

# Policy Handbook



**EMERALD**  
**CHARTER SCHOOLS**  
SCHOLARS INTO LEADERS

## TABLE OF CONTENTS

Academic Policy .....	3
Anti-Discrimination Policy .....	5
Complaints and Matters of Concern Policy .....	6
Conflict of Interest Policy .....	9
Employee Suggestions and Complaints Policy .....	15
Fiscal Management Policy .....	16
Immunization and Medication Policy .....	19
Nepotism Policy .....	23
Open Meetings Policy .....	24
Open Records Policy .....	28
Procurement Policy .....	31
Sexual and Other Harassment Policy .....	34
Student Conduct and Discipline Policy .....	36
Student Records Policy .....	42
Use of Scholar Images Policy .....	50
Whistleblower Policy .....	51

## **EMERALD CHARTER SCHOOLS ACADEMIC POLICY**

*This academic policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Academic Policy of Emerald Charter Schools" and should be read and interpreted in accordance with the Tennessee Public Charter Schools Act of 2002, which vests control of instruction in the board of directors of a charter school. The Policy incorporates by reference all applicable information contained in the Emerald Academy charter school application.*

### **ARTICLE I PURPOSE AND OBJECTIVE**

The purpose and objective of this Policy is to establish a rigorous academic policy that will govern the instructional process for scholars attending Emerald Academy. Because Emerald Academy is a college-preparatory school, the Board of Emerald Charter Schools hereby adopts a policy establishing the highest academic standards for all scholars. It is expected that scholars will take challenging courses, complete high-quality work promptly both at school and home, study for and perform well on exams, and receive excellent support from the school's staff. The greatest effort from scholars, teachers and parents/guardians is necessary to reach this goal.

### **ARTICLE II PROMOTION OF STUDENTS**

The Emerald Charter School Board believes that, promoting scholars to the next grade level based upon age, not readiness to do the work, is not beneficial to scholars. To build a culture of learning and achievement, and to ensure scholars demonstrate readiness for the next grade level, Emerald Academy will use the following promotion process. Promotion of a scholar from one grade to the next shall be based on that individual scholar's having met applicable promotion criteria as described below. However, the final decision to promote a scholar shall rest solely with the School Director, with appropriate input from the leadership team, the scholar's teachers, and the professional staff.

In grades K-4, Emerald Academy will implement a standards-based report card. Each standard on each subject will be assigned a numeric grade to indicate how well the scholar performed. Scholars will receive a 4, 3, 2 or a 1 for each subject. These numbers can be interpreted as follows:

- 4- Exceeds Expectations
- 3- Meets Expectations
- 2- Progressing but Needs Additional Work
- 1- Failing

Scholars must receive no less than a 2 on standards in reading and math in order to be promoted.

In the grades 5-8, Emerald Academy will implement a grade-based report card. Scholars in these grades must earn a 70 percent or higher in all four core academic subjects in order to be promoted to the next grade.

Retention and/or placement decisions will be made only after the school has notified and conferred with parents throughout the year (through progress reports, report cards, and parent conferences) as to the scholar's progress or lack thereof.

*Important Considerations*

- Attendance and Punctuality: The scholar's attendance patterns (excused and unexcused absences, tardies and early dismissals) and its effect on scholar progress will be taken into account. Specifically, scholars who miss 15 or more days of school throughout the year, whether excused or unexcused, are at risk for retention.
- Homework Completion and Quality – Scholars are expected to complete all assigned homework with quality, accompanied with a parent signature. Although promotion and retention will not be based solely on completing homework, homework quality and completion helps to ensure that scholars will perform well on in-class assignments and assessments.

*Scholars with Disabilities*

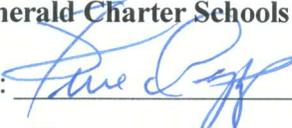
Promotion and retention of scholars with disabilities will be subject to the criteria above, but Emerald Academy shall consider the content outlined in a scholar's Individualized Education Plan (IEP) in making a decision.

