GOVERNANCE AND COMPLIANCE

Governing Board

The board of governors is composed of a group of parents with expertise in primary, secondary, and higher education as well as finance, law, and accounting. Our governing board is dedicated to the advancement of education both in Monongalia County and throughout West Virginia. West Virginia Academy Ltd., is a West Virginia non-profit 501(c)(3) corporation with a volunteer governing board.

List of Current Governing Board Members

John Treu, President and Board Chair

Professor John Treu brings a diverse experience base in higher education, law, and accounting. Dr. Treu is an Assistant Professor and the Assistant Department Chair of Accounting in the Chambers College of Business and Economics at West Virginia University. He teaches tax law and accounting to undergraduate, graduate, and law students. His research has been published in some of the top journals in the disciplines of accounting and law. Prior to joining academia, Dr. Treu practiced as a tax and business lawyer for over five years in the Salt Lake City and Washington DC areas. He assisted business clients with the creation of business entities, taxation, contract law, lending, estate planning, non-profit, and employment law. Other relevant prior experiences include working as a tax associate at a Big 4 accounting firm, founding an online continuing education company for tax professionals, and serving as corporate counsel and a member of the board of directors of a non-profit entity.

Dr. Treu earned an LL.M. in taxation at the New York University School of Law, a Juris Doctor at the S.J. Quinney College of Law at the University of Utah, and an undergraduate degree in accounting from Brigham Young University. As the founder and incorporator of West Virginia Academy, Ltd., he joins as a member of the initial board of directors and will also serve as president of the organization on a voluntary basis. Dr. Treu was educated in public schools from kindergarten through high school and his children have attended North Elementary School in Morgantown.

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Areas of Expertise: School administration/leadership; Law; Human Resources; Finance; Business Operations; Mission-Specific;

Dr. Treu is a “future parent” (his children will attend the school) , resides in the community, is not involved in any education-related law-suit and has completed a criminal background check.

Susan Dull, Treasurer and Board Member

Susan Dull, CPA, MPA, provides a tremendous wealth of knowledge in non-profit accounting and taxation, having practiced for forty years in public accounting. A substantial body of her work as a CPA included advising non-profit organizations, charities, private foundations, healthcare associations, and schools. She recently retired from her position as a senior tax manager in the Morgantown, West Virginia office of Dixon Hughes Goodman, LLP. She also worked for over 14 years combined at Big 4 accounting firms Ernst & Young and KPMG, including as a tax manager in the Washington National Tax practice office. She is experienced in tax compliance and consulting with respect to Federal and State operations of U.S. corporations, tax-exempt organizations, partnerships, fiduciaries and individuals.

Susan Dull earned her Masters of Professional Accountancy from Indiana University-Purdue University Indianapolis, and her undergraduate degree in accounting from the University of Central Florida. She joins as a founding member of the board of directors of West Virginia Academy, Ltc., and will also serve the organization as an officer in the role of Treasurer. Her children attended public schools in Morgantown.

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Areas of Expertise: Finance; Human resources; Business operations; Other: Non-profit fundraising.

Susan is not a future parent, she does reside in the community. She is currently not involved in any education-related lawsuit. She has completed a criminal background check for our organization.

Heidi Treu, Secretary and Board Member

Heidi Treu, MPH, and Certified Teacher, provides a rich and diverse background in teaching and program development for primary and secondary education. Her primary areas of teaching expertise are in health and science at the middle school levels, but she has also taught and developed programming in various other topics and levels. She taught English at an international school in Bolivia working with 3rd and 4th grade students. She has developed programming and curriculum at the pre-K and primary education levels that integrates health and science into an interdisciplinary instruction format for core topics. She has also taught music and piano lessons professionally and served as a volunteer leading congregational children’s choirs in the Morgantown and the New York City areas. She has taught middle school and junior high school as a licensed educator in both the public school and charter school

settings and, as such, provides a diverse and credible perspective on the challenges and opportunities in child education.

Heidi Treu earned a Master of Public Health degree at the University of Utah School of Medicine. She is also set to graduate this September with her Master in Special Education from the American College of Education. While completing her graduate degree she worked at Thrasher Research Fund, a non-profit entity that funds medical research to improve the lives of children worldwide. She assisted in medical research programs with this organization in Ghana. She completed her undergraduate degree in secondary education with an emphasis in health education and a minor in geography at Brigham Young University. Heidi's children have attended public schools in Morgantown.

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Areas of Expertise: Special Education; School administration/leadership; Special Populations; Mission-Specific

Mrs. Treu is a "future parent" (her children will attend the school) and resides in the community, she is not involved in any education-related lawsuit. She has also completed a background check and was cleared.

Whitney Morgan, Board Member

Whitney Morgan, J.D., brings a unique and critical perspective on legal and educational issues as well as matters impacting the state of West Virginia children. She is a licensed attorney in West Virginia and an educator and clinician at West Virginia University College of Law. Her legal background is primarily in land use law, contracts, city planning, and local government law. Her responsibilities with the College of Law primarily involve teaching and supervising law students in classroom and clinical settings to provide real world experiences as part of law students' educational development. She is also a member of the Mountain State Land Use Academy and serves as a member of the board of directors for charities focused on the betterment of West Virginia.

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Areas of Expertise: Law; Human Resources; Business operations; Other: Land-use

Dr. Morgan is a "future parent" (her children will attend the school) and resides in the community. Currently she is not involved in an education-related lawsuit. She has completed a criminal background check for our organization.

Sirisha Dodda, Board Member
Sirisha Dodda is well experienced in information technology and engineering. She has recently worked for the NASA Educator Resource Center giving her vital experience in training educators on robotics programming and competitions. Previous responsibilities she had in the NASA program was to support schools in setting up their own STEM programs. She gave workshops and educated students and teachers all over West Virginia in STEM programming. Siri has lived in Morgantown over 13 years and has a daughter in the Monongalia County School District.

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Areas of Expertise: Mission-specific; Other: STEM

Mrs. Dodda is a "future parent" (her children will attend the school) and lives in the community. She is not involved in any education-related lawsuit and has not completed a criminal background check for our organization.

Organizational Documents and Board Policies

West Virginia Academy was organized as a West Virginia non-profit corporation on December 26, 2019 for the purpose of improving primary education, broadly defined, in West Virginia through the establishment of a charter school. On January 31, 2020, the organization held a meeting where its initial governing board was established, the articles of incorporation were ratified, and original bylaws were adopted. The Articles of Incorporation and Bylaws that are in effect as of the filing of this application are attached as Addendum 4, parts a and b. Additionally, West Virginia Academy has been approved as a 501(c)(3) public charity by the Internal Revenue Service (see 501(c)(3) exempt status determination letter at Addendum 4, part c). As such, the structure of our organization as a non-profit West Virginia corporation with 501(c)(3) status and a voluntary board of governors is directly aligned with the requirements under West Virginia law for charter schools.[1]

Our board of governors have adopted a conflicts of interest policy that applies to all members of the organization (see Addendum 4, part d). This policy is designed to ensure the purpose of the organization is carried out without disruptions arising from conflicts of interest.

[1] See W. Va. Code § 18-5G-2(1)(A).

School Ethical Standards and Policies

The ethical standards, policies, and procedures in this section are the initial policies adopted by the Governing Board with respect to various matters involving the governing board, staff, students, and families. The objective of these policies is to foster an environment of accountability and professionalism. However, in large part, these policies represent living documents that will be revised and improved from time to time to respond to the needs of our school community.

Organization Policies Applicable to Governing Board and Staff

At-Will Employment Statement

Employment by West Virginia Academy, Ltd will be at-will. Any procedure or practice, whether set forth herein, or not, will be employed at the discretion of the Governing Board and its designee(s). Either party may terminate employment at any time, with or without cause, warning, or notice. Nothing contained herein creates any expectation of continued employment.

Employee Code of Conduct

West Virginia Academy will ensure that each teacher understands the obligations associated with being an educator in the state of West Virginia. Additionally, each staff member will receive a copy of this Employee Code of Conduct document and the West Virginia Academy Code of Conduct (See Addendum 3) for their reference and shall sign a copy that shall be retained in their employee file.

One of the key elements of West Virginia Academy's vision is to create a primary and secondary school culture that fosters leadership qualities and strength of character in each student. WVA students will develop good character to the extent that they see it modeled daily by the important role models in their lives. Thus, it is vital that the West Virginia Academy staff demonstrate good character in word and in deed at all times. Staff will impart to students principles of good citizenship and societal responsibility, both by direct teaching and by personal example. Staff members will strive to be perfectly honest and utterly reliable. Students will develop confidence in the staff as they witness them treating others with respect, dignity, kindness, and fairness.

Students will learn positive methods of conflict resolution and problem solving as they observe the West Virginia Academy staff utilizing positive, cooperative, democratic methods to work through everyday challenges. Staff member behavior will always reflect these high standards.

Staff members will also refrain from physical contact with students in almost every setting. Most physical contact by staff members with students is inappropriate for staff members. Exceptions are handshakes and "high fives" or incidental contact that may be appropriate while participating or instructing in physical education classes. Staff will never attempt to restrain or redirect a

student by utilizing physical force. Exceptions to the limitations on physical contact may exist when: 1) the safety of the student or another student is in jeopardy and it is clear to the staff member that physical intervention is necessary to prevent injury to the student or others, or 2) in the rare instance when an administrator is conducting a Search/Seizure based on apparent illegal activity that may present a serious risk to a member of the community.

Staff members will maintain confidentiality, consistent with the law, regarding students and colleagues.

Staff members will not discuss topics that may be considered crude or offensive to students or others. Staff members will not violate generally accepted community standards of decency. Staff members will take care to refrain from using slang that may be offensive to students' religious beliefs, socio-economic status, or ethnic backgrounds.

Staff will never direct students to keep information from their parents regarding what happens in a classroom, at the school, or regarding something the teacher has said. Requesting students keep any such information confidential from their parents is a severe violation of staff policies and is justification for immediate removal.

Behavior that does not meet the high standards outlined above for staff conduct will result in an administrative conference and possible loss of employment. In the event a staff member believes themself to have been unfairly treated with respect to the implementation of this Employee Code of Conduct because the policy is applied in an arbitrary or capricious manner in such a way that impacts such staff member, then that staff member may file a grievance under the applicable grievance policy.

The reasons for termination or discipline listed above are general guidelines and are not all-inclusive. The Governing Board will retain the right to terminate employment with or without cause, and to determine whether cause for termination or discipline exists, regardless of whether such cause is included in this list.

At its discretion, the School, operating through its Board of Directors and the School Executive Director, may establish policies, guidelines, and regulations for the operation of the School. When the School, at its discretion, determines that progressive disciplinary steps or warnings, or evaluations of staff are in its best interest, it will employ those tools. However, no policy, guideline, regulation, or practice relating to the training and discipline of staff shall create any expectation of continued employment or any expectation of any particular process or disciplinary procedure.

West Virginia Academy Safe School Environment and Code of Conduct Acknowledgement

The school strives to provide a safe and nurturing learning environment for students and staff. With regard to providing a safe school environment:

1. I understand that I am expected to maintain a high ethical and professional standard in their interaction with both adults and minors this includes: exhibiting professional behavior by showing positive examples of preparedness, communication, fairness, punctuality, attendance, language, and appearance as well as contribute, cooperate, and participate in creating an environment in which all employees/students are accepted and are provided the opportunity to achieve at the highest levels in all areas of development.

2. I understand that I am prohibited from using physical discipline (including corporal punishment) in any way for the behavior management of students, except insofar as restraint may be necessary to prevent a student from inflicting harm on themselves or others, in which case a detailed written record of the incident is to be made. I understand that clear professional boundaries must exist between minors and adults.

3. I understand that I must schedule one-on-one counseling sessions or meetings with minors at times and locations that promote accountability, in an open room setting without closed doors, and only if readily observable by others who may be in the room or hallway, and meet accepted standards of propriety. Discussions involving information that needs to remain confidential, such as violations of academic integrity or student performance/assessments, should be held in the presence of another adult faculty or staff member.

