of engaging with the world. Language is essential to the learning of all subjects; thus, all teachers are language teachers, and all students are language learners. The American School of Warsaw is committed to an integrated approach to language development. English is the primary language of instruction. The school will have programs that require students to learn additional languages and support English language learning.

The development and preservation of home and family languages supports understanding of self and contributes to the academic and social development of students. Programs will make provisions for and support home and family language learning in coordination with English language development.

Revised: May, 2021

## **7.10 Inclusion**

Inclusion is an ongoing process that increases access and engagement for all students by identifying and bridging barriers to learning in order to empower students to reach their academic, social-emotional, and physical potential.

The school recognizes the importance of the inclusion of learners with diverse abilities. Within the current categories for admission, programs will make provisions to create optimal learning environments by focusing on students' strengths and needs.

In particular, through an increasingly comprehensive framework of instructional strategies, the school is committed to meeting the needs of all of its students, including those who are highly able and those who have mild to moderate special needs.

Revised: June, 2017

## 8.00 Students

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## 8.01 Admissions

To fulfill the spirit of ASW's vision and mission and to maintain an international mix of the student body, the Board of Trustees directs the Administration to make all admissions decisions based on the limit that no single nationality (with the exception of U.S. passport-holding applicants) exceeds 20% of the total student enrollment in each division. In all cases, nationality will be determined by the documentation submitted by the parent/guardian, wherein the child and at least one parent/guardian demonstrates the same nationality.

- a. Admissions decisions use, but are not limited to, the following criteria:
  1. The ability of the School to meet the academic needs of the applicant and the ability of the applicant to function effectively in a challenging academic environment, including students served under the stipulations of policy 7.10 – Inclusion.
  2. The applicant's level of English proficiency to ensure success in the short and long term and under the stipulations associated with policy 7.09 – Language.
  3. The applicant's ability to contribute to the School's culture of internationalism.
  4. The applicant's ability to make a positive contribution to the School Community.
  5. First priority for admission shall be given to all continuing students. Continued enrollment at ASW is determined by the professional staff based solely on the following criteria:
  6. The ability of the School to meet the educational needs of the continuing student, including those served under Policy 7.10 – Inclusion.
  7. The ability of the continuing student to meet the academic, attendance, and behavioral expectations of the School.
  8. The fulfillment by the continuing student of the School's medical requirements.
  9. The fulfillment by the continuing student of the School's financial obligations.
  10. The fulfillment by the continuing student of the School's re-enrollment process in advance of the established deadline.
- b. Subject to the criteria under 8.01a above being met, second priority for admission shall be for new students, in the following order of priority:
  1. Dependents of U.S. Government direct-hire and contract employees, dependents of overseas hire faculty, and dependents of locally-hired faculty.
  2. Holders of Priority Seat Reservations (Policy 4.21)
  3. U.S. nationality.
  4. Dependents of other foreign diplomats accredited to Poland and resident in the Warsaw area who hold a "legitymacja dyplomatyczna."
  5. Siblings of enrolled students provided they have completed the application process in advance of established deadlines.
  6. Siblings of students admitted for enrollment.
  7. Students returning to ASW after a period of absence of any length.
  8. Students who are children of school alumni.
  9. All other applicants.
- c. As spaces become available, the Administration will use the above criteria to determine admission decisions. Within each priority group, the date of the application will determine the order of admission.
- d. The Director will be the final authority on all admission decisions in consultation with professional staff.
- e. The Director may request exceptions to nationality limits by resolution of the Board.

Revised: May, 2021

## **8.02 Guardianship Requirements**

Students must reside with at least one parent or legal guardian in the Warsaw area to be admitted and maintain enrollment status.

Revised: June, 2021

### **8.03 Student Removal from School**

- a. Severe Illness or Disability - The Board of Trustees and Administration reserve the right to remove a student if a medical condition is detrimental to their own or other students' learning and safety.
- b. Expulsion - A student may be expelled by the Director upon recommendation of the applicable Division Principal. Readmission may be granted upon recommendation of the Director or his/her designee with the prior approval of the Board of Trustees.
- c. Termination of Enrollment - Termination of enrollment may be effected by the applicable Division Principal by written notice to the terminated student's parents or guardians.
- d. Parents/guardians may then appeal in accordance with the School's Appeals Policy (Policy 9.02).

Revised: December, 2016

#### **8.04 Ages of Enrollment**

To be eligible for enrollment at the American School of Warsaw, students must be the following age on or before September 30 of the year of enrollment:

Pre-Kindergarten 3	Age Three (3)
Pre-Kindergarten 4	Age Four (4)
Kindergarten	Age Five (5)
Grade 1	Age Six (6)

The Director shall establish procedures that provide for exceptions to the above if the administrative assessment deems it to be in the best interests of the student.

For ages Seven (7) and above, academic placement shall be determined by the Director, applicable Division Principal, and professional staff, and must be in the best interests of the student.

Revised: June, 2021

## **8.06 Conduct–General**

Students are expected to be responsible for their own behavior and to follow all rules and regulations on School premises and during School functions and School-sponsored trips.

- a. Student Rights. Each student in our School has the right to be treated with respect, courtesy and consideration by every student, teacher, school employee, or other adult in the school. He/she has the right to be informed of the rules and the responsibility to know and adhere to them.
- b. Student Responsibilities. The code of behavior for ASW students is based primarily on showing 1) self-respect, 2) respect for others, and 3) respect for their own and others' property. All detailed School regulations will be logical extensions of these three basic expectations, and will be explained to students in those terms.
- c. Sportsmanship. Good sportsmanship is expected of all students who participate, either as participants or as spectators, in any form of school-related sports or extra-curricular activities. Good behavior rests upon the three basic principles set forth above in (b). Specific regulations pertaining to behavior and discipline during school-related activities and at all school sponsored extensions whether on or off campus will be developed and enforced by the Administration.
- d. Student Grievances. Most complaints relative to student conduct shall be resolved at the level at which they arise: between the student and the teacher or other school employee, as necessary with the help of the Principal. If any matter cannot be resolved at the divisional level, the Principal, the student, or parent may consult the Director. The Director's decision shall be final.

Revised: December, 2017

### **8.07 Student Medical Insurance**

The American School of Warsaw requires families to provide their children with full medical insurance which covers their involvement in School programs and activities.

Revised: December, 2016

## **8.08 Student Records**

- a. Collection, Maintenance, and Dissemination of Student Records - A cumulative record will be maintained for each student which will include such administrative and supplementary information as is necessary.
- b. Duration of Record Maintenance - Elementary and Middle School cumulative academic records are to be kept for two (2) years beyond a student's anticipated graduation date.
- c. All official transcripts should be kept for ninety-nine (99) years beyond graduation.