**ARTICLE III  
REPORTING STUDENT PROGRESS**

The Emerald Charter School Board believes grades are important reflections of a scholars' progress toward mastery of grade-level content material. Progress reports or report cards shall be furnished to parents at regular intervals throughout the school year.

*Adopted by the Board of Directors, this 23<sup>rd</sup> day of June, 2015.*

**Emerald Charter Schools**

By: 

Its: President

**EMERALD CHARTER SCHOOLS  
ANTI-DISCRIMINATION POLICY**

*This anti-discrimination policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Anti-Discrimination Policy of Emerald Charter Schools" and should be read and interpreted in accordance with state and federal law.*

**ARTICLE I  
PURPOSE AND OBJECTIVE**

It is the purpose and objective of this Policy to assure compliance of Emerald Charter Schools with all federal and state laws prohibiting discrimination in the operation of Emerald Academy.

**ARTICLE II  
STATEMENT OF POLICY**

Emerald Charter Schools shall comply with all federal and state civil rights statutes, including all statutes and regulations related to special education services. All students attending Emerald Academy shall have the same opportunities regardless of race, color, creed, religion, ethnic or national origin, ancestry, gender, disability, or need for special education services. No student shall be denied admission nor counseled out of Emerald Academy due to the nature, extent, or severity of his or her disability or due to the student's request for, or actual need for, special education services or accommodations pursuant to the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973.

**ARTICLE III  
COMPLAINT PROCESS**

Complaints of discrimination shall be brought directly to the President of Emerald Charter Schools. Complaints shall be thoroughly and expeditiously investigated, and appropriate action shall be taken.

*Adopted by the Board of Directors, this 23<sup>rd</sup> day of June, 2015.*

**Emerald Charter Schools**

By: \_\_\_\_\_

Its: \_\_\_\_\_

*Jan Cogg*  
*President*

**POLICY REGARDING COMPLAINTS AND MATTERS OF CONCERN  
FOR  
EMERALD CHARTER SCHOOLS**

*This Policy regarding any matters of concern or complaints ("Policy") from parents or guardians of Emerald Academy scholars is hereby adopted by Emerald Charter Schools. The Policy is adopted in compliance with the Charter School Agreement with the Knox County Board of Education.*

**ARTICLE I  
PURPOSE AND OBJECTIVE**

The Board of Directors of Emerald Charter Schools supports the efficient resolution of conflicts that may arise with families of students attending Emerald Academy. The purpose and objective of this Policy is to provide for the prompt, efficient, and fair resolution of matters of concern raised by parents or guardians ("Parents") of Emerald Academy scholars. The governing principle of this Policy is that issues should be taken to the employee of Emerald Charter Schools who is most directly involved in the matter. Because the scholar's teacher is the person with the most day-to-day involvement with the scholar, the family, the learning environment, and the curriculum, the scholar's teacher will normally be the person to whom questions, matters of concern, and complaints should be addressed.

**ARTICLE II  
PROCESS/PROCEDURE**

Parents of a scholar may raise a question, describe a matter of concern, or make a complaint about any issue relating to his/her child's educational experience, safety, or other matter. Parents should raise concerns as soon as possible and may do so in person, by telephone, or in writing. In that the scholar's classroom teacher has the most direct involvement with the scholar's education, the teacher will usually be the first person that a Parent should contact. A Parent may arrange a conference with a teacher by calling the office of Emerald Academy or may leave a message for a teacher to call him/her.

Even if the matter concerns the performance or methods of the classroom teacher, parents are encouraged to first try to resolve the issue with the teacher. In the event the parent or guardian does not feel comfortable communicating with the employee, complaints may be directed to the School Director.

If resolution of the dispute is not reached in consultation with the teacher, the process should progress in the following sequence.

- The matter should be taken to the School Director.
- If the School Director is unable to resolve the matter, it should be taken to President of Emerald Charter Schools.
- If the President is unable to resolve the dispute satisfactorily, upon request of the Parent, the President shall have the matter placed on the next agenda of the Board of Directors of Emerald Charter Schools. The Parent of the scholar shall be notified of the time, date, and location of the meeting and shall be given an opportunity to speak to the Board at the meeting.