4. I agree that I shall not engage in any form of unlawful, unacceptable or offensive behavior with students, parents/legal guardians, staff or visitors to the school which may include, but is not limited to:

(a) verbal harassment, such as derogatory comments, jokes, or slurs;

(b) visual harassment, such as derogatory or sexually explicit videos, internet sites, printed materials, books, magazines, posters, cards, calendars, cartoons, graffiti, drawings, notes, or gestures;

(c) sexual advances or other physical conduct or contact of a sexual nature;

(d) physical harassment, such as inappropriate touching, hitting, kicking, grabbing or any other form of aggressive, abrasive or harassing physical contact;

(e) other behavior deemed offensive or inappropriate by school administration.

5. I understand that unless the school has a parent or legal guardian's knowledge and consent in the form of a written permission slip, I am never to drive students in my personal vehicle. When authorized to do so, I will operate my vehicle in accordance with the law. This limitation shall not apply: (i) with respect to any student who is a member of my household, or (ii) in very

rare instances where there is a medical emergency where a student requires immediate medical care.

6. I understand that extra-curricular activities, school programs, or special instruction sessions shall not be conducted by only one adult without additional adult presence and/or must be conducted at times and locations that promote accountability, in an open room setting without closed doors, and only if readily observable by others who may be in the room or hallway, and meet accepted standards of propriety.

7. I understand that I should not be alone in locker rooms or other dressing rooms with a single student or small groups of students without another adult present. I understand that I must avoid these areas while students are changing unless student behavioral issues warrant the presence of an adult, in which case the behavioral issues should be promptly resolved and I should remain in the location no longer than necessary. I understand that at least 2 (two) staff members should always be present during these times.

8. I will immediately intervene in any code of conduct violation that has a negative impact on students, in a manner that preserves confidentiality and the dignity of each person.

Expectation of Privacy Statement

Faculty and Staff will understand that security cameras and audio recording equipment may be present in classrooms and common areas throughout the school. Except within restrooms or changing rooms, there will be no expectation of privacy on West Virginia Academy premises, including but not limited to vehicles, buildings, classrooms, lockers, desks, mailboxes, computers, or other furniture, equipment, or fixtures.

Non-Disclosure Agreement

Employment at the school requires access to information that is confidential or otherwise considered by the federal government, state government, school, community, parents, guardians or students to be privileged and confidential. Confidential information may be received and maintained by staff under a promise of confidentiality to perform many job duties while employed at the school. Maintaining the confidentiality of such information will be the responsibility of the user of the information. Staff members who access confidential information will undertake this responsibility as a condition of employment. An agreement will be signed that shall govern the conditions of disclosure by the school of certain "Confidential Information" including, but not limited to, student names, student information, Individualized Education Plans (IEP's), school records, staff information, staff records, financial information, data, trade secrets and any and all intellectual property relating to the school, its operations, staff and student body.

Work Product Agreement

Faculty and Staff will neither gain nor retain ownership rights to the work product of the material provided to them, used, or created by them in conjunction with any school project. Employees will understand that the school has sole ownership of the work product and may use the results of those efforts in any manner appropriate including licensing such work product to others.

Guidance for Staff with WVA Children

Preferences for enrollment are given to children of staff members. This will contribute to the family culture we seek to create at West Virginia Academy. There will be guidelines for staff members whose children attend West Virginia Academy:

- Staff will never give their keys to their children.
- Children of staff will not be allowed in the teacher lounge or workroom.
- Children of staff will not use the school staff computers, including teacher laptops.
- Children of staff members will be supervised by their parents before and after school, unless participating in the before school or afterschool programming under the supervision of another staff member.
- Children of staff members will not remain in the school unsupervised after school. West Virginia Academy will not be responsible for the student's safety or security outside of the regular school day in-session time or within the context of specific programming.
- Children of staff members typically will not be assessed or instructed by their parent staff member, although exceptions are permitted where non-parent staff are not readily available (i.e. if the staff member is the only instructor for a specialized topic).

Drug-Free Workplace Policy

West Virginia Academy will be committed to a safe, productive and drug-free work environment and will promote the general health and well-being of all employees. This commitment is jeopardized when employees illegally use, manufacture, possess, distribute or sell drugs in the workplace, on the school premises, or within half a mile of the school premises. Therefore, in order to achieve the objectives of safety, productivity, health, and well-being in the workplace, West Virginia Academy will establish the following policy:

1. It is a violation of Company policy for any employee to manufacture, possess, sell, trade or offer for sale illegal drugs and alcohol or otherwise engage in the illegal use of drugs and alcohol on the job, on the school premises, or within half a mile of the school premises.
2. It is a violation of Company policy for anyone to report to work under the influence of alcohol or illegal drugs.
3. It is a violation of Company policy for anyone to use prescription drugs illegally.
4. It is a violation of Company policy for anyone to report to work if they are taking prescription drugs that, according to their physician or pharmacist, might affect their ability to perform their duties in a safe and effective manner.

Anti-Nepotism Provision

West Virginia Academy prohibits nepotism in employment matters and shall avoid creating circumstances in which the actuality or appearance of favoritism, conflicts of interest, or management disruptions exist.

In the interest of fair hiring practices and to avoid workplace nepotism within West Virginia Academy, the following will be adhered to in matters directly involving employment, assignment,

promotion, compensation, discipline, suspension or dismissal of relatives. A relative of a West Virginia Academy employee or governing board member (hereinafter a "related party") may be employed at the charter school provided the requirements under this policy are met. The hire of the related party can only occur following a fair and impartial recruitment process that includes:

- a determination that the related party is the best (or only) person available, qualified, or eligible for the position;
- an employment application that provides a space for the disclosure of a relation to any WVA school employee or board member (the disclosures of relatives employed at WVA and/or members of the board is a material provision of the employment application and accurate disclosure is a condition of employment); and
- board approval of the hire after analyzing the prospective hire and confirming that the hire is necessary and appropriate under the circumstances (if the party is related to a governing board member then that related board member shall abstain from voting on the hire and shall leave the room while the hire is discussed).

Any related party shall not be placed in a position in which that individual would be in direct supervisory relationship with their relative or immediate family member and assessments of performance can never be conducted by a related party.

Equal opportunity

West Virginia Academy is an Equal Opportunity employer in that it will follow WV Policy 4200 which declares: "Equal educational opportunity to all students and employees or potential employees regardless of their sex, race, color, religion, handicapping condition, age, or national origin and its application by county school systems to all curricular areas; textbooks and instructional materials; guidance, counseling and testing; extracurricular activities; facilities and employment."

Employment policies and practices such as salaries, hiring, promotion, etc will be provided without discrimination on the basis of sex as well as on the basis of race, color, religion, handicapping condition, age or national origin.

School Reporting Requirements

The School Executive Director and WVA Board President will submit a Certification of Compliance annually affirming compliance with the provisions of this policy and submit the following forms:

1. Student Fee Schedule with Spend Plan
2. School Fee Policy
3. School Fee Waiver Policy
4. Notice of Fee Waiver Criteria provided by the LEA to student's parents

The Executive Director will also submit documentation annually of:

1. number of students enrolled as of October 1
2. number of students granted fee waivers
3. dollar amount of fees waived
4. number of students who worked in lieu of fee waivers
5. dollar amount of fees collected from students
6. dollar amount of fees collected from students for curricular activities
7. dollar amount of fees collected from students for co-curricular activities
8. dollar amount of fees collected from students for extracurricular activities

WV-MAP

West Virginia Academy is committed to helping students achieve academic success in all categories, including standardized testing. In order to fully assist students in achieving success, West Virginia Academy will adopt proper testing program regulations that are in compliance with §126-14-4. All faculty and staff administering exams will understand that any unethical testing practices could result in suspension or revocation of license (§126-14-8).

West Virginia Academy is committed to follow all state regulations for administering all state standardized tests we administer in our school as explained in §126-14-5. The All faculty and staff involved with the testing materials will read the *WVBE Testing Code of Ethics*. West Virginia Academy administration is responsible to have testing materials prepared several days prior to the first day of testing. Prior to administration tests will be stored in a secure, locked location where students, parents, or the public cannot gain access (§126-14-7). West Virginia Administration will return all testing materials within allotted time ensuring that all necessary data is provided for state reporting.

The Guidelines for Participation in West Virginia State Assessments will be followed. The School Executive Director will read and sign the WVBE Principal's Secure Materials and Test Procedures Agreement. The Primary/Secondary School Director will act as the building level coordinator and will make sure all WV-MAP assessments and international assessments, pilot tests, or field tests are sanctioned by the WVDE. The Operations Manager will be responsible for reviewing, signing, and returning the *WVBE Building Level Coordinator's Secure Materials and Test Procedures Agreement.*

Faculty and staff involved in administering the test are considered examiners and technology specialists. Training for administration of the tests will be given five instructional days prior to the beginning of testing each year. They will verify that all assessments within the WVMAP, pilot tests, and field tests are sanctioned by the WVDE, are secure tests by reviewing, signing and returning the *WVBE Examiner's/Scribe's Secure Materials and Test Procedures Agreement* or the *WVBE's WVDE/District/School Technology Personnel Secure Materials and Test Procedures Agreement.*

Donations, Gifts & Sponsorships Policy

The purpose of this policy is to establish a West Virginia Academy (WVA) policy and procedure governing the acceptance, valuation, and recognition of all types of donations, gifts, and sponsorships for WVA. This policy is intended to create practices that adequately safeguard public funds, provide for accountability, and ensure compliance with all state and federal laws. WVA encourages and supports community and business partnerships that enhance and supplement the public education system.

WVA is committed to work effectively with donors and sponsors to provide donation receipts, as required by law, and to facilitate the donor's charitable intent to the extent that the intent of the donation is in harmony with WVA goals and the law, and is appropriately approved. WVA is ultimately responsible for the accounting, custody, expenditure, and allocation of all monies, including those that are obtained through donations, gifts, and sponsorships. WVA is accountable for and should comply with all federal and state laws and rules, regardless of the source of funds. WVA also desires to protect students, parents, teachers, and school administrators from over-commercialization and restrictions or requirements that are coercive, distracting, or disruptive to the education processes, threatening to the health and welfare of students, or lacking in educational merit. WVA reserves the right to decline or restrict donations, gifts, and sponsorships at both WVA and individual school levels. This policy applies to all WVA administrators, licensed educators, staff members, students, organizations, volunteers, and individuals who receive, authorize, accept, value, or record donations, gifts, or sponsorships for WVA.

It is expected that in all dealings, WVA and school employees should act ethically, consistent with WVA's ethics training, West Virginia Board of Education Policies 5050 (West Virginia Commission for Professional Teaching Standards), Code of Conduct for Public Servants (W. Va. Code § 6B-1-1 through §6B-3-11), and State procurement law (W. Va. Code §5A-3-10).

1. "Public funds" are defined as money, funds, and accounts, regardless of the source from which the funds are derived, that are owned, held, or administered by the state or any of its political subdivisions, including LEAs or other public bodies [W. Va. §5A-1-1]. All monies received through donations, gifts, or sponsorships are considered public funds.
2. All funds, property, or goods donated become public funds and the property of WVA, and should be used for the purpose for which they were donated and in accordance with State and WVA policies.
3. WVA recognizes that fundraising efforts, donations, gifts, sponsorships, and public support vary among schools. WVA is committed to appropriate distribution of unrestricted funds and the management of donations and gifts to ensure that the educational opportunities for all students are equal and fair.
4. WVA is committed to principles of gender equity and compliance with Title IX guidance. WVA commits to use all facilities, unrestricted donations and gifts, and other available funds in harmony with these principles. WVA reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. The benefits derived from donations and gifts should be

equitable for all students, comply with Title IX, and otherwise should be in harmony with West Virginia law with respect to non-profit entities.