Revised: December, 2016

## **8.09 Child Protection Policy**

- a. The Board of Trustees considers child safeguarding to be of serious importance and is committed to the protection of all students in school.
- b. The Director will ensure:
  - every member of staff at the school understands their responsibility for contributing to the safety and well-being of students at school and in all school related buildings.
  - the Child Protection Policy and Procedures are fully implemented consistently throughout the school, including prevention and intervention strategies.
  - the Child Protection Policy and Procedures are carried out appropriately for all reports and/or suspicions of child protection violations.
  - the Child Protection Policy and Procedures will be presented to the Board and reviewed on an annual basis.
- c. The Child Protection Policy and Procedures shall be regularly communicated to all community stakeholders as well as made available on the school's website.

Revised: April, 2017

## **8.10 Attendance**

ASW's curriculum and learning activities emphasize interactive, hands-on experiences and discussions which are integral to a student's overall academic progress. These day to day experiences cannot easily be replicated following student absence. To maximize the learning opportunities at ASW, students must be present and prompt and fully engaged in each class. Consistent attendance will afford students the most educational benefit from our rigorous academic curriculum and expansive co-curricular programs.

- Elementary School: Elementary School students may not be absent for more than 18 days in one academic year. Not adhering to this policy could affect recommendation for a student's grade promotion or continued enrollment at ASW.
- Middle School: Middle School students may not be absent for more than 7 class periods in any given course per semester. Not adhering to this policy could affect recommendation for a student's grade promotion or continued enrollment at ASW.
- High School: High School students may not be absent for more than 7 class periods in any given course per semester. Credit will not be granted to students for courses in which students do not meet the attendance requirement, which could adversely affect progress toward graduation and recommendation for continued enrollment.

At ASW, all absences are equal. An absence for an illness, doctor's appointment, CEESA sports trip, club sponsored trip, family vacation, and all other absences will be counted in the student's total. School mandated trips will not count against a student's total. School holidays are published months in advance, and therefore families are strongly discouraged from planning extended absences for students outside these published dates.

When mitigating circumstances arise that force students to miss more than the allowed absences, the School Director reserves the right to make reasonable exceptions to this policy on a case by case basis.

Revised: April, 2017

## 8.11 Student Discipline

- a. Rules of Behavior and Enforcement. The Director and the Principals are responsible for ensuring that rules of behavior and consequences for violations of such rules are set and enforced, and for responding to behavior problems in a manner appropriate to the students' age and maturity. Because student behavior is a shared responsibility among students, parents, and staff, every effort will be made to ensure that parents or guardians are notified as soon as possible of disciplinary issues and are included in the process.
- b. Breaches of Student Conduct. Breaches of standards of student conduct shall be dealt with using progressively severe consequences that appropriately meet the seriousness of the offense. In some cases, the offense may require moving immediately to a more severe consequence.
- c. Categories of Disciplinary Processes (in no particular order):
  1. Detention. Detention shall mean a disciplinary measure that requires a student to remain in a designated and supervised area of the School for a specified time. Detention may be imposed by the faculty or administration, and parents will be notified.
  2. Saturday School. Saturday School shall mean a disciplinary measure that requires a student to remain in a designated and supervised area of the School for a specified time on Saturday. Saturday School may be imposed by the faculty or administration, and parents will be notified.
  3. Disciplinary Probation. Disciplinary Probation shall mean a disciplinary measure limiting a student from certain events or activities. The student will be expected to maintain a certain standard of behavior in order to avoid further disciplinary action. Students may be placed on disciplinary probation following a conference between the student, parent(s) or guardian, and the administration.
  4. Suspension. Suspension shall mean a disciplinary measure that requires the student to be removed from the regular classroom environment and after-school activities programs for a specified length of time (from one to five school days). Suspension may take place either in-school or out-of-school. A suspended student cannot return to classes until a conference is held between the student, parent(s) or guardian and the Administration.
    - In-school Suspension. In-school suspension will take place in a specified area of the school under adult supervision. The student will not be allowed to attend regular classes or socialize with his/her peers, nor will he or she be allowed to participate in any School extra-curricular activity scheduled on the day(s) of the suspension. The suspended student will work on classroom assignments during his or her time in in-school suspension. Class work and/or assessments missed during in-school suspensions must be made up, and will be accepted for credit.
    - Out-of-School Suspension. Out-of-school suspension will take place in the home of the suspended student. The student will not be allowed on campus during the days or evenings of the out-of-school suspension, nor will he/she be allowed to participate in curricular or extra-curricular activities on the day(s) of the suspension. The student is encouraged to complete any classroom assignments which had been assigned to him/her prior to the suspension. Furthermore, long-term classroom assignments assigned during the suspension period and which are due after the suspension period will be accepted for credit. However, class work and homework assigned and due during the suspension period, and exams administered during the suspension period, will not be accepted for credit.
  5. Expulsion. Expulsion shall mean a disciplinary measure that requires the student to be struck from

the School rolls. Expulsions will be used in response to behavior that is of such a serious nature that the Administration feels the student should no longer be allowed to attend the school. Parents will be notified immediately in such cases. Students who are expelled will not be permitted onto the campus without advanced written permission by the school and parental supervision. While it is the responsibility of the Director to expel, he/she will notify the Chair of the Board prior to any action. Expulsion and re-admission of a student is also further stipulated in Policy 8.03.

6. Financial Compensation for Damaged Property. Financial compensation for damaged property shall mean that, should School property be damaged by a student, the School administration may, at the discretion of the Director, require reimbursement to the school for the replacement or repair cost of the property damaged.
- d. Appeal. Unless otherwise specified, appeal of disciplinary decisions will follow the process set forward in Policy 9.02 - ASW Parent Enquiries and Complaint Process.