Upon resolution of the matter at any stage of this process, the parent or guardian will be advised.

Any complaint, infraction, or other non-compliance issue relating to special education shall be immediately reported to the School Director, who shall notify the President. The administration of ECS shall take such action as is necessary to investigate the allegation. The administration of ECS shall promptly report the complaint to the liaison for Knox County Schools.

### **ARTICLE III COMPLAINTS ABOUT SCHOOL PERSONNEL**

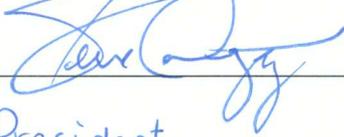
Whenever a complaint about an employee is made, the School Director will review and investigate the allegation and take appropriate action. The employee involved shall be advised of the nature of the complaint and given opportunity for explanation, comment, and presentation of the facts as he or she sees them.

### **ARTICLE IV MATTERS APPEALABLE TO KNOX COUNTY BOARD OF EDUCATION**

Pursuant to state law (T.C.A. § 49-13-111(a)(1)), control of instruction at Emerald Academy is vested in the Board of Directors of Emerald Charter Schools (the “Charter Board”). Therefore, complaints related to instruction (including but not limited to policies, procedures, curriculum and employees) are the sole responsibility of the school administration and the Charter Board. Alleged violations of law or the Charter Agreement with the Knox County Board of Education (“KCBE”) are also within the purview of the administration and the Charter Board, and complaints about these matter may be made to the school administration or the Board. Pursuant to the terms of the Charter Agreement, complaints related to these two matters (alleged violations of the Charter Agreement or state law may be appealed to KCBE.

Adopted by the Board of Directors, this 23<sup>rd</sup> day of June, 2015.

**Emerald Charter Schools**

By: 

Its: President

# EMERALD CHARTER SCHOOLS CONFLICT OF INTEREST POLICY

*This conflict of interest policy (the "Policy") is hereby adopted by Emerald Charter Schools. This Policy shall be known as the "Emerald Charter Schools Conflict of Interest Policy" and shall be interpreted according to state and federal law.*

## ARTICLE I PURPOSE

The purpose of this Policy is to meet the requirements of state law with respect to non-profit corporations and Charter Schools, in particular T.C.A. §§ 49-13-111(g), 49-6-2003, and 48-58-701 et. seq., and to protect the interest of Emerald Charter Schools ("Organization" or "ECS") when it is contemplating entering into a financial transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction under federal law. This policy is intended to supplement but not replace any applicable laws governing conflict of interest applicable to nonprofit and charitable organizations and charter schools.

## ARTICLE II DEFINITIONS

1. "Director" means any member of the Board of Directors of ECS.
2. "Qualified director" means a director who, at the time of the relevant transaction, does not have a conflicting interest, as defined in T.C.A. § 48-58-701(2), and does not have a material relationship with another director as to whom the transaction is a conflicting interest transaction.
3. "Officer" means the President, Vice-President, or other corporate officer of ECS.
4. "Conflicting interest transaction" means a financial transaction effected by ECS or proposed to be effected by ECS in which, at the relevant time, a) an officer or director of ECS is a party, b) an officer or director of ECS had knowledge and had a material financial interest known to the officer or director, or c) an officer or director of ECS knew that a related person, as defined herein, was a party or had a material financial interest.
5. "Related person" means a) a director or officer's spouse, b) a director or officer's parent, child, grandchild, or other family member as defined in T.C.A. § 48-58-701(7)(B), c) an individual living in the same home as the director or officer, d) an entity controlled by the director or officer of any person specified in T.C.A. § 48-58-701(7)(A)-(C), e) a domestic or foreign business or nonprofit corporation of which the director or officer is a director, as limited by T.C.A. § 48-58-701(7)(E), and f) a person that employs the officer or director or an entity that is controlled by an employer of the officer or director.
6. "Material financial interest" means a financial interest in a transaction that would reasonably be expected to impair the objectivity of the director or officer's judgment when participating in action on the authorization of the transaction.
7. "Directly interested" means any contract with the official personally or with any business

in which the official is the sole proprietor, a partner, or the person having the controlling interest.