5. The collection of funds or assets associated with donations, gifts, or sponsorships should comply with WVA cash receipts policies. The expenditure of any public funds associated with donations, gifts, or sponsorships should comply with WVA cash disbursement policies.
6. Donations, whether in-kind, cash, or otherwise, should be complete transfers of ownership, rights, privileges, and/or title in or to the donated goods or services and become the exclusive property of WVA upon delivery.
7. WVA employees may not direct operating expenditures to outside funding sources to avoid WVA procurement rules (operating expenditures include equipment, uniforms, salaries or stipends, improvements or maintenance for facilities, etc.).
8. WVA employees must comply with WVA procurement policies and procedures, including complying with obtaining competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.
9. Donations and gifts should be accounted for at an individual contribution level.
10. Donations, gifts, and sponsorships should be directed to WVA, WVA program(s), school, or school program(s). Donations, gifts, and sponsorships should not be directed at specific WVA employees, individual students, vendors, or brand name goods or services.
11. Donated funds should not compensate public employees, directly or indirectly.
12. If donations or gifts are offered in exchange for advertising or other services, an objective valuation should be performed and a charitable receipt should be issued by the foundation or the business administrator.
13. Donations or gifts should not be accepted that advertise or depict products that are prohibited by law for sale or use by minors, such as alcohol, tobacco, or other substances that are known to endanger the health and well-being of students.
14. Donations, gifts, and sponsorships given by vendors to specific programs (e.g., drama, sports teams) As required by state law, donations should only be accepted where there is no expectation or promise, expressed or implied, of remuneration or any undue influence or special consideration. WVA employees are not permitted to accept personal payment or gratuities in any form from a vendor or potential vendor as a precondition for purchase of any product or service.
15. Donations and gifts over $250 should be provided with an acknowledgment of the contribution from WVA for IRS purposes. The acknowledgment should be in the form of a receipt issued by the foundation or business administrator.
16. Types of Donations, Gifts, and Sponsorships
    a. Products
        i. WVA may accept donated products which carry the donor company's name, trademark, logo, or limited advertising on the product (e.g., cups, T-shirts, hats, instructional materials, furniture, office equipment, etc.). These items should be valued at fair market value at the time of the contribution. If advertising or other services are offered in exchange for the donation or gift, this may alter the contribution amount.

b. Cash Donations
    i. Cash donations are welcomed and may be accepted from private individuals, companies, organizations, clubs, foundations, and other appropriate entities. All cash donations should be received in compliance with WVA's cash receipts policies.
    ii. Cash donations may be used to fund or enhance programs, facilities, equipment, supplies, services, etc.
    iii. Cash donations may not be used to hire regular classroom teachers, thereby altering the staffing ratios. However, classroom assistants, coaching assistants, or specialists of any kind, including individuals who may hold educator licenses, may be hired using the funds received. Donations to fund such positions should be made to a program, school, division, or department—not directly to individuals—and employment should be processed through WVA's Human Resources Department and Payroll Department. WVA or school administration reserves the right to decline or restrict these types of donations if they create inequitable environments in the school or inequities that violate Title IX or other laws, are not economically in the best interest of WVA, interfere with educational goals, or for any other reason determined by WVA or school.
    iv. Cash donations should not be used to augment an employee's remuneration beyond the remuneration associated with the salary schedule of the employee's position.
c. Donor and Business Partner Recognition
    i. Donor and business partner recognitions may be placed on equipment, furniture, and other donated gifts that are not considered capital or fixed assets. Non-permanent recognition may be placed on WVA buildings or structures.
    ii. Principals may authorize banners, flyers, posters, signs, or other notices recognizing a donor or school business partner. Such materials should feature the school-business partnership and not promote or endorse the business named.
d. Equipment, Supplies, or Goods
    i. WVA may accept donated equipment, supplies, or goods for use in WVA school programs. These items should be valued at the fair market value at the time of the contribution. If advertising or other services are offered in exchange for the donation or gift, this may alter the valuation amount.

17. Approval and Acceptance of Donations, Gifts, and Sponsorships
    a. Donations, gifts, and sponsorships valued at more than $250, whether individually or in the aggregate at one time, should be documented on the WVA "Donation, Contribution, or Sponsorship" form. This form should be completed prior to, or contemporaneous with, the acceptance of money or goods, and should be retained in WVA or school accounting records. A copy of the

completed form should be sent to the foundation or business administrator, and a receipt for charitable contribution purposes should be issued to the donor.

b. Approval levels are as follows:
    i. Money, goods, supplies, or in-kind donations, gifts, or sponsorships valued at $250-$10,000 should be documented on WVA "Donation, Contribution, or Sponsorship" form and be approved by the Executive Director or applicable WVA department or division supervisor prior to acceptance.
    ii. Money, goods, supplies or in-kind donations, gifts, or sponsorships valued at $10,000-$50,000 should be documented on WVA "Donation, Contribution, or Sponsorship" form and be approved by the business administrator and superintendent prior to acceptance.
    iii. Money, goods, supplies or in-kind donations, gifts, or sponsorships valued at more than $50,000 should be documented on WVA "Donation, Contribution, or Sponsorship" form and be approved by WVA board prior to acceptance.

18. All donations or gifts for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases should be approved in writing by the business administrator, the superintendent, and the board. Prior to the initiation of a large capital drive or specific fundraising drive, the following should be provided to the business administrator for evaluation and recommendation to the superintendent:
    a. Prospective construction, maintenance or renovation plans and estimated costs
    b. Proposed naming opportunities
    c. Proposed donation or gift timeline
    d. Loans or financing agreements
    e. Maintenance or upkeep requirements and costs
    f. Assurances of compliance with Title IX
19. The superintendent should make a recommendation to the board. The board reserves the right to tentatively approve plans, pending donations, gifts, equity, or other conditions.
20. WVA should only grant naming opportunities that are consistent with the mission and educational objectives of WVA. Decisions regarding naming opportunities are within the sole discretion of the board.
21. To avoid disruption of students' instructional activities, schools should not be used for distribution of partisan, religious, or commercial advertisements, fliers, bulletins, newspapers, etc.; nor should such items be placed on vehicles parked on school grounds.
22. Principals may permit the school distribution of fliers, bulletins, newspapers, etc. with information regarding nonprofit community youth programs such as Boy Scouts of America, Girl Scouts of America, county and municipal programs, and little league-type recreation programs.
23. Students and employees of WVA, including teachers and administrators, should not act as agents for commercial agents during school hours or contract time.

24. An WVA employee's participation in a private, but education-related, activity should be separate and distinguishable from the employee's public employment. WVA employees may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. WVA employee's employment and experience can be used to demonstrate qualifications. The advertisement should clearly state that the activity is not school sponsored.

Grievance Policy

The purpose of this policy is to provide a procedure for employees of West Virginia Academy to reach solutions to problems which arise between them within the scope of their respective employment relationships to the end that good morale may be maintained, effective job performance may be enhanced and the citizens of the community may be better served.

Definitions

For the purpose of this policy a “grievance” means a claim by an employee alleging a violation, a misapplication or a misinterpretation of the statutes, policies, rules or written agreements applicable to the employee including:

1. any violation, misapplication or misinterpretation regarding compensation, hours, terms and conditions of employment, employment status or discrimination;

2. any discriminatory or otherwise aggrieved application of unwritten policies or practices of his/her employer;

3. any specifically identified incident of harassment;

4. any specifically identified incident of favoritism; or

5. any action, policy or practice constituting a substantial detriment to or interference with the effective job performance of the employee, or the health and safety of the employee.

Procedures

Grievance forms will be available at the front office and available for any employee upon request.

A. Level One: Executive Director

1. Within fifteen (15) days following the occurrence of the event upon which the grievance is based, or within fifteen (15) days of the date upon which the event became known to the employee, or within fifteen (15) days of the most recent occurrence of a continuing practice giving rise to a grievance, an employee may file a written grievance with the Executive Director stating the nature of the

grievance and the relief requested and request either a conference or a hearing. The employee shall also file a copy of the grievance with the Board of Governors.

2. Conference – Upon timely request by the grievant, the Executive Director shall hold the conference within ten (10) days of receiving the grievance. A conference is a private, informal meeting between the grievant and the chief administrator to discuss the issues raised by the grievance, exchange information and attempt to resolve the grievance. The Executive Director may permit other employees and witnesses to attend and participate in a conference to reach a resolution. The Executive Director shall issue a written decision within fifteen (15) days of the conference.

3. Level One Hearing – Upon timely request by the grievant, the Executive Director shall hold a level one hearing within fifteen (15) days of receiving the grievance. A level one hearing is a recorded proceeding conducted in private in which the grievant is entitled to be heard and to present evidence; the form rules of evidence and procedure do not apply, but the parties are bound by the rules of privilege recognized by law. The parties may present and cross-examine witnesses and produce documents, but the number of witnesses, motions and other procedural matters may be limited by the Executive Director. The Executive Director shall issue a written decision within fifteen (15) days of the level one hearing.

4. An employee may proceed directly to level three upon the agreement of the parties or when the grievant has been discharged, suspended without pay or demoted or reclassified resulting in a loss of compensation or benefits. Level one and level two proceedings are waived in these matters.

B. Level Two: Alternative Dispute Resolution

1. Within ten (10) days of receiving an adverse written decision at level one, the grievant shall file a written request for mediation, private mediation or mediation or private-arbitration.

2. Mediation - The Board of Governors shall schedule the mediation between the parties within twenty (20) days of the request. Mediation shall be conducted by an administrative law judge pursuant to standard mediation practices and Board procedures at no cost to the parties. Parties may be represented and shall have the authority to resolve the dispute. The report of the mediation shall be documented in writing within fifteen (15) days. Agreements are binding and enforceable in this state by a writ of mandamus.

3. Private Mediation – The parties may agree in writing to retain their choice of a private mediator and share the cost. The mediator shall schedule the mediation within twenty (20) days of the written request and shall follow standard mediation practices and any applicable Board of Governor's procedures. Parties may be represented and shall have the authority to resolve the dispute. The report of the mediation shall be documented in writing within fifteen (15) days. Agreements are binding and enforceable in this State by a writ of mandamus.

4. Private-Arbitration – The parties may agree in writing, to retain their choice of a private arbitrator and share the cost. The arbitrator shall schedule for arbitration within twenty (20) days of the written request and shall follow standard arbitration practices and any applicable Board of Governor's procedures. The Arbitrator shall render a decision in writing to all parties, setting forth findings of fact and conclusions of law on the issues submitted within thirty (30) days following the arbitration. An arbitration decision is binding and enforceable in this State by a writ of mandamus. The arbitrator shall inform the Board of Governors, in writing, of the decision within ten (10) days.

C. Level Three Hearing: Within thirty (30) days of receiving a written report stating that level two was unsuccessful, the grievant may seek remedies in court through the legal processes for administrative grievances.

Possible Outcomes

1. Back Pay – When it is a proper remedy, back pay may only be granted for one (1) year prior to the filing of a grievance, unless the grievant shows, by a preponderance of the evidence that the employer acted in bad faith in concealing the facts given rise to the claim for back pay, in which case an eighteen (18) month limitation on back pay applies.

2. Statutory Defense - If a party intends to assert the application of any statute, policy, rule or written agreement as a defense at any level, then a copy of the materials shall be forwarded to all parties.

3. Withdrawal and Reinstatement of Grievance - An employee may withdraw a grievance at any time by filing a written notice of withdrawal with the Executive Director or administrative law judge. The grievance may not be reinstated by the grievant unless reinstatement is granted by the Executive Director or the administrative law judge. If more than one (1) employee is named as a grievant, the withdrawal of one (1) employee does not prejudice the rights of any other employee named in the grievance.

Other Parties

Class Actions are not permitted; a grievance may only be filed by one employee on behalf of their personal incident.

An employee may designate a representative who may be present at any step of the procedure as well as at any meeting that is held with the employee for the purpose of discussing or considering disciplinary action. Any employee may not be compelled to testify against himself/herself in a disciplinary grievance hearing.