Revised: December, 2017

## 8.12 Drug, Alcohol, and Tobacco Use

- a. The Board of Trustees supports policies and procedures that send a clear and unmistakable message to students, parents and all School staff that the use by students of any prohibited substance will not be tolerated. No student will possess, use, transmit, or attempt to possess, use or transmit, or be under the influence of any Prohibited Substance on School premises, or off School premises during School hours, or at any School-sponsored or School-related activity, function or event. The possession, use or transmittal of any paraphernalia related to any Prohibited Substance is also prohibited under this policy.
- b. Students are not allowed to attend school under the influence of any Prohibited Substances. Students under the influence of any Prohibited Substances will therefore not be admitted to lessons or to any activities organized by the school. In accordance with the provisions outlined below (Testing), students may be subject to a Substance Test and/or Breathalyzer Test. If the school has reason to believe that the use of any Prohibited Substances outside the School is interfering with a student's learning or that of his/her peers, or is a threat to safety, the School will meet with the student concerned and decide upon the measures to be taken, including informing the parents or authorities.
- c. Prohibited substances:
  1. Any controlled substance or dangerous drug as defined by the laws of any of the US, Poland, EU, or by any local laws, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, anabolic steroid or other performance-enhancing substances, or barbiturate;
  2. Any pharmaceutical drug without the knowledge and permission of the relevant student's parents, or where express prior written notification of the use of such pharmaceutical drug has not been given to the School;
  3. Any glue, aerosol paint, or similar chemical substance for inhalation;
  4. Any intoxicant, or mood-changing, or mind-altering drugs;
  5. Any alcoholic beverage;
  6. Any other substance which is represented to be any of the above listed substances.
- d. Under the Influence – any student will be treated as under the influence of a Prohibited Substance where that student does not have the normal use of his or her mental or physical faculties due to the use of the relevant Prohibited Substance. A student is considered to be under the influence when he/she tests positive for any Prohibited Substance at any level; that student need not be legally intoxicated (as prescribed by the local applicable laws of Poland or the EU) in order to be considered under the influence.
- e. Possession – any individual will be considered in possession of a Prohibited Substance when that substance is found on the person of that individual, among the personal effects which that individual has introduced onto the school campus (e.g., backpack, purse, wallet), or in a space controlled by that individual (e.g., locker).
- f. Transmission – the act of transferring an object or substance from one individual to another, whether or not a monetary exchange takes place in association with the transfer.
- g. Substance Test – an analysis used to determine the presence of Prohibited Substances in the body of an individual, based on scientific methods. Such tests include, but are not limited to, a chemical urine analysis or a blood test. Breathalyzer Test – an analysis of an individual's breath, using a generally accepted non-invasive technology that determines the presence of alcohol in the exhaled breath of an individual.
- h. Use of Tobacco or Related Products:
  1. The School is a non-smoking campus. Smoking is not permitted on the School grounds, nor are students allowed to leave campus in order to smoke and then return.

2. Students are prohibited from using, possessing or transmitting any tobacco or related products (including vaping, snuff, chewing tobacco, etc.) at school or at school sponsored events.
  3. Students found in violation of this policy shall be subject to the consequences outlined in the “consequences” section below.
- i. Prescription Medication - Where any student has been prescribed any medication which he or she is required to take during school hours or during School-sponsored events:
    1. his or her parents must inform the School in writing; and
    2. the medication in question must be submitted to the School’s Health Office staff, who shall determine the manner in which the medication shall be dispensed.
  - j. Testing - Where any School Principal, or the Director, or his or her appropriate designee, has a reasonable suspicion that any student is using or otherwise under the influence of any Prohibited Substance in violation of this Policy, that Principal, Director or designee may direct that the student submit to (1) a Breathalyzer Test; or (2) a Substance Test to determine what, if any, Prohibited Substances have been used. In relation to this Policy:
    1. The relevant Administrator will keep a written record of any grounds for administering a Breathalyzer Test or requiring a Substance Test, as well as keep a record of all steps taken in accordance with this section. Such a record will not form part of the relevant student’s permanent record;
    2. The School will ensure that each Substance Test is undertaken by a mutually agreeable health provider within the timeframe specified and verified by a reliable and reputable agency;
    3. Any faculty member who is supervising students when they are at any School-sponsored or School-related activity, function or event which is not on School premises is entitled to administer a Breathalyzer Test to any student under his or her supervision;
    4. By signing and returning to the School a copy of this policy, each student and parent acknowledges that testing may be undertaken or required in accordance with this section and gives their consent to such testing.
  - k. Gathering Information - The Board of Trustees encourages and supports policies and procedures implemented by the Director and Administration which involve gathering information about student attitudes and experiences in relation to Prohibited Substances on a voluntary basis. Faculty members should be actively encouraged to discuss with the relevant Principal any instances of suspected possession or use of a Prohibited Substance by any student.
  - l. Consequences:
    1. Any student found in possession of tobacco or tobacco products will have such products confiscated. Repeated violations of this policy by a student may result in more serious consequences, including those outlined in section 8.11 Student Discipline.
    2. With regard to any violation of this policy excepting that outlined in the preceding paragraph, any student who violates this Policy, or is reasonably suspected of violating this Policy, or who is found to have any Prohibited Substance in his or her body following a test administered in accordance with the section on Testing above, or who refuses to take such a test will be immediately suspended from classes while consideration is given as to the appropriate repercussions and intervention for that student.
    3. Where any student is found to have transmitted, or attempted to transmit, or possessed with the intention to transmit any Prohibited Substance in violation of this Policy, their enrolment at the School will be terminated immediately.
    4. In relation to any other violation of this Policy the guidelines relating to Student Discipline set out in Policy 8.11 will apply. However, the Director will be entitled to exercise his or her reasonable discretion when deciding whether a student’s enrolment should continue at the School following

- any violation of this policy, and what conditions may be attached to that student's enrolment.
- m. The School will ensure that, where possible, any student who violates this Policy is given any necessary guidance and intervention in this area. Mandatory participation in and completion of a substance abuse program are among the conditions that may be required for continued enrolment.
  - n. The School Board, Administration and Faculty will encourage students who feel they may have a substance abuse problem or other chemical dependence to seek help from the School Administration and/or Faculty and these students will be supported in their genuine efforts to seek help. In such cases, penalties for violation of this policy may be reconsidered and modified accordingly.
  - o. Instructional Program – The Director will assure that the educational program of the school includes content and instruction related to the prevention of the abuse of drugs, alcohol and tobacco.
  - p. Communication - At the beginning of each academic year, a version of this policy will be distributed, in English and in Polish, to each student in grade six and above. As a condition of enrolment or continued enrolment, every student in Grade Six and above and at least one of his or her parents or guardians must acknowledge in writing that they have received, read and understood a copy of this policy. Students will be reminded of this policy at the beginning of any school trips that involve a stay outside of Warsaw overnight. The School will make reasonable efforts to provide a translation of this Policy into languages other than English and Polish upon request.
  - q. Parents play a vital role in the education of their children and should be included in the discipline process. At the discretion of the Principal, parents should be informed as early as possible in any process that may lead to serious sanctions, for example, suspension and expulsion. Where there has been any violation or suspected violation of this Policy the Administration will take all reasonable steps to inform the relevant student's parents or legal guardians as soon as possible.