8. "Indirectly interested" means any contract in which the officer is interested but not directly so, but includes contracts where the officer is directly interested but is the sole supplier of goods or services in a municipality or county.

9. "Controlling interest" includes the individual with the ownership or control of the largest number of outstanding shares owned by any single individual or corporation.

### **ARTICLE III PROHIBITIONS**

#### **1. Prohibitions of Direct Interest in Contracts and Work**

Pursuant to state law, no member of the Board of Directors, officer of the corporation, committee member, or other person whose duty it is to vote for any work or any contract of ECS may be directly interested in such work or contract.

Pursuant to state law, no employee or other person whose duty is to let out, overlook, or superintend any work or any contract of ECS may be directly interested in such work or contract.

#### **2. Prohibitions on Indirect Interest in Contracts or Work unless Disclosure is Made**

Pursuant to state law, no member of the Board of Directors, officer of the corporation, committee member, or other person whose duty it is to vote for any work or any contract of ECS may be indirectly interested in such work or contract unless the person publicly acknowledges such person's interest.

Pursuant to state law, no employee or other person whose duty is to let out, overlook, or superintend any work or any contract of ECS may be indirectly interested in such work or contract unless the person publicly acknowledges such person's interest.

#### **3. Prohibition on Supplying Products/Services or Serving as Agent for Supplier**

Pursuant to state law, no teacher, supervisor, school director, officer of the corporation, or member of the Board of Directors shall have any financial interest, directly or indirectly, in supplying books, maps, furniture, or apparatus of any kind to ECS or in providing services to ECS separate from his or her employment with ECS. Likewise, no such person shall act as an agent for any author, publisher, bookseller, or dealer in books, maps, furniture, or other apparatus or services in connection with proposals to ECS or contracts with ECS.

**ARTICLE IV**  
**DUTY TO DISCLOSE CONFLICTING INTERESTS**

1. Officers and Directors

In connection with any proposed financial transaction of ECS where the interest of a director or officer makes it a conflicting interest transaction, the director or officer shall make the following disclosure, as defined in T.C.A. § 48-58-701(9):

a. The officer or director must disclose the existence and nature of his/her conflicting interest, and

b. All facts known to the director or officer respecting the subject matter of the transaction that a director or officer free of such conflicting interest would reasonably believe to be material in deciding whether to proceed with the transaction. Where a director or officer has an indirect interest in a contract or other work with ECS, the person shall publicly acknowledge this interest.

2. Employees and other Persons

Where an employee of ECS or another person has an indirect interest in a contract or work for ECS and where that employee has a duty to let out, overlook, or superintend such work or contract, the person shall publicly acknowledge this interest. This includes not only officers and directors but any employee or other persons working for contractors of ECS whose duty is to let out, overlook, or superintend any work or any contract of ECS.

**ARTICLE V**  
**PROCEDURE**

1. Opportunity for Abstaining from Vote

Where a director or a committee member has a direct interest in a contract or other work or where the proposed transaction is a conflicting interest transaction for that director or committee member, the person must not only make the required disclosures but must also absent himself/herself from the meeting and abstain from any vote on the matter.

Where a member of the Board of Directors or a committee member has an indirect interest in a contract or other work with ECS, the person shall be given an opportunity to abstain from any vote involving that matter.

2. Determining Whether a Conflict of Interest Exists

In those cases where a possible conflict of interest exists and where an interested director or committee member does not abstain and absent himself/herself from the meeting, it shall be up to the qualified directors or committee members to determine whether a conflict exists. The qualified directors or committee members shall use the following process.

After the required disclosures have been made by the interested director or committee member, and after any discussion with the person, he/she shall leave the board meeting or committee meeting while the determination of a conflict of interest is discussed and voted upon. The qualified directors or committee members shall decide if a conflict of interest exists.