No reprisal or retaliation of any kind may be taken by an employer against a grievant or any other participant in a grievance proceeding by reason of his/her participation. Reprisal or retaliation constitutes a grievance, and any person held responsible is subject to disciplinary action for insubordination.

Reasonable notice of a proceeding shall be sent at least five (5) days prior to the proceeding to all parties and their representatives and shall include the date, time and place of the proceeding. If an employer causes a proceeding to be postponed without adequate notice to employees who are scheduled to appear during their normal work day, the employees may not suffer any loss in pay for work time lost.

All grievance forms, decisions, agreements and reports shall be kept in a file separate from the personnel file of the employee and may not become a part of the personnel file, but shall remain confidential except by mutual written agreement of the parties.

Except as otherwise provided by WV Code 6C-2-8, an employee organization or an agent of an employee organization may not be compelled to disclose any communication or information the employee organization or agent received or acquired in confidence from a public employee, while the employee organization or agent was acting in a representative capacity concerning a public employee grievance or an investigation of a potential public employee grievance, regardless of whether the public employee is a member of the employee organization provided that the confidentiality established by WV Code 6C-2-8 does not apply to written communications between the employee and the employee organization.

Confidentiality
The confidentiality, once established in WV Code 6C-2-8, continues after termination of:

A. The employee's employment; or

B. The representative relationship of the employee organization or its agent with the public employee.

The confidentiality established in WV Code 6C-2-8 protects the communication or information received or acquired by the employee organization or its agent, but does not protect the employee from being compelled to disclose, to the extent provided by law, the facts underlying the communication or information.

The protection for confidential communications established in WV Code 6C-2-8 only extends to proceedings under the public employees grievance procedure. Nothing established in WV Code 6C-2-8 may be construed to extend the confidentiality to circuit court proceedings outside of the public employees' grievance procedure.

An employee organization or its agent shall disclose to the employer, as soon as possible, a communication or information, otherwise confidential as established in WV Code 6C-2-8, to the extent the employee organization or its agent reasonable to the extent the employee organization or its agent reasonably believes:

A. it is necessary to prevent certain death or substantial bodily harm;

B. it is necessary to prevent the employee from committing a crime, fraud, or any act that is reasonably certain to result in substantial injury to the financial interests or property of another or to rectify or mitigate any such action after it has occurred;

C. the communication or information constitutes an admission that the employee has committed a crime; or

D. it is necessary to comply with a court order or other law.

An employee organization or its agent may disclose an otherwise confidential, as established in WV Code 6C-2-8, communication or information in order to:

A. secure legal advice about the compliance of the employee organization or its agent with a court order or other law;

B. establish a claim or defense on behalf of the employee organization or its agent in a controversy between the employee and the employee organization or its agent;

C. establish a defense to a criminal charge or civil claim against the employee organization or its agent based on conduct in which the employee was involved;

D. respond to allegations in any proceeding concerning the performance of professional duties by the employee organization or its agent on behalf of the employee; or

E. an employee organization or its agent may disclose an otherwise confidential communication or information, as established in WV Code 6C- 28-8, without regard to whether the disclosure is made within the public employees' grievance procedure, in the following circumstances:

1. The employee organization has obtained the express written or oral consent of the employee.

2. The employee has, by other act or conduct, waived the confidentiality of the communication or information.

3. The employee is deceased or has been adjudicated incompetent by a court of competent jurisdiction and the employee organization has obtained the written or oral consent of the personal representative of the employee's estate or of the employee's guardian.

Organization Policies Applicable to Students

Student Privacy

In order for West Virginia Academy to be compliant with HIPPA and FERPA federal guidelines, all student records will be treated as confidential. No student records will be distributed outside of West Virginia Academy, unless written permission is given by the parent/guardian. Student information may be shared within the school on a limited, need-to-know basis.

With regard to student schoolwork, it is allowable to have volunteers and other students correct student work. Volunteers must be instructed in writing, and verbally by the classroom teacher, on the importance of student confidentiality. Students will correct work in class, utilizing the red/blue pen system (students take the tests or work the assignment in pencil, then pencils are put away and red/blue pens are taken out. Errors are circled in red, correct answers are given a checkmark, and corrections are made in blue ink following the correcting session.) Students may exchange papers to correct each other's work so long as the process for exchanging varies from assignment to assignment.

Any unneeded paperwork that has student names or identifying data on it should be shredded. Paperwork that includes student names or identifying data will never be thrown away in the garbage or recycled in the regular recycling containers.

Attendance Policy

1. It is vital to West Virginia Academy's success that students attend school each day. WVA has a goal of 95% attendance school-wide. Academic goals will only be achieved if our students attend school regularly.
2. If a student is unable to attend school, a parent or guardian must call the school on the day of the absence before 8:35 AM to report the absence. If a parent does not call the absence will be considered unexcused and the student will be considered truant.
3. Any student that has unexcused absences for more than ten days in a row will be removed from enrollment.

4. Attendance will be kept each day at West Virginia Academy, and will be reported to the administration by each teacher. Administration will track daily attendance and will report any extended absences to the School Executive Director.
5. Defining excused and unexcused absences will be in compliance with W.Va. Code §18-8-1 and §18-8-2, and attendance in W.Va. 126CSR42, WVBE Policy 2510, Assuring the Quality of Education: Regulations for Education Programs (Policy 2510); provided, however, that no county may require require more than a parental excuse for absences resulting from a documented chronic medical condition or a documented disability as defined in §126-81-4.9 and §126-81-4.10.
6. If a student has 8 unexcused absences (not necessarily consecutive) without prior written approval of the student's application for Extenuating Circumstances, the Director will send a letter outlining that the student has been placed on Attendance Warning status and reporting to the parent the number of absences the school has recorded.
7. If a student has 10 unexcused absences (not necessarily consecutive) without prior written approval of the student's application for Extenuating Circumstances, the School Executive Director shall send a letter to the parents informing them the student has been placed on Attendance Probation, the result of which may be loss of priority enrollment the following year.
8. Absences may affect a student's grade according to the class disclosure in Jr. High and depending upon work missed in the elementary grades.
9. If a student needs to be absent from school for a special purpose that is known to the family in advance, the parents need to fill out a "Scheduled Absence Request" and submit it to the school administration. Only when these forms are filled out and accepted by administration will a student be allowed to make up missed schoolwork. If a student has missed enough days to not qualify for 95% attendance, administration may not approve the absence as excused.
10. When parents complete a Scheduled Absence Request, it is the parents' responsibility to:
    a. email the teacher and notify them of the planned absence
    b. check the student's learning plan for homework and schoolwork assignments
    c. email the teacher to clarify any homework or classwork assignments
    d. collect the student's books and materials needed to complete the work

Truancy - Failure to Attend School

West Virginia is a compulsory education state. Students are required by law to attend school each day. If a student chronically fails to attend school, defined by West Virginia Academy as missing more than five days per school year with no communication from the parent regarding the absence, WVA may report the student is truant.

Equal Education Opportunity

West Virginia Academy is an Equal Opportunity employer in that it will follow WV Policy 4200 which declares: “No student is to be denied equal opportunity for participation in any program of the public school on the basis of sex, race, color, religion, handicapping condition, age or

national origin." West Virginia Academy will provide all students equal access to equal opportunities for participating in any courses we offer. All course offerings will be available to both male and female students.

Exemptions to Dress Code

The school administrator will be allowed to grant an exemption from complying with the dress code requirements to a student for extenuating circumstances or religious reasons. The administrator will carefully consider all requests for exemptions, and grant those which meet the standard of necessity. For instance, unusual medical circumstances might constitute an exemption, as may a religious requirement such as the wearing of a headpiece. The administrator is directed to develop individual dress guidelines which, insofar as is possible, approximate the approved dress code for each student who receives an exemption from the dress code due to extraordinary circumstances.

Student Code of Conduct

Students will be instructed on the Student Code of Conduct at the beginning of each year. For the specific code see Addendum 3: Code of Conduct. West Virginia Academy's Code of Conduct is based on the following core principles:

1. All students and staff members benefit from a learning environment that is free from disruption and harassment, and one that is physically safe and emotionally nurturing. Students at West Virginia Academy will not be allowed to disrupt the learning process.
2. All students are capable of appropriate conduct in the school setting.
3. It is the responsibility of the teachers and administrators to explicitly teach the behaviors that are expected and the behaviors that are unacceptable to each student in each setting at the school.
4. It is the responsibility of the student to learn self-discipline and to adhere to the code of conduct.
5. It is the responsibility of the parent to fully participate in the process of teaching the student appropriate conduct and supporting disciplinary measures.

The goals of West Virginia Academy's Code of Conduct:

1. All students will have access to a learning environment free from disruption and harassment.
2. Students will be physically safe at West Virginia Academy.
3. Students will be emotionally nurtured at West Virginia Academy.
4. Students will learn appropriate conduct by practicing self-discipline, and will be able to generalize their understanding of appropriate conduct to situations other than those specifically and explicitly taught.
5. Discipline as opposed to punishment will be utilized at West Virginia Academy. Discipline refers to the process of teaching positive behaviors and allowing students opportunities to practice those positive behaviors until they become proficient at controlling unproductive behavior.

6. Consequences imposed as a result of unproductive behavior will be meaningful and effective, with the goal always being that the student is motivated to improve his/her behavior.

Organization Policies Applicable to Entire WVA Community

Drug-Free School Policy

West Virginia Academy is committed to a safe, productive and drug-free learning environment and will promote the general health and well-being of all members of its school community including faculty, staff, students, as well as families of these parties. This commitment is jeopardized when any member of the community's illegal use, manufacture, possession, distribution or sale of drugs on the school premises or within half a mile of the school premises. Therefore, in order to achieve the objectives of safety, productivity, health, and well-being in our school community, West Virginia Academy will establish the following policy:

5. It is a violation of Company policy for any person to manufacture, possess, sell, trade or offer for sale illegal drugs or alcohol or otherwise engage in the illegal use of drugs or alcohol on the school premises or within half a mile of the school premises.
6. It is a violation of Company policy for anyone to be on the school premises or within half a mile of the school premises under the influence of alcohol or illegal drugs.
7. It is a violation of Company policy for anyone to use prescription drugs illegally on the school premises or within half a mile of the school premises.

It is a violation of Company policy for anyone to be on the school premises or within half a mile of the school premises if they are taking prescription drugs that, according to their physician or pharmacist, might affect their ability to function in a safe and effective manner.

Technology Usage Policy

The Governing Board recognizes the need for a policy governing the use of the electronic information resources by students and staff. Responsibility will be delegated to School Administration for implementing the policy according to established guidelines.

Internet Safety and Acceptable Use references the use of electronic information software and hardware resources made available to staff and students by the West Virginia Academy, and includes student or staff members' personal electronic devices accessing the school's network. These resources include, but are not limited to, voice mail, electronic mail, the Internet, wireless transmission and other network files or accounts provided to staff or students, computer hardware, including computers, computer processors, computing devices, wireless hardware and software, printers, scanners, copiers and all other peripheral and computer networking equipment. Staff and student use of electronic information resources will be in support of education and/or research and will be consistent with the educational objectives of WVA. While access to all materials on a worldwide network cannot be controlled, Internet access in the school will be filtered and monitored on an ongoing basis.