Revised: June, 2018

## 9.00 School Community Relations

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## **9.01 Use of School Facilities**

The School seeks to be a center of activities for its students and families. In addition, the School recognizes that its facilities can also be considered to be a resource for the wider community. To achieve these goals the Administration will permit organized use of school facilities when such use either enhances the School's educational program or does not conflict with the normal operation of the school and is consistent with School policies and philosophy.

Outside entities not connected to the School Community may also use School facilities at the Director's discretion. The School reserves the right to grant or withhold such use without specific reference to any of the general policies of the School.

Revised: June, 2018

## **9.02 ASW Parent Appeals Process**

Appeals of administrative actions must be handled in accordance with the 10.06 Appeals Procedure following a set of standard pre-requisite steps:

- a. For classroom situations, the first point of contact is the teacher.
- b. If this is unsatisfactory or deemed not appropriate, the next point of contact is the applicable Division Principal.
- c. If interaction with the applicable Division Principal is deemed not satisfactory, then the Director should be contacted next.
- d. If the Director is unable to answer the question or resolve the matter, then the Board of Trustees is next and, within the school structure, the final step in the process.

For issues outside the classroom (i.e., admissions, cafeteria, school grounds, extra-curricular activities, etc.), the right place to start is with the applicable Division Principal.

For athletics or activities, the right place to start is with the coach or advisor, then the Athletic Director or Activity Director, then the applicable Division Principal, then the Director, then the Board, in line with the format above.

From a formal point of view, the proper way to approach the Board of Trustees is through the Chair of the Board. Although an individual Board member may be consulted directly in an informal discussion, the formal process will remain the same, which is that the issue will be brought to the attention of the Chair of the Board and then possibly to the whole Board, depending on the gravity of the issue and the scope and necessity for a Board-directed answer or solution.

The Board of Trustees and individual Trustees have no day-to-day operational responsibilities within the School, so the only way the Board should act on an appeal is when the standard steps outlined above and in the associated procedure have been attempted and exhausted.

In the event that an ASW employee, member of the Board of Trustees, or other member of the School Association is provided with a confidential appeal, the process detailed under Policy 6.07 Confidential Disclosures and its associated Procedures under 10.08 should be followed.

Revised: May, 2021

### **9.03 Parent-Teacher Organization (PTO)**

The Board endorses the concept that parent participation in the affairs of the School is essential if the School is to sustain a high level of educational excellence. For this reason, the Board has approved the formation of a Parent-Teacher Organization (PTO).

The purpose of the PTO is to work for the benefit of the students and the entire School community as a non-political, non-profit social organization. It will specifically promote communication between parents and the School and organize volunteer services and fund-raising activities to assist the School and the children it serves.

The Board believes that the best way for the PTO and the School to form a close working relationship is for the PTO to have written bylaws, determined by the PTO itself, but that support a clear structure of officers, meetings, and financial accountability.

Fund-raising activities must follow the requirements outlined in Policy 4.10

Funds of the PTO will be held separately within the overall accounting structure of the School, and will be subject to standard accounting practices ensuring separation of duties and transparency. The PTO by-laws will include processes for making payments, and detail levels of spending authority that require approval of two persons, the PTO executive committee, and the whole PTO itself. While the PTO funds will be part of the annual school audit, carried out by professional auditors, it is the responsibility of the PTO Treasurer and the PTO Executive Committee to ensure that detailed accounts are presented to the PTO and the Board of Trustees on a regular basis.

The Administration of the school shall not make payments from PTO funds without specific instructions from the PTO in accordance with proper process.

Revised: May, 2017

## **10.00 Procedures and Practices**

This section is not subject to the approval process identified in Policy 3.01. As such, changes to all items in this section are subject to the work of the Board and/or Director to effectively interpret policy and provide standard operating procedures associated with policy. By policy, the Director will keep the board informed of changes to these procedures as they are adopted and implemented.

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### **10.01 Guidelines for Serving on Board Committees**

Policy Reference(s): 1.05, 1.06, 1.07, 1.08, 1.10, 2.06, 3.02

Teachers, students, and community representatives should have the opportunity to participate in the work of Board of Trustees committees. The purpose of this practice is not only for the teachers, students and community representatives to learn about how the School functions, but also for teachers, students and community representatives to contribute their perspectives and expertise to the decision-making process.

To that end, administrators, staff members, students, and other community members may be recruited to participate in Board of Trustee committees for the purpose of engaging in work of the committee and making contributions consistent with their areas of expertise or as representatives of stakeholder groups that have insight into the topics being addressed. Prior to recruitment to Board of Trustee committees, the Director will be consulted and must provide specific approval with regards to the recruitment of any contracted employee or student of the school.

Further, Board of Trustee committees will seek to further the communications aspect of their role by keeping the ASW community informed about their work. This opportunity may be provided through any of the following means:

- Surveys
- Focus groups
- Open forums or presentations
- Roundtable discussions
- Presentations to constituent groups in other venues
- Newsletters or publications
- Announcements at school events

The overall goal of the use of expertise from outside committees is to both keep the community informed of board work and improve the overall quality of the decisions made by board committees by engaging the community in assuring that decisions match stakeholder expectations. In all cases, Board of Trustee committees will rely on their established and adopted Terms of Reference (ToR) and all voted decisions by the committee will only include currently empowered trustees.