### 3. Handling a Transaction Involving a Conflict of Interest

a. If the qualified directors or committee members conclude that a conflict of interest exists, the Board shall announce the decision to the interested director, who shall play no further part in deliberations related to the transaction. The interested director shall leave the meeting and permit the qualified directors or committee members to deliberate and vote without his/her participation.

b. After the interested director leaves the meeting, the chairperson of the board or committee shall determine whether to proceed with a vote on the transaction or whether to consider other alternatives to the transaction. If appropriate, the chairman may appoint a disinterested person or a committee to investigate alternatives and make a recommendation to the qualified directors at a subsequent meeting.

c. After exercising due diligence, the governing board or committee shall determine whether ECS can obtain with reasonable efforts a more advantageous transaction from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction is not reasonably possible under circumstances not producing a conflict of interest, the qualified directors or committee members shall determine, if the transaction is in the best interest of ECS, for the benefit of ECS, and whether it is fair and reasonable. In conformity with the above determination, these directors or committee members shall vote on whether to enter into the transaction. To be effective under state law, a transaction must be approved by a majority of qualified directors (but no fewer than two) who voted on the transaction.

### 4. Violations of Conflict of Interest Policy

a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, including indirect interests, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate and corrective action as permitted under state law.

c. In addition to the foregoing, a person who violates state law regarding conflicts of interest is subject to penalties established in the applicable statutes.

**ARTICLE VI  
RECORDS OF PROCEEDINGS**

The minutes of the governing board and all committees with board delegated powers shall contain:

a. The names of persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, including direct and indirect interests, the nature of the financial interest, any abstention by the person, any action taken to determine whether a conflict of interest was present, and the decision of the qualified directors or committee members as to whether a conflict of interest was present.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**ARTICLE VII  
COMPENSATION**

a. A voting director who receives compensation, directly or indirectly, from ECS for services in whatever capacity is precluded from voting on matters pertaining to that director's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from ECS for services in whatever capacity is precluded from voting on matters pertaining to that member's compensation.

c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the ECS, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**ARTICLE VIII  
ANNUAL STATEMENTS**

Each director, officer, and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflict of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands that ECS is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**ARTICLE IX  
PERIODIC REVIEWS**

To ensure that ECS operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic review shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

a. Whether compensation arrangements and benefits are reasonable, , and the result of arm's length bargaining.

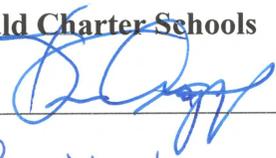
b. Whether partnerships, joint ventures, and arrangements with management organizations conform to ECS' written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in inurement, impermissible private benefit, or an excess benefit transaction.

**ARTICLE X  
USE OF OUTSIDE EXPERTS**

When conducting the periodic reviews as provided for above, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

*Adopted by the Board of Directors, this 20<sup>th</sup> day of July, 2015.*

**Emerald Charter Schools**

By: 

Its: President

**EMERALD CHARTER SCHOOLS  
POLICY REGARDING EMPLOYEE SUGGESTIONS AND COMPLAINTS**

*This policy regarding employee suggestions and complaints is hereby adopted by Emerald Charter Schools. This policy (the "Policy") shall be known as the "Emerald Charter Schools Policy regarding Employee Suggestions and Complaints."*

**ARTICLE I  
PURPOSE AND OBJECTIVE**

The purpose and objective of this Policy is to provide employees of Emerald Charter Schools with a mechanism for providing suggestions, raising concerns, or stating grievances with regard to either the overall operation of Emerald Academy or with regard to their individual employment situation.

**ARTICLE II  
PROCESS**

Employees who have an issue that applies to his or her own employment situation or which involve a single individual or a small group of individuals should be handled as follows. If possible, the employee should first raise the matter, on an informal basis, with the co-worker or supervisor involved, or with the person most likely to be able to evaluate and handle the issue. If for any reason the employee is uncomfortable in raising the matter in this way, he or she should discuss the issue with another supervisor or with the School Director. If the matter concerns the School Director, the employee should contact the President of ECS directly.