Terms and Conditions of This Policy

1. Acceptable Network Use
    a. Staff and students will use the Internet and other electronic information resources in an appropriate manner, abiding by the rules and regulations described in this policy.
    b. Staff and students who formally publish school related information on the Internet must have proper approvals and abide by school publishing guidelines and procedures.
    c. Staff and students are expected to abide by generally accepted rules of network etiquette. These rules include, but are not limited to, being polite, never sending or encouraging others to send abusive messages, and always using appropriate language.
2. Unacceptable Network Use
    a. Staff and students may not intentionally transmit or receive material in violation of law or school policy. This includes, but is not limited to, pornographic, indecent or sexually suggestive materials, weapons, controlled substances or alcohol, or incendiary devices. Users are prohibited from posting or sending content that contains threats or is hatefully or racially, ethically or otherwise objectionable.
    b. Staff and students may not participate in or promote any illegal or inappropriate activities, disruptive use of the network, including disruptive or unauthorized wired, BlueTooth, wireless transmissions, or activities of any kind that do not conform to the rules, regulations and policies of West Virginia Academy.
    c. Staff and students may not use the network for product advertisement or political lobbying.
    d. Staff and students may not reveal personal information such as names, addresses, telephone numbers, passwords, credit card numbers or social security numbers. Releasing personal information of others or that of organizations associated with the school is prohibited.
    e. Staff and students may not intentionally harm or destroy school data, the network, or network performance. This includes, but is not limited to, creation and introduction of computer viruses, unauthorized access to restricted systems or programs, or using the school network to illegally access other systems.
    f. Staff and students may not post or transmit photographs, videos or other works of students or staff on the Internet or through communication channels (photographed or recorded at the school, in association with the school, or at school events of any kind) or other electronic files of any kind without the permission of the staff member's direct supervisor or student's academic administrator, and those person(s), parent(s)/ legal guardians or staff members who are the subject, or are incidental participants, involved or contained in electronic file(s).
3. Expectation of Privacy
    a. Staff and student files, disks, documents, etc., which have been used or created with school electronic resources are not considered private. Staff and students

have no expectation of privacy in hardware or software, files, disks, documents, websites, blogs or any other electronic medium that are created, stored, downloaded, accessed and/or used in any form on the West Virginia Academy network, servers, Internet connections or other computer components owned or on the premises of West Virginia Academy.

b. Likewise, staff and students shall have no expectation of privacy regarding electronic mail transmissions which have been created, received, or sent with school resources.

4. Discussion/Submission
    a. A parent or legal guardian will participate in a discussion with his/her student regarding proper behavior and use of the network as outlined in this policy.
    b. Staff and students may be required to submit a new Staff/Student Signature of Agreement Form each year or upon special request.
5. Disciplinary Action
    a. Signatures indicate that the staff member or student (and parent/legal guardian) has carefully read, understood, and agreed to abide by these terms and conditions regarding proper behavior and use of the network. Signatures on the Staff/Student Signature of Agreement Form are legally binding.
    b. Students who violate the terms and conditions of this policy will be subject to disciplinary action, including the possibility of suspension or expulsion from school and appropriate legal action. Access to electronic information may be limited, suspended or revoked.
    c. Staff who violate the terms and conditions of this policy will be subject to disciplinary action, including the possibility of suspension or termination of employment with the school and appropriate legal action. Access to electronic information may be limited, suspended or revoked.
    d. Staff members are required to return all school supplies and equipment, including technology equipment, issued to them or in their possession in the event their employment is terminated by either party, for any reason, before the former staff member's final check will be issued.

Volunteer Policy Agreement

The talents and services provided by volunteers is critical to West virginia Academy accomplishing its Mission. All volunteers will be asked to read and sign the following agreements:

1. Non-Disclosure Agreement
2. Work Product Agreement
3. Safe School Environment and Code of Conduct Acknowledgement

FERPA: The Family Education Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that West Virginia Academy, with certain exceptions, will obtain written consent prior to the disclosure of personally identifiable information from a student's education records. However, West Virginia

Academy may disclose appropriately designated "directory information" without written consent Parents will be given the chance to opt-out of the directory at any time.

West Virginia Academy has designated the following information as directory information:

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Electronic mail address
- Photographs
- Degrees, honors and awards received
- Dates of attendance
- Grade level

The primary purpose of directory information will allow West Virginia Academy to include this type of information in certain school publications. Examples include:

- Honor roll or other recognition lists
- Graduation programs
- The annual yearbook
- A playbill, showing your student's role in a dramatic production
- Sports activity sheets

Directory information may also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, colleges, potential employers, and companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with names, addresses and telephone listings of students unless parents have advised the LEA in writing that they do not want their student's information disclosed.

West Virginia Academy will provide a " FERPA Form" annually as part of the registration materials thus allowing parents to restrict the disclosure of directory information.

Religious or Other Opt-out Policy

Parents will be able to exercise their ability to opt-out their student of any activity they determine is in conflict with their religious or cultural tenets. If it is a classroom activity (such as a book you don't wish your student to read), parents may exercise this opt-out by speaking with the classroom teacher. If it is a school-wide or ambassador activity, parents may opt-out after first observing the activity and then submitting a Request for Waiver of Participation Form (available at the main office). Administration will review the request to ensure that religious freedoms or exercise of rights of conscience are not infringed. Alternative activities may be required.

Protection of Pupil Rights Amendment (PPRA)

Statute: 20 U.S.C. § 1232h. Regulations: 34 CFR Part 98.

PPRA applies to the programs and activities of a State Educational Agency (SEA), Local Educational Agency (LEA), or other recipients of funds under any program funded by the U.S. Department of Education. It governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or 5
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors. The rights under PPRA transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

LEAs must provide parents and eligible students effective notice of their rights under PPRA. The notice must explain that an LEA is required to obtain prior written consent from parents before students are required to submit to a survey that concerns one or more of the eight protected areas listed above, if the survey is funded in whole or in part by Department funds. For surveys that contain questions from one or more of the eight protected areas that are not funded in whole or in part with Department funds, LEAs must notify a parent at least annually, at the beginning of the school year, of the specific or approximate date(s) of the survey and provide the parent with an opportunity to opt his or her child out of participating. LEAs must also notify parents that they have the right to review, upon request, any instructional materials used in connection with any survey that concerns one or more of the eight protected areas and those used as part of the educational curriculum. (A model PPRA general notification for use by LEAs is enclosed and may also be obtained on FPCO's website at

https://studentprivacy.ed.gov/legal-basics

PPRA requires LEAs to work with parents to develop and adopt policies on the following items:

- The right of parents to inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to students and the procedure for granting a request by a parent for such access;
- Arrangements to protect student privacy that are provided by the LEA in the event of the administration of a survey to students containing one or more of the eight protected items of information noted above (including the right of parents to inspect, upon request, a survey that concerns one or more of the eight protected items of information);
- The right of parents to inspect, upon request, any instructional material used as part of the educational curriculum for students, and the procedure for granting a request by a parent for such access;
- Administration of physical exams or screenings of students;
- The collection, disclosure, or use of personal information (including items such as a student's or parent's first and last name, address, telephone number or social security number) collected from students for marketing purposes, or to sell or otherwise provide the information to others for marketing purposes, including the LEA's arrangements for protecting student privacy in the event of collection, disclosure, or use of information for these purposes; and
- The right of parents to inspect, upon request, any instrument used in the collection of personal information for marketing or sales purposes before the instrument is administered or distributed to a student and the LEA's procedure for granting a parent's request for such access.

LEAs must notify parents of their rights under PPRA and of these policies at least annually at the beginning of the school year. LEAs must also notify parents within a reasonable period of time if any substantive change is made to the policies. (This notification requirement may be included in the general notification of rights under PPRA.) In addition, an LEA must "directly" notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys listed below and provide an opportunity for parents to opt their child out of participation in the specific survey or activity. The notification must be provided at least annually at the beginning of the school year and must provide the specific or approximate dates during the school year when activities described below are scheduled, or expected to be scheduled. If the LEA is unable to identify the specific or approximate dates of the activities or surveys requiring specific notification at the beginning of the school year, it must provide this notification to parents once the activity or survey is scheduled. Parents should be provided reasonable notification of the planned activities and surveys and be provided an opportunity to opt their child out, as well as be provided with an opportunity to review any pertinent surveys. A model specific notification for use by LEAs is attached and may also be obtained on the Web site noted at the end of this guidance. LEAs must offer an opportunity for parents to opt their child out of participating in the following activities:

- The administration of any survey concerning one or more of the eight protected areas listed above if it is not funded in whole or in part with Department funds. (LEAs must

obtain active consent, and may not use an opt-out procedure, if the survey is funded in whole or in part with Department funds);
- Activities involving the collection, disclosure, or use of personal information collected from students for marketing purposes, or to sell or otherwise provide the information to others for marketing purposes; and
- Any non-emergency, invasive physical examination or screening that is 1) required as a condition of attendance; 2) administered by the school and scheduled by the school in advance; and 3) not necessary to protect the immediate health and safety of the student, or of other students. This law does not apply to any physical examination or screening that is permitted or required by State law, including physical examinations or screenings permitted without parental notification.

PPRA does not preempt applicable provisions of State law that require parental notification.

Also, requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines, and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used by elementary schools and secondary schools;
4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
5. The sale by students of products or services to raise funds for school-related or education-related activities; and
6. Student recognition programs.

Insurance

West Virginia Academy plans to work with Charter School Insurance Alliance to provide the specific and required insurance for our school. The insurance will include:
- Automobile Liability
- Financial Protection for Directors' & Officers
- Professional Liability Insurance
- Employee Benefits Liability
- Employment Practices Liability
- General Liability

- Molestation/Abuse coverage
- Property Damage
- Worker's Compensation

West Virginia Academy recognizes that employee benefits play an important role in employee retention. Our financial budget provides for employee health insurance, retirement plans, life insurance, as well as long and short term disability.

Student Document Retention

Student records will be maintained and archived in accordance with the guidelines of the West Virginia Education Information System (WVEIS)[2] and West Virginia Policy 4350. When general school records or student work are deemed unnecessary and it is not required that the school archive them, staff shall ensure that any record containing student or staff names and/or confidential information are placed into appropriate locked bins for secure destruction.

Medical Log Records will be kept for individuals 3 years after a student reaches the age of 18 and then securely destroyed.

For details on all other document retention information, refer to the chart below:

Description	Retention Period	
	West Virginia Academy	WVEIS
ACCOUNTING RECORDS		
Cash Collection Records	Audit+ 3years	
Bank Records	Audit+ 3years	
Annual Financial Statements	Permanent	5 years online
Appraisal Records	Current until revised	
Disposal Records	Audit+ 3years	
Inventory of fixed assets - current file	Current	5 years online
Inventory of fixed assets - current file	Audit+ 3years	
Reports of lost, damage, or stolen property	Audit+ 3years	
Investment and Deposit Records	Audit	
Tax Records	Audit+ 3years	
Audit Reports	Permanent	

[2] WVEIS Website is available at https://wvde.us/data-management-information-systems/ education-data/ (last visited 8/16/2021)

PURCHASING RECORDS		
Bid Documents	Current + 3 years	
Performance, payment, litigation and maintenance bonds on construction contracts	Completion of project + 6 years	
Schedule of prevailing wages on construction contracts	Completion of project + 3 years	
Purchase documents	Current + 3 years	5 years online
PAYROLL RECORDS		
Annual employee paid to date compensation reports - Fiscal year basis	25 years	
Principal increment schedules	25 years	
All other Payroll Records	At least 4 years	
Retirement Reports - annual earnings records	50 years	5 years online
All other Retirement Reports	At least 4 years	
IRS Forms and Social Security Reports	At least 4 years	
PERSONNEL RECORDS		
Application form, contract, personnel file, etc	25 years	
Advertising for hiring personnel and records concerning any personnel decision	1 year	
Gender/ethnic makeup of staff by building	3 years	5 years online
Workers Compensation Data	The latter of 7 years or settlement +4 years	
Employment applications - no hires	1 year unless renewed	
Medical/Benefit Records	Latter of 3 years or plan expiration + 1 year	
BUDGET RECORDS		
Budget preparation instructions, worksheets	Audit +3 years	
Proposed budget approved by State Board	Audit +3 years	5 years online
FInal budget reports	Audit +3 years	5 years online
Budget supplement and transfer requests - signature page	Audit	
Budget supplement and transfer requests - budget journal entries	Audit + 3 years	5 years online
Bond levy computation schedules	Audit + 3 years	