Revised: September, 2017

## 10.02 Board Member Commitments

Policy Reference(s): 1.07, 3.03

***Board of Trustees Essential Agreements are to be signed by members at the first meeting annually.***

- a. We are all volunteers who support ASW passionately and believe strongly in the Mission of the School. Each one of us is ethically bound to ensure sound governance of the School and is dedicated to improving the School.
- b. Board of Trustee Member Role - Each Board of Trustee Member will:
  1. Always recognize they are here for the good of all students.
  2. Represent the whole community, not a single constituency.
  3. Publicly promote the School's Vision, Mission, Core Values and policies.
  4. Focus on the School's strategic perspective and plan, making decisions based on solid analyses and empirical evidence.
  5. Respect the roles and responsibilities of the other Trustees, Director, and the Administration, focusing on governing in a fiduciary, strategic, and generative role while refraining from operational interference in the School's administration.
  6. Be fully informed on all matters within the scope of their duties and obligations as outlined in the Bylaws.
  7. Maintain the confidentiality of matters discussed in executive session and committee settings, including "who" said "what" related to such matters.
- c. Board Ways of Working - When working as a group, Board of Trustees Members will:
  1. Set goals and benchmarks together and monitor and report results.
  2. Be open to each other's suggestions and questions, strive to understand each other's positions or concerns, encourage respectful debate by not taking things personally and draw from every member's strengths.
  3. Support each other by sharing information, being transparent, communicating openly and honestly, actively listening, thinking before speaking, and respecting differences.
  4. Encourage constructive debate and recognize that at times there may be conflicting positions. If conflict persists, so as to not undermine the team, the Board will agree on the strategy to resolve it in an analytical and fact-based approach, whenever possible, and never leaving out common sense.
  5. Stay focused on the goals we set— accepting that compromise is essential and that only through consensus it is possible to move closer to achieving the goals.
  6. Ensure that each Board member takes full ownership of the work of the Board and for the consensus reached— when we walk out of the Board meeting, there will only be one message and it is the one agreed by the Board as we recognize that any other approach can be detrimental to the School. Outside the Board Room, we speak with one voice.
  7. Learn together, recognizing openly our mistakes, and using each Board self-evaluation to improve how to work together as a team.
  8. By virtue of the role Board members are the advocates, ambassadors, and representatives of the School.
- d. Board Trustee Qualities and Level of Engagement - Board of Trustees Members should:
  1. Be willing to contribute to Board of Trustees/Committee meetings and activities, be able to allocate on average 12-16 hours monthly of time for Board engagement over at least 3 days per month of meetings as specified on the Board Path Forward.
  2. Make every effort to attend and be prepared for all Board and Committee meetings.
  3. Have the ability and the professional or personal experience to think long term and make strategic contributions.
  4. Be able to participate actively and responsibly in deliberations.
  5. Be financially literate.
  6. Be a good listener, open minded, a constructive communicator, and a critical thinker.

7. Have a commitment to work collaboratively and respectfully with other Board of Trustees members and the School Administration, taking specific tasks on them personally.
  8. Be highly engaged—each one of us will hold ourselves accountable for the performance of the Board.
- e. Post-service Obligations - Upon completion of service Board of Trustee Members should:
1. Maintain confidentiality and non-disclosure of all board proceedings and documentation otherwise considered as executive session or confidential.
  2. Communicate effectively to successors and provide for smooth transition however possible and appropriate.
  3. Provide a post-service summary to the board chair in order to inform the decisions of future trustees.

Revised: May 2020

### **10.03 Board Appointment and Election Process Guidelines**

Policy Reference(s): 1.04, 1.05.f.3, 1.06.b, 1.10, 3.03

#### **a. Appointments**

1. When an opening arises, the Board of Trustees Chair and Governance Committee shall review and select a nominee(s) from the pipeline of available and interested candidates.
2. Following validation of each nominee according to Policy 3.03, the Governance Committee will present the eligible nominee(s) to the Board of Trustees for approval to fill open appointment positions.
3. In the process described above, the Board of Trustees Chair, the Governance Committee or the Board of Trustees might recommend additional qualifications/skills to the Board of Trustees to endorse.
4. Optionally, a general call for applications from the school community can be initiated.
5. The Board of Trustees Chair shall contact candidates with regards to confirming their willingness to serve.

#### **b. Elections**

1. Every year, the Governance Committee shall open a general call to the Members of the School Association, who wish to stand for election for the Board of Trustees, and are willing to place their name in nomination.
2. The Governance Committee shall validate each candidate's eligibility (Policy 3.03), and announce a list of candidates for Elections.

Revised: May, 2020

#### **10.04 Record-Keeping Protocols**

Policy Reference(s): 1.05.f, 1.07, 4.12

The following are the agreed protocols governing record keeping and information sharing/availability amongst the Board of Trustees:

- a. All materials made available to committee members shall also be made available to all Board members through the Board archives or, if not electronic, by request.
- b. All sitting committees shall file a written report at the monthly Board of Trustees meetings, such reports must be submitted to the Director's executive assistant at least three (3) working days before the meeting of the Board of Trustees at which it would be presented.
- c. The Board of Trustees shall maintain an electronic archive and library which will consist permanently of all Board documents including:
  1. Bylaws, Policy and other documents issued or created by the Board of Trustees
  2. All committee documents, including agendas, minutes, notes, attachments and exhibits
  3. All executive and regular Board agendas, minutes, notes, attachments and exhibits.
- d. Committee Chairs are responsible for promptly sending documents to the Board archive.

Revised: June, 2018

## 10.06 Appeals Procedure

Policy Reference(s): 1.02, 1.03.g, 6.05, 8.03, 9.02

Appeals to the Board of Trustees of a decision of an employee of the School that significantly affects the education, health, or safety of a student shall only be brought in accordance with this Appeals Procedure.

- a. For purposes of this Appeals Procedure, a “decision” includes the failure of an employee to make a decision.
- b. If a decision of an employee of the School significantly affects the education, health, or safety of a student, the parent/guardian of the student or the student may appeal that decision in accordance with this Appeals Procedure.
- c. The purpose of the Appeals Procedure is to provide a fair and expeditious means by which parents/guardians and students can seek a review of Appealable Decisions, as defined in section f below.
- d. The Board strongly encourages parents/guardians and students to work together with the faculty and the Administration to resolve disputes in an open and constructive manner both prior to and during the appeal process, as described in Policy 9.02. All participants in the appeal process are expected to act as role models, and will at all times maintain an atmosphere of mutual co-operation and respect for the dignity of the individual participants.
- e. Confidentiality - Information and documents about appeals shall be kept confidential and may only be disclosed in accordance with applicable law.
- f. Appealable Decisions:
  1. Appeals may only be brought of decisions which “significantly” affect the education, health or safety of a student, which for purposes of this Appeals Procedure shall constitute and define an “Appealable Decision”.
  2. The determination of whether a decision “significantly” affects a student’s education, health or safety must be made on a case-by-case basis.
  3. Examples of Appealable Decisions include:
    - disciplinary suspension from school for a period in excess of five (5) consecutive instructional days;
    - the exclusion of a student from school for a health condition;
    - significant decisions regarding placement in an educational program (this does not include classroom or teacher preference issues, except in exceptional circumstances);
    - grade promotion or graduation;
    - refusal to offer an educational program to a non-graduated student sixteen (16) years of age or older.
  4. If the matter being appealed is a disciplinary suspension of a student, the Director may extend the suspension period for an additional five (5) consecutive instructional days, if deemed appropriate under the circumstances of the process.
  5. School and Board policies themselves are not appealable.
  6. Where a parent/guardian or student challenges a decision of a School employee that constitutes an Appealable Decision, the parent/guardian or student should be advised by the Administration of this Appeals Procedure.
- g. Appeals Process
  1. A parent/guardian or student filing an appeal may be accompanied by a person of their choosing at any meetings held in connection with the appeal. Where an appeal is launched by the

parent/guardian, a student who is the subject of the appeal may, with the consent of their parent/guardian, attend relevant appeal meetings.