If the concern persists after a reasonable attempt to resolve it informally, the employee should describe the problem in writing, and provide the employee's recommendation or solution to the School Director or President of ECS, as appropriate. Whenever a complaint is made about another employee, that employee will be advised of the nature of the complaint and given opportunity for explanation, comment, and presentation of the facts from his or her point of view.

Employees who have suggestions, concerns, or recommendations that relate to the entire organization or school should bring these to the attention of the School Director.

*Adopted by the Board of Directors, this 20<sup>th</sup> day of July, 2015.*

**Emerald Charter Schools**

By: \_\_\_\_\_

Its: \_\_\_\_\_

*Steve Ozy*  
President

## **EMERALD CHARTER SCHOOLS FISCAL MANAGEMENT POLICY**

*This fiscal management policy (the "Policy") is hereby adopted by Emerald Charter Schools. This Policy shall be known as the "Emerald Charter Schools Fiscal Management Policy."*

### **ARTICLE I PURPOSE**

The purpose of this policy is to ensure that Emerald Charter Schools shall exercise sound fiscal management by strategically aligning, and properly accounting for, all available resources in order to provide free, sustainable, and high-quality education to students.

### **ARTICLE II ANNUAL OPERATING BUDGET**

Educational programs and initiatives are enumerated in the ECS annual budget, the fiscal year of which commences on July 1 and ends on June 30. The ECS board shall adopt an annual balanced budget such that budgetary appropriations shall not exceed projected funding sources.

Budget preparation and development would include reviewing appropriate levels of school staffing requirements (classroom teachers as well as instructional, administrative, and clerical support), assessing curricular needs (textbooks, instructional supplies, educational materials, contracted services, and technology requirements), evaluating the efficacy of existing educational programs, exploring instructional best practices, forecasting revenues for effective cash flow management, evaluating facility maintenance and upkeep requirements, and anticipating all other operational and capital expenditures associated with the school.

### **ARTICLE III ACCOUNTING AND FINANCIAL MANAGEMENT**

Understanding the need to ensure stakeholder trust by demonstrating financial stewardship, Emerald Charter Schools (the ECS) shall practice sound fiscal management by requiring school officers and administrators to:

1. adhere to applicable State, local, and federal statutes and guidelines in accounting and financial reporting, including T.C.A. § 49-13-111(m);
2. employ Generally Accepted Accounting Principles (GAAP), and adhere to the pronouncements of the Governmental Accounting Standards Board (GASB) where applicable, in maintaining a system of accounting for all receipts and disbursements of the ECS;
3. maintain a checking account and other bank accounts as necessary for the operation of the school;
4. develop and implement appropriate financial and accounting procedures;

5. utilize sound practices in the safeguarding of school assets by ensuring that all assets are properly accounted for and maintained on a school-wide asset inventory listing;
6. regularly conduct a physical count of all school equipment, no less than at the end of each school year;
7. adhere to ECS policy, in purchases and procurement of goods and services;
8. maintain accurate, meaningful, and timely financial reports for presentation to the ECS Board on a monthly or quarterly basis and to applicable local, state, and federal agencies as required (including reports necessary for grant applications);
9. follow appropriate payment procedures, including the processing of employee payroll and associated deductions on time and in accordance with applicable state and federal laws; and
10. maintain internal control procedure for cash receipts and disbursement, including the deposit of all receipts and the payment of all vendor invoices in a timely manner and shall be in compliance with T.C.A. § 49-13-111(n).

There may be occasions when the ECS collects funds for activities conducted at the school location. Examples of such internal school funds would include, but are not necessarily limited to, student activities and fees, school clubs, vending machine sales, athletic events, concessions, entertainment events, and fundraising activities. Where applicable, both the receipt of, and disbursement from, internal school funds shall comply with the *Tennessee Internal School Uniform Accounting Policy Manual* as required by the State. Funds from school support organizations, such as parent/teacher organizations or booster clubs, are not considered to be internal school funds.