Certificate of Assessed Valuation	10 years	
Levy order and rate sheet	10 years	
Municipal Bond Commission letter on bonds	Audit + 3 years	
TRANSPORTATION		
Accident Reports	Latter of 6 years after accident or 3 years after student reaches 18 years of age	
Bus operator staff development records	3 years	
Bus fleet inventory records - current file	Current	5 years online
Bus fleet inventory records - printed reports	Audit + 3 years	
Bus inspection reports	3 years	
Bus Schedules, co-curricular and extra curricular trip logs and reports	3 years	
Commercial driver's license (CDL) records	Current	
Driver physical exam reports	3 years	
Student transportation reports	3 years	
STATE AND FEDERAL GRANTS		
Categorical State and Federal Aid Reports	Audit + 3 years	
Child Nutrition Program Records	Curren + 3 years	
Audit questions (exceptions), all related documents	Latter of audit + 3 years or until resolved	
Budget supplement and transfer requests	Audit + 3 years	
Medicaid billing information and payment reports	7 years	
GENERAL CORRESPONDENCE		
Routine correspondence	Local option	
Legal or significant policy issues	Period required by subject matter of correspondence	
OTHER EDUCATIONAL RECORDS		
Student Club Minute Books	10 years	
Athletic Records	5 years	

Athletic claim and accident reports	Latter of 6 years after accident or 3 years after student reaches 18 years of age	
Vending machines and concession stands	Audit + 3 years	
Faculty Senate Records	Audit + 3 years	
Faculty Senate Minute Book	10 years	
Child Nutrition Records	Current + 3 years	

Compliance for Special Populations

Comprehensive School Counseling Program

West Virginia Academy's philosophy places a high value on personalization. Each student comes to school with unique talents, skills and abilities. Individualized instruction will be adapted to accommodate each child's unique circumstances. Our Comprehensive School Counseling Program aims to support our students by giving them opportunities for academic achievement, ensuring mental health support, reinforcing healthy emotional choices, and advocating for their individual needs. The framework of our school counseling program is patterned after the ASCA National Model: A Framework for School Counseling Programs.[3] It will consist of the following four components: define, manage, delivery and assess.

1. **Define:** West Virginia Academy will follow the ASCA Mindset and Behaviors for Student Success: K-12 College- and Career-Readiness for Every Student Standards.[4] These standards identify specific attitudes, knowledge, and skills students should be able to demonstrate. Our faculty will use these standards to assess the growth and development of each student, then create programs that help students achieve their highest potential.

2. **Manage:** The Student Services Manager in conjunction with the school counselors will oversee the success of the Comprehensive School Counseling plan. This individual will work with an Advisory Council to help guide the implementation of the program within West Virginia Academy. The Advisory Council will consist of four individuals: the Student Services Manager, the Curriculum Specialist, The Secondary School Director, School Counselors, and the School Nurse. The Student Services Manager will work with each of the other members of the council to address each of the three domains in the School Counseling program.

[3] For more information regarding the ASCA National Model, refer to: https://www.schoolcounselor.org/asca/media/asca/PositionStatements/PS_ComprehensivePrograms.pdf (last visited 8/16/2021).
[4] American School Counselor Association (2014). Mindsets and Behaviors for Student Success: K-12 College- and Career-Readiness Standards for Every Student. Alexandria, VA: Author. Available at: https://www.schoolcounselor.org/asca/media/asca/home/MindsetsBehaviors.pdf (last visited 8/16/2021)

a. In the Academic Development Domain the Curriculum Specialist will work to ensure that the ASCA Mindset and Behavior Standards align with the curriculum strategies and activities and they support and maximize each student's ability to learn.
b. In the Career Development Domain the Secondary School Director to help students (1) understand the connection between school and the working world; and (2) plan for and make a successful transition to a post secondary education or future career path.
c. In the Social/Emotional Development Domain the School Nurse will help the Student Services Manager to give guidance on how students can manage emotions and apply healthy interpersonal skills.

3. **Delivery:** Student services will be provided directly and indirectly. Direct services include instruction, appraisal and advisement, and individual/small group counseling. Indirect services include those that are provided as a result of the advisory council's interactions with students as well as with other staff such as consultations, collaboration, and referrals. Importantly, our counselors will always fulfill additional roles relating to curriculum deployment, teaching, or administration in a way that provides for consistent interaction with students in settings outside the office.

4. **Assess:** At the end of each school year the advisory council will meet to complete a performance appraisal. Essential components of performance appraisal include evidence of:
    a. Design of a school counseling program.
    b. Data-informed annual goals along with the measured impact of direct services delivery.
    c. Data-informed classroom, small-group and closing-the-gap activities and interventions.
    d. Calendars reflecting appropriate use of time aligned with ASCA National Model recommendation of 80% of time in direct and indirect services to students.
    e. Collection and analysis of results data from classroom, small-group and closing-the-gap activities and interventions.

English Language Learners

West Virginia Academy will establish an environment in which all languages and cultures are respected and promoted. WVA will use the Partial Bilingual Immersion approach for educating English Language Learners (ELL) students in our school. This approach uses the primary language of learners as much as resources allow. ELL students will be instructed with their non-ELL peers, as such teachers will be instructed and trained on how to integrate particular teaching strategies to ensure the best learning environment by all students. Additionally, an important aspect of the WVA Ambassador program will be open discussions of cultural

differences in order to help develop students' abilities in recognizing and responding to prejudice and engaging in tolerant and civil interactions with one another.

Academic gains in learning have been found generally higher for ELL students enrolled in direct instruction (DI) interventions.[5] All WVA teachers will be trained in the DI methodology as well as the Guided Language Acquisition Design (GLAD) strategies. GLAD is an instructional approach that provides a variety of strategies to help bilingual students learn content while acquiring necessary language skills simultaneously. The 35 strategies are grouped into four goal-oriented categories, namely: focus and motivation, input of new knowledge, guided oral practice, and reading and writing development. Along with these instructional strategies, the OC will help to give extra practice and remediation to assist ELL students in their studies. It has been shown that Hispanic and Asian students who use computers for math, show higher math performances when compared with their English-speaking peers.[6] The OC will assist in all the foundational topics, including mathematics.

As part of WVA Partial Bilingual Immersion approach we have integrated the English Language Proficiency (ELP)[7] Standards. The ELP standards were created to ensure English Language Learners (ELL) are successful in school. These standards provide a strategic set of language functions, namely what the students do to accomplish content specific tasks. They also provide language forms, such as vocabulary, grammar, and discourse specific to the content area. ELP standards have been integrated into West Virginia Academy's curriculum at each grade level. For example, Reader's Theater is an aspect of 4th through 8th grade literature curriculum that was added as a means of developing fluency through repeated readings. Researchers have found that ELL students made significant growth in all aspects of fluency: accuracy, automaticity and prosody and were more engaged being able to practice and apply new skills more effectively.[8]

In order to stay consistent with the state, West Virginia Academy will administer the English Language Proficiency Assessment for the 21st Century (ELPA21) to all English Learners grades Kindergarten through twelve. This assessment is aligned to West Virginia's ELP and measures the proficiency of students across four domains, including: listening, reading, speaking, and writing.

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[5] Kamps, D., Abbott, M., Greenwood, C., Arreaga-Mayer, C., Wills, H., Longstaff, J., Walton, C. (2007). Use of Evidence-Based, Small-Group Reading Instruction for English Language Learners in Elementary Grades: Secondary-Tier Intervention. Learning Disability Quarterly, 30(3), 153–168.

[6] Kim, S., & Chang, M. (2010). Does Computer Use Promote the Mathematical Proficiency of Ell Students? Journal of Educational Computing Research, 42(3), 285–305. https://doi.org/10.2190/EC.42.3.c

[7] For a list of the West Virginia English Language Proficiency (ELP) Standards with correspondences to K-12 English Language Arts, Math, Science, and Literacy see English Language Proficiency (ELP) Standards Table of Contents (last visited 8/16/2021).

[8] Coronado, C., Gelrud, K., Rodriguez, SP., (2017) Developing ELL Students' Fluency Through Direct Instruction and Repeated Readings using Reader's Theater. Available at Developing ELL Students' Fluency Through Direct Instruction and Repeated Readings using Reader's Theater (last visited 8/16/2021)

Student with Exceptionalities

Students with exceptionalities include those with disabilities as well as students that are qualified as gifted. West Virginia Academy supports West Virginia in providing full educational opportunities for all students in the state. West Virginia Academy will be compliant and implement proper procedures and policies as dictated in the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), West Virginia State Code, Chapter 18, Article 20 and regulations for the Education of Students with Exceptionalities (2419).

Process for Identifying Students with Exceptionalities

West Virginia Academy will utilize the following procedure to identify students with exceptionalities. The WVA School nurse will conduct universal developmental screenings for all students entering Kindergarten as well as any students entering the WV public school system for the first time. The results will determine if there are any problems with hearing, vision, speech, and language. If WVA receives a parent/guardian request for an additional screening for any of our students between the age of 6 to 17, the requested screening will be completed within 30 days of receiving the request. If a need is discovered during the screening, the student will be referred for further evaluation.

West Virginia Academy plans to continuously monitor and implement the Response to Intervention (RtI) system for all students who show signs of acceleration as well as those falling behind. For specific information regarding this process see our section Special Education under the Special Population and At Risk Students Category.

As consistent with WV Policy 3520, the Student Assistance Team (SAT)[9] will be led by WVA Student Services Manager (chairperson). The SAT will also include the School Counselor, School Nurse, and Curriculum Specialist as well as any appropriate educators that are involved with the student's education.

Functions of the SAT consist of:

1. Receive training in referral procedures for multidisciplinary evaluations, alternative education placements, disciplinary procedures and other school processes as appropriate for ensuring student progress and maintenance of a safe school environment;
2. Collect and maintain data on the activities of the team, including dates of meetings and the results of its recommendations;
3. Conduct the problem-solving process that includes designing and monitoring implementation of interventions and/or reviewing interventions designed by other school teams;

[9] At West Virginia Academy we refer to the SAT team as the Multi-Disciplinary Team or MDT.

4. Receive and process written referrals from outside sources suspecting a student may need special education, including referrals and requests for initial evaluations made by parents; and
5. Initiate initial evaluation for special education and related services for students, when warranted based on the outcome of interventions.[10]

The SAT will also serve as the Evaluation Team as well as the individualized education program team. These individuals will be trained and use evaluation procedures in accordance with IDEA 2004 and West Virginia Code §18-20-1 to determine whether a student is gifted or has a disability. Once the evaluation is deemed complete, WVA will convene an Eligibility Committee (EC) meeting to determine whether the student needs (or continues to need) special education services. The EC consists of the parent/guardian, Student Services Manager, School Nurse, current educators of the student involved, Curriculum Specialist, and any other specialists that are needed to properly evaluate the individual. The EC's responsibility will be to prepare the Eligibility Committee Report which includes: the specific exceptionality determined, information on how this affects the student's learning, and what services and special considerations for which the student is eligible.

Students with Disabilities

West Virginia Academy's multi-level instruction will help in meeting the needs of each student's unique learning style. All students are able to achieve and maximize their abilities in the classroom. The Individuals with Disabilities Education Act (IDEA) requires that all students with disabilities be provided a full educational opportunity through free appropriate public education (FAPE) in the least restrictive environment (LRE) and by using validated practices, material and technology in that environment. The student's general education teacher as well as the Student Services Manager will continuously monitor the progress of each student that qualifies for accommodations. Instructional support and adjustments will be made to maximize the learning within the general education classroom setting. (See Special Education Section)

West Virginia Academy will also continuously train teachers on the Rti Method as well as IEP implementation. We will encourage staff members to take microcredential classes to enhance their knowledge of teacher students with disabilities. Our goal is to have one specialist in working with students with disabilities at each faculty team level. This will help with collaboration when implementing accommodations that are grade specific.

For student who are suspected as having a specific learning disability (SLD), the EC will also conduct a SLD Report. Included in the report will be the following guidelines:

1. Whether the student has a specific learning disability;

[10] Functions directly pulled from WV Policy 2419. Available at https://wvde.state.wv.us/osp/Policy2419September2014.pdf (last visited 8/16/2021).