2. Where the person whose decision is appealed is a faculty member, the faculty member may attend any meeting in connection with the appeal accompanied by a member of the Teachers' Association and will be provided copies of any documents to be considered at the appeal seven (7) days prior to that consideration. The faculty member may respond to such material.

h. Notice of Appeal and Time Limits for Appeal

1. Appeals must be started within thirty (30) days of the time the Appealable Decision was communicated to or known by the parent/guardian or student, unless good reasons are shown why the time should be extended.
2. An appeal is started by delivering a written Notice of Appeal to the office of the Director by mail, fax, e-mail, or personal delivery. The Notice of Appeal should provide a statement of the decision being appealed, an explanation as to how such decision significantly affects the education, health, or safety of a student, and any other relevant information in relation to the appeal.

i. Sequence of Appeals Procedure

1. Initially, the appeal shall be considered and determined by the Director. Upon an Appealable Decision being referred to the Director, the Director will, as soon as practicable, arrange a meeting which will be attended by:
  - the person submitting the appeal, who may bring a representative if they so choose;
  - the employee whose decision is being appealed, including if applicable, a representative of the Teachers' Association;
  - the Division Principal whose organization includes the employee whose Appealable Decision is being appealed; and
  - any other person the Director considers appropriate or necessary, including other School employees who have had prior involvement in making the Appealable Decision being appealed, or who have special expertise in the subject matter of the appeal area being discussed.
2. The Director will advise the person bringing the appeal who will be in attendance at the meeting, and such person will advise the Director if they are being accompanied at the meeting and, if so, by whom.
3. The Director will determine the appeal and will provide reasons for the decision to the person bringing the appeal and the person whose decision is under appeal.
4. If the person bringing the appeal does not accept the decision of the Director, they may refer the matter to the Board of Trustees by notifying the Office of the Director, in writing, that they wish to pursue the appeal to the Board of Trustees. In such an event, the Director shall submit his written determination of the appeal and any other information for consideration by the Board of Trustees. The Director's written determination shall include his or her decision on the merits of the appeal, including whether the Director:
  - upheld the Appealable Decision;
  - modified the Appealable Decision in a specific manner;
  - dismissed the appeal because it was not commenced within 30 days from the date of the Appealable Decision to which the appeal relates, without reasonable explanation; or

- dismissed the appeal because the student and/or parent/guardian refused or neglected to discuss the decision under appeal as directed by this Appeals Procedure.
5. Prior to having the appeal considered by the Board of Trustees, the Chair of the Board of Trustees and the Director may request a meeting with the person bringing the appeal, who must attend the meeting or the appeal will be dismissed. The appeal will also be dismissed if the Chair of the Board of Trustees and the Director jointly determine the decision at issue is not an Appealable Decision, was not filed within the time limits specified in Section 10.06h above without reasonable excuse, or the person bringing the appeal has refused or neglected to discuss the Appealable Decision as directed by this Appeals Procedure. Where the Chair of the Board of Trustees and the Director jointly determine that the decision being appealed potentially does significantly affect the education, health, or safety of a student, the appeal will be referred to the full Board of Trustees under this Appeals Procedure.
  6. Where an appeal is referred to the full Board of Trustees, the determination of the matter by a majority of the quorum of the Board of Trustees is final and may not be appealed.
  7. The Director shall forward the following materials to the Board of Trustees for consideration:
    - the Notice of Appeal;
    - all documents provided by any party to the appeal when the appeal was initially considered by the Director;
    - copies of any relevant documents, policies or statutory requirements which bear on the issue raised in the appeal;
    - the written decision of the Director resulting from the Director's initial consideration of the appeal; and
    - any other information the Director would like to submit for consideration by the Board of Trustees if the appeal is taken to the Board.
  8. Upon receipt of an appeal properly submitted to the Board, the Board shall establish a date for considering the appeal, which will be communicated to the parties by the Chair of the Board of Trustees.
  9. The Board may be advised in closed session by legal counsel in relation to the appeal provided they have not had prior involvement in the matter under appeal.
  10. The Board may, in its absolute discretion, determine whether an appeal shall be considered on the basis of written submissions or an oral hearing. The Board may determine rules of procedure, including imposing limits on time for presentations, the ability to call or question witnesses, and the receipt of evidence, to facilitate the disposition of the appeal, and may adjourn the proceeding at the request of any party where there are reasonable grounds to do so.
  11. The Board may establish a schedule for the exchange of documents or written submissions. At least seven (7) days prior to the date scheduled for the hearing of the appeal, or the exchange of initial written submissions in the cases of an appeal to be determined only on the basis of written submissions, the Director and the appellant must provide each other with any documents or information they intend to rely on for the appeal, and which have not previously been exchanged.
  12. The person bringing the appeal, the Director, the Division Principal whose organization includes the employee whose decision is being appealed, and the employee whose decision is the subject of the appeal may make written submissions in relation to the appeal.
  13. The Board may make any interim decision it considers necessary pending the final disposition of the appeal.

14. The Board may invite submissions from any person whose interests may be affected by the Board's decision on the appeal.
- j. The parties will be promptly notified of the Board's decision. Written reasons will be provided to the parties as soon as practicable. In considering appeals of an employee's decision, the Board shall consider:
- whether the decision being appealed qualifies as an Appealable Decision;
  - whether the Appealable Decision was reached through a process that was fair to the student;
  - the evidence presented to the Board;
  - whether the decision is reasonable under the circumstances; and
  - any special circumstances.
- k. The Board's decision is final and not appealable.

Revised: April, 2021

## **10.07 Employment Contract Template Management**

Policy Reference(s): 1.06, 6.03

- a. Contract templates are created for classification of employees and adjusted on an annual basis according to relevant changes in law and overall changes to salary and benefit guides based on board approvals associated with staffing and budgetary decisions.
- b. For each school year, changes to contract templates shall be communicated to the Human Resources committee as required to keep the Board of Trustees informed of relevant requirements associated with changes in law.
- c. ASW Human Resources shall use the current approved contract templates as follows:
  1. New hire support staff – as required.
  2. New hire local faculty – as required. Initial 2-year term for first contract.
  3. New Hire expatriates faculty - sign initial 2-year term contracts.
  4. Local hire and expatriate faculty renewal contracts shall have a 1 year term.
  5. In November of the school year, ASW Human Resources shall present the approved contract templates, including all annexes, to prospective employees for the following school year, with intention of executing all faculty contracts by December.

## 10.08 Confidential Disclosures Procedures

Policy Reference(s): 6.07

### a. Introduction

The American School of Warsaw (ASW) is committed to the principle of public accountability and to developing a culture where it is safe and acceptable for all its employees to raise their concerns about what is happening at work if they have a reasonable belief of wrongdoing.

Employees have an important role in identifying and reporting concerns about wrongdoing which has come to their attention in connection with their employment. ASW will investigate genuine and reasonable concerns expressed by its staff relating to perceived wrongdoing and will ensure that employees are not discriminated against or suffer detriment because of raising a concern.

For the purposes of these procedures, the term 'employee' also includes individuals who work at ASW, such as external consultants, visitors, and contractors.

### b. Objective

The Procedures lay down the process for staff to follow if they have concerns about any wrongdoing connected with ASW, without fear of adverse repercussions to the individual. Certain disclosures made under this set of procedures will constitute 'protected disclosures' for the purposes of various legislation that now exists on this topic. Typical legislation aims to provide robust statutory protections within which all workers can feel safe in raising concerns regarding potential wrongdoing that has come to their attention in the workplace. Similar laws exist in Poland and have been adapted herein to conform to the multi-national nature of the school.

This procedure aims to:

- Encourage employees to feel confident in raising concerns and to question and act upon such concerns;
- Provide avenues for employees to raise those concerns and receive feedback;
- Ensure that employees receive a response to their concerns;
- Reassure employees that they will be protected from possible reprisals, subsequent discrimination, victimization or disadvantage if they had a reasonable belief that they made the disclosure in good faith.

### c. Scope

This procedure is intended to provide a safe and secure mechanism for employees who may wish to report any reasonable concerns that they may have about perceived wrongdoing (including suspected fraud) in, or connected with, ASW.

This procedure relates to every instance where employees of ASW, and other individuals who work at the school become aware that wrongdoing has occurred, is occurring, or is likely to occur.

### d. Details

The following matters are examples of 'wrongdoings' for the purposes of the Confidential Disclosures Procedures (also referred to as "Whistle-Blowing"):

- That an offence has been, is being or is likely to be committed;
- That a person is failing to comply with a legal obligation;
- That a staff member has breached or is continuing to breach generally accepted

- norms of professional conduct;
- That a miscarriage of justice has occurred;
- That the health and safety of an individual is being endangered;
- That the environment is being damaged;
- That an unlawful or improper use of school funds has occurred;
- That an act or omission on behalf of ASW is oppressive, discriminatory, grossly negligent or constitutes gross mismanagement;
- That information tending to show any matter relating to the above is/was concealed or destroyed.

This list is not exhaustive; in addition to the matters listed (above), there will be many other areas of concern which may be raised in line with these procedures.

Any concern raised by an employee will be treated seriously, assessed on its merits and appropriately investigated. All efforts will be made to give feedback to the individual on the outcome of any investigation, subject to legal or investigatory limits. This process will be agreed on a case-by-case basis as issues such as confidentiality may need to be taken into account.

The Confidential Disclosures Procedures do not apply to raising grievances about an employee's personal situation and, thus, does not replace existing procedures for personal differences or conflicts. If you have concerns in this area, you should consult the school's Grievance Procedure or discuss with your line manager.

e. Employees who make a confidential disclosure

ASW will not tolerate any harassment or victimization (including informal pressures) of a discloser and will take appropriate action to protect the discloser when they raise a concern in good faith. Any evidence that an employee created difficulties for the discloser due to them raising a genuine concern, or, that an attempt has been made to cover up wrongdoing will be treated very seriously and is likely to result in disciplinary action.

If an employee makes an allegation in good faith, but the allegation is not confirmed by an investigation, no action will be taken against them. It is important that all employees understand that it is acceptable for them to raise a concern even in cases where a genuine concern turns out to be mistaken or misguided. If, however, an employee raises a matter frivolously, maliciously (i.e. the employee knows the matter to be untrue) or for personal gain, disciplinary action may be taken against them.

f. How to raise a concern

An employee who is concerned about a perceived wrongdoing should raise their concern in the first instance with their line manager. The earlier a concern is raised, the easier it is to take action.

If an employee does not feel comfortable raising a matter with their line manager – due to the nature of the concern, its seriousness, or for some other reason – they can raise it immediately with the Director or with the current Chairperson of the Board of Trustees.

Concerns may be raised verbally or in writing. Where a concern is raised verbally the following steps are to be taken by the employee raising the concern to ensure that the concern raised is acknowledged by the recipient as received in the manner intended by the employee. These steps are to ensure that the recipient is clear that what is intended as a disclosure is not construed by the recipient as a passing or casual comment.

1. The employee raising the concern sends a written communication to the recipient. The written

communication confirms:

- the fact that a disclosure was made (details of the disclosure need not be included, just the fact that a disclosure has been made);
  - that a written acknowledgement from the recipient to the employee is required.
2. The recipient responds with a written communication acknowledging receipt of the disclosure.

For the purposes of passing the information received to those responsible for investigating the concerns, the recipient of the concern may record the employee's concern in writing and should seek that the employee raising the concerns confirm that the details are accurately recorded. In all cases except where the concern involves the Director of Human Resources, the recipient will report to the Director of Human Resources that a concern has been received.

The recipient of the report will:

- Record and acknowledge the concern;
- Make an assessment as to further action;
- Will determine who best to inform -- i.e. the Director, the Chairperson of the Board of Trustees, the Vice Chairperson of the BoT, etc.;
- Refer the matter for investigation if appropriate (the Director of Human Resources will lead on any subsequent investigation except in any case involving his or her department);
- Apprise the individual who raised the concern of the outcome of any investigation, if appropriate.

If an employee wishes to raise a concern about a perceived wrongdoing relating to the Department of Human Resources, they should raise their concern with the Director who will pursue the matter with the Chairperson of the Board of Trustees. In these circumstances, the school may decide to engage an independent external party to investigate the matter.

g. Confidentiality

All employees involved in the investigation will be required to maintain confidentiality in relation to the concerns being raised.

Where an employee raising a concern has asked ASW not to disclose their identity, the school will not do so unless required by law. Employees should be aware that there may be times when the school is unable to resolve a concern without revealing the employee's identity; for example, where the employee's personal evidence is essential. If so, it will be discussed with the employee whether and how the matter can best proceed.

It should be noted that where an employee seeks anonymity, it is much more difficult to fully investigate their concerns, and ASW will not be in a position to provide feedback to them.

h. Representation

An employee may invite a union or a TA representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.

i. Review of this procedure

The Confidential Disclosures Procedures will be reviewed on an annual basis by the Administrative team.