2. The basis for making the determination, including an assurance that the determination has been made in accordance with required evaluation procedures specified in Chapter 3, Section 4;
3. The relevant behavior, if any, noted during the observation of the student and the relationship of that behavior to the student's academic functioning; and
4. The educationally relevant medical findings, if any;
5. Whether (a) the student does not achieve adequately for the student's age or to meet state approved grade-level standards; and (b) the student does not make sufficient progress to meet age or state-approved grade-level standards; or (c) the student exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards or intellectual development;
6. The determination of the group concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional/behavioral disorder; cultural factors, environmental or economic disadvantage; or limited English proficiency on the student's achievement level;
7. If the student has been provided Support for Personalized Learning.[11]

Individualized Education Programs

The Individuals with Disabilities Education Act (IDEA), enacted in 2004, is a law that ensures free and appropriate education for all including individuals with disabilities. It provides for special education and services to eligible children all over the nation. It also includes parent's rights to participate fully in the decisions made in behalf of their child. As required under the law, IDEA has six general principles that are specified in the law. These include: Individual Education Programs (IEP), Free and Appropriate Public Education (FAPE), Least Restrictive Environment (LRE), Appropriate Evaluation, Procedural Safeguards, and Parent and Student Participation.

After determining eligibility with the above process, the EC will then function as the IEP team in planning the special education and related services designed to provide access to and progress in the general curriculum. West Virginia IEP meetings will be conducted within thirty days of determined eligibility and accommodations. West Virginia Academy's IEPs will contain the following information:

1. The child's present level of function and academic proficiency.
2. The measurable annual goals, including academic as well as functional goals designed to help the student make progress and be involved in general education curriculum.
3. The needs of the student and how they will progress toward meeting the goals described above.
4. Any supplementary aids or services, including program modifications or supports, that will be provided for the student need to be described and based on peer-reviewed research.

[11] Written SLD Team Report requirements can be found at https://wvde.state.wv.us/osp/Policy2419September2014.pdf (last visited 8/16/2021)

5. An explanation will be given as to which activities the child will not participate in and why they are not participating in a regular class with nondisabled students.
6. Specific assessments to measure the academic achievement and functional performance including whether the student will be participating in an alternative to the state or districtwide assessment and the reason for taking it.
7. Specific dates for the services and modifications to start, including the frequency, location and duration of those services.
8. A date that is effective before the student turns 16 and will updated annually thereafter.

Special Education

If a student is found to need special education services in order to achieve annual goals, the IEP team will look at all direct and indirect services available within the general classroom setting. Other related services will also be offered, when necessary, through outside sources. WVA will have a designated Services room where student can meet outside therapists as needed. If the therapist or service cannot be conducted within that area, the Student Services Manager will work with the parent/guardian of the student to provide transportation to and from the necessary services. West Virginia Academy Students with disabilities' Individualized Education Programs (IEP), individualized health care plans, and Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 Plans (504 Plan) that require bus modifications will work with the Transportation Manager to receive all necessary support required for transporting the student to and from school. Operators of such buses shall assist and supervise students with disabilities. Operators will also complete first aid/CPR training as well as all other training as required in Policy 2422.7. Each year operators will receive follow-up training.

The WVA year-round model will also benefit students with disabilities that are entitled to Extended School Year (ESY) Services. Such students will be able to participate in any/all of the WVA Term Break programming available.

West Virginia Academy will strive to educate all students within the general classroom setting or the least restrictive environment (LRE). Modifications, supplementary aids, and other services deemed necessary in an IEP will be utilized within the LRE as much as possible. Students that qualify for Level III needs are beyond our capabilities at West Virginia Academy.

Gifted Students

The current definition of the term "gifted" is "Students, children, or youth who give evidence of high achievement capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields, and who need services and activities not ordinarily provided by the school in order to fully develop those capabilities".[12]

In order for a WVA student to be considered gifted they must meet the following criteria:

[12] Provided by the National Association for Gifted Children, Available at National Association for Gifted Children | (last visit 08/16/2021)

1. A score of 146 - 159 is considered highly gifted on the Wechsler Intelligence Scale for Children® Fifth Edition (WISC®-V);
2. At least one of the four core curriculum areas of academic achievement at the 90th percentile rank or higher as measured by an individual standardized achievement test, or at least one of the four core curriculum areas of classroom performance demonstrating exceptional functioning as determined during the multidisciplinary evaluation; and
3. The need for specially designed, differentiated instruction and/or services beyond those normally provided in the general classroom. Differentiated instruction for gifted students may include enrichment of the content emphasizing the development of higher-level thinking, including critical thinking, creative thinking, and problem solving skills and/or acceleration of content while the student remains in the chronologically appropriate grade. Related services may include, for example, guidance and counseling, independent study and distance learning.[13]

West Virginia Academy will use collaboration, consultation, and mentorships to deliver special education services for those gifted students. WVA teachers will be assigned to a team where leveling (differentiated) instruction will be provided at each foundational topic area. Teachers will be trained and have access to the Curriculum Specialist to consult with in providing accommodations in the general classroom setting for a gifted student. Classroom curriculum modifications will be implemented based on the Six Gifted Education Programming Standards.[14] These standards will provide the Curriculum Specialist appropriate student outcome goals to determine if the student is receiving adequate academic support within the classroom and make modifications as necessary.

West Virginia Policy does not mandate identification for gifted and talented education programs, therefore, the gifted and talented programs will be made available to all students interested in joining. Those that qualify for gifted services as part of their IEP will be invited to participate in the gifted and talented programs after school free of charge. Other students who wish to opt-in to the afterschool programs will need to pay a program fee. For more specific information on how we will identify students with giftedness see our Gifted Students section under the Special Populations and At-Risk Students.

Food Services

Access to nutritious meals is an essential component for students to achieve their full potential in education. Household food insecurity at any age is a predictor of lower vocabulary, reading,

[13] Criteria directly pulled from WV Policy 2419. Available at https://wvde.state.wv.us/osp/Policy2419September2014.pdf (last visited 7/9/2020).
[14] The Six Gifted Education Programming Standards can be found at https://www.nagc.org/sites/default/files/standards/Intro%202019%20Programming%20Standards%281%29.pdf (last visited 7/10/2020)

math and English scores in early adolescence.[15] In compliance with the West Virginia Feed to Achieve Act, we will provide two nutritious meals per day. Families who choose to participate in WVA Food Services Program will need to follow the directions provided on the National School Lunch Program (NSLP) parent information page. These include: 1) Complete and submit a family Free/Reduced Lunch form, 2) Set up an account online at https://www.schoolcafe.com/ for all West Virginia Academy students in the family, and 3) Order and provide payment for date-specific lunches on the site calendar. The wil site tracks families and automatically calculate free/reduced lunch pricing for eligible families. All school meals will be ordered online and in advance and extra food will generally not be available for purchase on campus, although a small percentage of extra meals will be purchased for students who forget to bring lunch from home. West Virginia Academy does not seek to cover costs unrelated to food services through its administration of its NSLP and the program will be run at cost.

The Food Service Manager will oversee the delivery and distribution of all school meals. The Student Leadership class will regularly survey the student body to determine student meal preferences so that meals among the healthy options offered that are more appealing to students are available more often. The Student Leaders will learn about the NSLP guidelines and standards, then work with the Food Service Manager to help plan out the school meal menus within those guidelines.

Breakfast

West Virginia Academy will participate in the National School Breakfast Program during (1) our Before School Program and (2) the Breakfast After the Bell program. Breakfast will be offered each school day starting at 7:00 AM for those participating in the Before School Program. Prepayment options will be available online through the School Cafe website. Students that qualify for free and reduced breakfast will be able to pre-select breakfast on the days they will be attending the program. Students can also choose to bring a breakfast from home and enjoy it during the program time.

Breakfast will also be offered in our Breakfast After the Bell Program. Students who are not participating in the Before School Program will be able to select the grab and go breakfast option. This quick-grab breakfast can be taken to their homeroom class and enjoyed after the bell. These will be offered at the free/reduced/full prices consistent with the school lunch program. If a student wishes to bring a breakfast option from home, they are welcome to enjoy it during the homeroom class each morning. Faculty will encourage the options brought from home to follow the national nutritional standards. As part of West Virginia Academy's Innovative Breakfast Delivery Strategies, students who are taking the bus to school will be encouraged to participate in this After the Bell Program. This will increase the percentage of students ready for learning on a full stomach.

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[15] Aurino E, Fledderjohann J, Vellakkal S.(2019) Inequalities in adolescent learning: Does the timing and persistence of food insecurity at home matter? Econ Educ Rev;70:94–108. Available from: Inequalities in adolescent learning: Does the timing and persistence of food insecurity at home matter? (last visited 8/16/2021)

Lunch

Lunch often can be the largest meal a student eats during the day or the only one given to them during the day.[16] WVA parents are expected to provide a nutritious lunch option for their student(s) each day. They may do this in one of two ways: (i) send a lunch to school with their student or (ii) sign up for the school lunch program. We provide daily lunches that are similar to bag lunches as a convenience to families through the National School Lunch Program. This program is designed to provide a healthy, mid-day, low-cost meal option for our families.

Parents who send lunch to school with their students should ensure that the lunch is nutritious. We will recommend that parents provide a lunch that contains recommended foods for growing children, including fresh fruits and vegetables. Lunches that consist of a bag of chips and a sweet drink are not considered nutritious. Sometimes older students are left with the responsibility of packing their own lunch and they choose items that are not nutritious or substantial enough to get them through the afternoon. Some parents have felt this is a natural consequence and use this as a way to teach their child responsibility. WVA will encourage parents to find other ways to teach those important lessons so that their child's education does not suffer. It is the parent's responsibility to ensure the student has healthy food in their lunch each day. Supervising lunch staff will encourage students to eat their lunch during the allotted time.

Beverages

NSLP orders will include milk through the Special Milk Program (SMP). Parents who provide lunch will also be able to pre-order milk for their students by the month or year prepaid. There will be no refunds for student absences. No soda will be allowed at school. No drinks with red dye will be allowed at school (as they can stain surfaces and carpets). Drinks containing stimulants of any kind, including caffeine or herbal stimulants, will not be allowed at school.

Afterschool Snacks

WVA will also participate in the Smart Snacks component of the NSLP. Students who participate in the AfterSchool Programming are eligible to receive the afternoon snacks. Snacks provided will meet Federal requirements and pricing will be included in the AfterSchool Program rates.

Meals During Term Breaks

West Virginia Academy will participate in the Summer Food Service Program (SFSP). This is the carryover program for when school is not in session. During each term break schedule breakfast and lunch will be available as well as afternoon snacks. Parents will need to pre-order the meals through the School Cafe website or provide a meal for their child.

Additional Programs for Low Income Families

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[16] McGuire, S. (2011). Institute of medicine. 2009. school meals: Building blocks for healthy children. Washington, DC: The national academies press. Advances in Nutrition (Bethesda, MD.), 2(1), 64-65.

Any unused food that is appropriate for redistribution will be first made available for those who could benefit from taking it home. This will be done discreetly. After those individual students are cared for, if there is still extra food available it will then be offered for any students who participate in our AfterSchool Program to take. All other leftover food will be donated to a local food pantry.

Depending on the demographic of our students, there may likely be many grants and programs at the federal, state, and local levels that will be available for low income students and their families providing food at dinner time and over term breaks when not participating in programming at the school. WVA will participate in these programs to the extent that funding for such programs is approximately sufficient to cover the costs of the same. By way of example, Pantry Plus More is a local organization that provides nutrition assistance for low income families with school age children and WVA would be a willing partner with Pantry Plus More in deploying its programming for qualifying students.[17] There are also a number of grants as well as federal and state sources of funding that students may be eligible to receive and WVA would seek out these opportunities for our students in need.

Special Considerations and Food Allergies

West Virginia Academy will provide the utmost care and caution when allowing outside foods to be provided to students. Students with special dietary needs and food allergies will be considered at all times when outside foods are provided in a general setting. Personalized Health Plans will be created for students with special considerations and food allergies. These plans will be contained in red health folders and given to all teachers that are responsible for that individual at meal times. All policies regarding personal information will be secure and protected, but also readily accessible to faculty and staff who are overseeing food consumption.