## 10.09 Harassment – Claims and Process

Policy Reference(s): 2.10, 6.07

- a. What should be done by those who believe they have been harassed?

A member of the School community who believes he or she has been subjected to harassment should first consider telling the other person(s) that the conduct is offensive and request that it stop. If it is difficult for the student or adult to speak directly to the person or, if the offensive conduct does not stop after a request to cease, a student should report it to any Faculty member or to the relevant Principal, guidance counselor, or Director, or may ask a parent or guardian to do so. A Faculty member affected should report the conduct to the relevant Principal or the Director. A prompt and thorough investigation will follow.

- b. Confidentiality

Reports of harassment will be treated confidentially as far as is possible and will be reported to others within the School community only on a need-to-know basis. However, in almost every circumstance, the alleged offender will have to be informed so that the relevant facts can be gathered. The School reserves the right to bring any complaint to the attention of parents and guardians of any students involved at any stage.

- c. Consequences

The relevant supervisor, Principal or Director will investigate all complaints regarding harassment promptly. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances. The behavior need not be intended to be harassment to constitute harassment. It is considered to be harassment if one knows or ought reasonably to know that the behavior is offensive or unwelcome. If the complaint is determined to have merit, the school will place a record of it in the relevant student's or employee's file and take appropriate action such as counseling, detention, suspension, or probation.

Where the Director determines that expulsion of a student is appropriate the Chairperson of the School Board will be notified in accordance with Policy 8.03. If the Director determines that dismissal of a member of Faculty or Staff is appropriate, the Director will proceed in accordance with the terms of the employee's contract, relevant employment law and Policy 6.05.

- d. Complaints against the Director

Claims against the Director should be made in writing to the Chairperson of the Board of Trustees and will be investigated promptly and thoroughly in accordance with the other provisions of this Policy.

- e. Freedom from Reprisals and False Reporting

No member of the community should be afraid to make a complaint for fear of reprisal or getting another person in trouble. Retaliation or threats of retaliation against anyone who makes a complaint of harassment is itself a violation of this policy. Further, complaints about decisions made under this policy can be further reported through confidential disclosures or appeals policies.

A person who knowingly makes a false report of harassment also may be considered to have violated this policy.

Revised: May, 2018

## 10.10 Facility Use

The School seeks to be a center of activities for its students and families. In addition, the School recognizes that its facilities can also be considered to be a resource for the wider community. To achieve these goals the Administration will permit organized use of school facilities when such use either enhances the School's educational program or does not conflict with the normal operation of the school and is consistent with School policies and philosophy.

### a. Use of the Facilities

Use of the facilities can be categorized into one of three groups:

1. *School Activity*. First priority for use of School facilities shall be given to activities extending the normal educational program, directly benefiting School students. This can include after-school or weekend activities involving School staff, outside specialists, parents, and student-centered PTO activities.
2. *School Community*. Second priority shall be given to activities serving school related groups and organizations, directly benefiting School students, staff, and parents. This can include PTO social events, activities serving the whole community, and activities again involving school staff, outside specialists, and parents.
3. *Wider Community*. Third priority shall be given to use by responsible non-school organizations, associations, or individuals (as appropriate). Requests from outside the School community will be reviewed on a case by case basis by the Administration. These can include, but not be limited to, social, cultural, sporting, charitable, and even commercial companies and activities.

### b. Guiding Principles

1. Use of School facilities under this policy is proposed to complement and enrich the School educational program or otherwise benefit principally members of its school community. Primary facility use will always be for school programs. Secondary use will be permitted when such use does not contravene or negatively affect the facility's primary purpose.
2. It is the clear intention that this Use of School Facilities Policy be transparent in its implementation; that it be enacted equitably and be as inclusive as practicable.
3. Further, it may not impede or otherwise contradict other School contractual obligations for use of its properties, nor will it promote diversion of School material and personnel resources without fair compensation.
4. It should be appreciated by users that as the primary purpose of the premises is for the School educational program, there do have to be restrictions on use of part or all of the site during school holidays, to enable maintenance and repairs to take place, and to ensure that there is sufficient staffing availability to enable the supervision and safety of users at all times. In addition, during holidays and weekends there has to be time allowed to enable the facilities to be prepared for normal school use.

### c. Disclaimer

Approval for the use of School facilities under provisions of this policy is not to be interpreted as School endorsement of, or agreement with, the principles or beliefs espoused by those using the facilities.

### d. Charging and Fees

1. *School Activity*. Charges may sometimes be made to cover additional costs incurred by the school. These may include the cost of materials used in the activity, of an external provider, or another element specifically necessary to enable the activity to take place.
2. *School Community*. Charges may be made to cover additional costs incurred by the school, and to contribute towards the proportionate costs of running the particular facility.

3. *Wider Community.* Charges will be made to cover additional costs incurred by the school, and for facility costs.
  4. *Fees.* Fees may be charged as listed in a Facilities Use Agreement, or may be individually determined according to the nature of the activity, at the sole discretion of the Director. This can include a security deposit, refundable after an event (or balance thereof) depending on damages caused or additional costs incurred.
- e. Responsibilities
- ASW Facility Users will:*
1. Acknowledge primacy of School programs;
  2. Protect School facilities, only use School facilities and resources for which permission has been approved, and leave facilities exactly as found;
  3. Adhere to School facility use guidelines, and follow the normal rules of the school (e.g. no smoking);
  4. Ensure adequate supervision for all those taking part in activities under their control, including responsibility for leaving site at the end of the activity;
  5. Ensure that all activity organizers are properly qualified and experienced to run the activity on offer, and that due consideration is given to the health and safety of those taking part and other persons on the premises;
  6. Release the School from any liability claims;
  7. Disclose provenance affiliations;
  8. Pay fees as applicable, and as charged by the School's Administration;
  9. Adhere to conditions established for use of School resources to promote their activities ;
  10. Honor their obligation to refrain from claiming any School affiliation;
  11. Obtain an approved Facility Use Form prior to commencement of the activity.

*The ASW Administration will:*

1. Protect School interests, programs and facilities;
2. Apply discretion when reviewing requests, and consider each on their own merit;
3. Delineate School after-school activities from all others;
4. Develop and maintain procedures to implement this policy;
5. Exercise proprietary responsibility over School information and media;
6. Withhold the security deposit, or reclaim damages and other costs, as appropriate;
7. Monitor and review user compliance with contractual obligations;
8. Uphold standing facility use obligations that may coincide with implementation measures of this policy.

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