Transportation Services

West Virginia Academy will provide transportation for all of its students in the form of bus transportation for students that live within the Primary Recruitment Area (PRA) and reimbursements for students outside the PRA that must use alternative forms of transportation to arrive at school. School buses for the provision of transportation that are purchased will be in accordance with the West Virginia Minimum Requirements for Design and Equipment of School Buses.[18]

Personnel

Operations Manager

WVA Operations Manager will be responsible for ensuring the effective and efficient school site operation, including, facilities, field trips, and safety. It will be their responsibility to assist the

[17] Our organization has not See https://www.pantryplusmore.org/information/
[18] See WVDE Policy 4336, Attachment A.

Executive Director in hiring all transportation personnel. This individual will also purchase and maintain automobile insurance coverage as per WV Code §18-5-13. It will also be their duty to ensure that transportation to any off-site school activities, such as field trips and experiential learning activities, are safe, compliant, and coordinated efficiently. WVA will be very active in this space and effective coordination of these activities fulfills a vital role in achieving our mission and objectives as a school.

Transportation Director

West Virginia Academy's Transportation Director will work directly with the Operations Manager to ensure the transportation safety of all students. This individual will train all operators and attendants on W. Va. 126CSR99, Policy 4373, Expected Behavior in Safe and Supportive Schools (Policy 4373) in providing proper discipline on buses. Then keep track and record appropriate licenses and training required for all operators, including first aid/CPR training as well as all other training as required in Policy 2422.7; and subsequent follow-up training.
For students with disabilities the WVA Transportation Director, Student Services Manager, and parent/guardian will work together to provide all necessary transportation to and from school as directed in their IEP (See Students with Disabilities).

Bus Routes and assignments will be organized by the Transportation Director in accordance with state regulations. Throughout the year, the Transportation Director will continue to monitor the efficiency of the routes and will address any concerns or problems regarding various routes and stops. The Director will also confirm student participation in any emergency evacuation drills and follow up with the operator bus inspections to verify the checklists and maintenance is in compliance with §126-92-24. Lastly, the Transportation Director will ensure all transportation information is gathered and submitted through WVEIS, including: (i) the Bus Fleet Report that will be submitted through WVEIS by June 30th of each year, (ii) the transit times for all students transported to and from school will be entered by the end of the second month of school and updated as necessary, (iii) any bus accident reports will be entered in a timely manner, and (iv) any other required reporting through this system.

Bus Operators

All operator candidates shall be initially certified by the WVDE Office of School Facilities and Transportation as designee of the State Superintendent of Schools (State Superintendent) at the request of the WVA Executive Director to regularly employ them. The candidate shall successfully complete a minimum of 40 hours of non-driving instruction with a WVDE-certified operator trainer. Instruction shall be in person from a WVDE-certified operator trainer, online training modules, or a combination thereof and shall include Policy 5902, Policy 4373, and W. Va. 126CSR28, Policy 2525, West Virginia's Universal Access to a Quality Early Education System. The candidate shall then successfully complete a minimum of 12 hours on-the-road training including two hours of night driving in the operation of bus with a WVDE-certified operator instructor on board and no student passengers.

Bus Operators will meet all criteria specified in §126-92-17 as well as the physical qualifications located in §126-92-18. Operators will complete a physical examination prior to each school year ensuring they pass all the items outlined §126-92-19. WVA will provide complete driver training, certification, and criminal history record check for each operator. If transportation of a student with disabilities is required operators will complete first aid/CPR training as well as all other training as required in Policy 2422.7. Each year operators will receive follow-up training. At least annually, operators will be monitored and evaluated for performance by the Operations Manager. Evaluations will include verbal discussions with the operator, ride with the operator, review of bus video, or any combination thereof. The Rx/OTC policy template will be used to make sure that any prescribed drug, any over-the-counter medication, or combination of drugs being taken will not adversely impact their job performance. Operators will be trained to administer epinephrine auto-injectors (EpiPens) by the certified school nurse (Registered Nurse-RN), as directed in W. Va. Code §18-5-22c and Policy 2422.7, if the county board elects to adopt such policy. EpiPens are the only medication which counties may elect to allow school nurse RNs to delegate and train operators to administer during an emergency situation.

Bus Operators will be required to make the appropriate inspection of the bus and complete specified duties as outlined in §126-92-24 prior to every assigned trip, thus ensuring the safe transport of all passengers. Other regular inspections and maintenance will be done regularly by a certified mechanic as outlined in §126-92-26. Bus operators will work with the Foods and Transportation Director to compile all required monthly reports. They will be submitted to the Executive Director no later than three working days following the last day of the school month.

School Bus Attendants

According to the American School Bus Council, students are about 70 times more likely to get to school safely in a school bus than riding in a car.[19] While the bus ride is safe from accidents, inside the school bus is becoming a “hotspot” for poor student behavior and lack of emotional safety.[20] Bus operators are responsible for driving safely as well as addressing concerns of harassment, bullying, illnesses, and other forms of behavior during the ride.[21] Another problem exists, on the school bus students with negative behavior are documented; however, school bus operators are rarely updated or included in discipline or decision making by the school administration.[22] Parents and school administration expect students to be transported in a safe

[19] American School Bus Council. (2017) Safety Features of the School Bus. Available at http://schoolbusfacts.com/wp-content/uploads/2017/01/SafetyFeatures.pdf (last visited 8/16/2021).
[20] Brown JR, Karikari I, Abraham S, Akakpo T. (2018) Left Off the Route: A Qualitative Examination of Urban Bus Drivers Wanting to be Players in the Bully Prevention Solution [published online ahead of print, 2018 Jul 1]. J Interpers Violence.
[21] Way, S. M. (2011). School discipline and disruptive classroom behavior: The moderating effects of student perceptions. The Sociological Quarterly, 52(3), 346–375.
[22] Atkinson, C. (2009). Strategies for discipline problems on the school bus. School Bus Fleet. Retrieved from http://www.schoolbusfleet.com/Channel/SchoolBusSafety/Articles/2009/09/Strategies-for-Discipline-Problems-on-the-School-Bus.aspx (last visited 8/16/2021).

and civil manner daily, but research shows that students feel significantly less safe on the commute to and from school on a daily basis than in other settings.[23]

West Virginia Academy will address this important issue by assigning a School Bus Attendant to each bus route. This individual will ride the bus and be in charge of any passengers riding the bus. The attendant will be trained in W. Va. 126CSR99, Policy 4373, Expected Behavior in Safe and Supportive Schools (Policy 4373) to provide discipline on buses. Attendants will also be trained on some bus procedures in case of an emergency.

The Bus Attendant will verify the safety of all entering and exiting the bus. They will keep note of all students at each stop and ensure younger riders have a parent/guardian present to receive them. Parents will provide written guidance to the attendant regarding any special care a student may need while riding the bus. The Attendant will monitor student behavior while on the bus and notify the Managing Directors of any violations. Student discipline will be the responsibility of the Managing Director along with the Bus Attendant. If the action warrants suspension from the bus, the parent/guardian will be notified by the Managing Director. A suspended student will be readmitted to the bus only after the Managing Director has met with the student and the parent/guardian to resolve the issue. If a student has been recommended for discipline three times in one year by the attendant, the student's rights to transportation services may be suspended for the remainder of the year.

Curricular and Extracurricular Trips

West Virginia Academy plans to utilize the buses for curricular and extracurricular trips on a regular basis. All guidelines outlined in §126-92-14 will be evaluated and followed prior to each trip. The Operations Manager will file a report through the WVEIS at the end of each month on curricular and extracurricular trip.

Student Conduct on Buses

Students will be taught and regularly reminded of proper conduct on buses as outlined in §162-92-7.

[23]Walters,G.D., Kremser, J. and Runell, L., (2020). The fear of being bullied on the school bus: Perceptions, correlations, and sex differences. International Journal of Bullying Prevention.

Assurances

[X] The charter school will not be a home school or a virtual school.

[X] The charter school will not espouse any religious preference or engage in any religious practices in the charter school who would not be excluded at a non-charter public school.

[X] The charter school will comply with all federal requirements, including, but not limited to, federal nutrition standards, the Civil Rights Act of 1964 (Pub.L. 88-352, 78 Stat. 241 (1964); the McKinney Vento Homeless Assistance Act, U.S.C. 11431 et seq.; the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), Pub.L. 108-446; the Americans with Disabilities Act of 1990 (ADA), Pub.L. 101-336, 104 Stat. 328 (1990);and Section 504.

[X] In accordance with Section 504 and the ADA, no otherwise qualified individual with a disability seeking to engage in a major life activity shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination by a charter school. Charter school's educational program, admissions, employment policies, or operations.

[X] The charter school will, under no circumstances, charge tuition.

[X] The charter school will only impose fees that are imposed by non-charter local public schools.

[X] The charter school will not, whether through the enrollment process or general operation of the school, put in place requirements or practices that would exclude any child from enrollment at all, create, maintain, and implement a service plan and provide accommodations for each student determined to be eligible for such services.

[X] The charter school will timely comply and respond to requests received pursuant to the Freedom of Information Act (W.Va. Code §29B-1-1, et seq.).

[X] The governing board will conduct its business in compliance with The Open Governmental Meetings Act.

[X] The charter school will adhere to the same immunization requirements that are applicable to non-charter public schools.

[X] The charter school will adhere to the same compulsory school attendance requirements that are applicable to non-charter public schools.

[X] Students attending the charter school will receive the same minimum number of days or an equivalent amount of instructional time per year as required of students attending non-charter public schools under W.Va. Code §18-5-45.

[X] The charter school will comply with the West Virginia Student Data Accessibility, Transparency and Accountability Act as set forth in W.Va. Code §18-2-5h and W.Va. 126CSR94, Policy 4350, Procedures for the Collection, Maintenance and Disclosure of Student Data (Policy 4350).

[X] Pursuant to W.Va. Code §18-5G-3(c)(11), contractors and service providers, and employees of the same, will be prohibited from making direct contact with students and will not be permitted unaccompanied access to school grounds when students are present until it can be verified that such individuals have not previously been convicted of a qualifying offense pursuant to W.Va. Code §18-5-5(c).

[X] Pursuant to W.Va. Code §18-5G-3(c)(8), the charter school will use the West Virginia Education Information System (WVEIS) to report all data required by statute or policy or the charter contract.

[X] Pursuant to W.Va. Code §18-5G-3(c)(10), the charter school will meet the same accounting and financial reporting requirements required of non-charter public schools, including, but not limited to, participation in the State Auditor's financial transparency website.

[X] Pursuant to W.Va. Code §18-5G-11(a)(6), the charter school shall not discriminate against any person on any basis which would be unlawful, under state or federal law, for non-charter public schools in the school district.

[X] Provided, this prohibition shall not be construed to limit a charter school from establishing any of the limited set of enrollment preferences allowed in W.Va. Code §18-5G-1 et seq. and this policy.

[X] The charter school will propose a process for resolving disputes with the authorizer that the authorizer agrees with. Consider instances of data integrity and validity, compliance with applicable law, and school quality determinations that the authorizer may make over the course of the school's charter.

[X] The charter school will adhere to the same building codes, occupancy requirements, regulations, and facility fees that apply to non-charter public schools under Chapter 18 of the W.Va. Code, including, but not limited to, West Virginia State Fire Marshal inspections and certificate of occupancy certificate requirements.

[X] The charter school shall obtain all required occupation and operation certificates and licenses prior to the first instructional day for students.

[X] Assurance that no elected official is receiving, or will receive, monetary compensation if the charter school proposed in the charter school application is authorized.

By checking each of these boxes, I assure that the charter school meets and will continue to meet these requirements and uphold the law.

West Virginia Academy, Ltd.

	08/19/2021
By: John Treu	Date
Its: President and Chairperson of Board	