#### **ARTICLE IV STAFFING AND AUDITS**

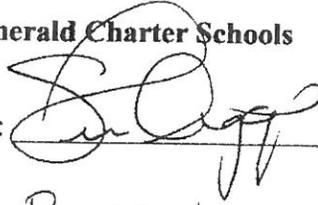
ECS shall engage qualified personnel to develop and implement the procedures and processes described above. Such personnel shall be either be hired by ECS as employees or shall be retained as independent contractors. In compliance with the Charter School Agreement, ECS shall identify the individual(s) responsible for preparing financial reports for the following fiscal year.

An annual audit of the financial statements, internal controls, and internal school funds shall be performed in accordance with Generally Accepted Auditing Standards (GAAS) and Governmental Auditing Standards (GAS), where applicable. The audit shall be conducted by an independent certified public accountant following the end of each fiscal year, the results of which shall be completed no later than December 31.

Adopted by the Board of Directors, this 20<sup>th</sup> day of July, 2015.

**Emerald Charter Schools**

By:

A handwritten signature in black ink, appearing to be "S. O. J.", written over a horizontal line.

Its:

President

## **EMERALD CHARTER SCHOOLS IMMUNIZATION AND MEDICATION POLICY**

*This immunization and medication policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Emerald Charter Schools Immunization and Medication Policy" and should be read and interpreted in accordance with state law.*

### **ARTICLE I PURPOSE AND OBJECTIVE**

It is the purpose and objective of this Policy to assure compliance of Emerald Charter Schools with state law regarding the immunization of children attending Emerald Academy and to set policy for physical examinations of students, the administration of medication to students, and the storage of health records of students.

### **ARTICLE II PHYSICAL EXAMINATIONS**

The director of schools shall ensure that there is a complete physical examination of each student by a medical provider. For kindergarten students, parents or guardians must provide written proof of a physical examination completed by a medical provider and dated within 12 months prior to the first day of school. The form to be completed is the Tennessee School Immunization Certificate which may be obtained from a local physician or the Health Department. A kindergarten student may be enrolled without this information, but a parent or guardian must file it with Emerald Academy within 30 calendar days or risk dismissal.

For students in the first through eighth grade, parents or guardians must provide written proof of a medical examination completed by a medical provider. This includes proof brought by the parents or guardians or provided in records from the previous school. A student may be enrolled at Emerald Academy without this information, but a parent or guardian must file it with the school within 30 calendar days or risk dismissal.

Physical examinations contained in records from students transferring from other schools in Knox County or other school systems may be accepted if stated guidelines are met.

The cost of the examination shall be borne by the parent or guardian of the student. All physical and immunization records shall be kept on file in the student's cumulative record pursuant to Article VI below.

### **ARTICLE III IMMUNIZATIONS**

Except as otherwise permitted by state law, no student entering Emerald Academy, including those entering kindergarten or those students from out-of-state schools and nonpublic schools,

shall be permitted to attend without proof of immunization, as determined by the Commissioner of Public Health. It is the responsibility of the parent or guardian of a student to have his/her child immunized and to provide such proof to Emerald Academy.

Pursuant to the provisions of state law (T.C.A. § 49-6-5001), the following are permitted exemptions to this requirement:

- a) In the absence of an epidemic or immediate threat thereof, this requirement shall not apply to any child whose parent or guardian shall sign under penalty of perjury and file with Emerald Academy a letter stating that the immunization and other preventative practices conflict with the parent or guardian's religious tenets and practices.
- b) This requirement shall not apply where the child has not been immunized due to medical reasons if the parent or guardian provides a written statement from a medical provider excusing him/her from such immunizations.

Proof of exemptions shall be in writing and filed in the same manner as other immunization records. An immunization certificate containing documentation of any other required health information (e.g. physical examination, vision/hearing screening) must be provided in addition to the religious exemption letter or the written statement due to medical reasons from a medical provider.

Students whose parents or guardians have not provided immunization records or proof of an exemption shall be barred from Emerald Academy after fourteen (14) days.

#### **ARTICLE IV PARENTAL NOTIFICATION REGARDING MENINGOCOCCAL DISEASE AND VACCINATIONS**

Pursuant to the requirements of state law, the administration of Emerald Academy shall provide parents and guardians of scholars with information about meningococcal disease and the effectiveness of vaccination against such disease at the beginning of every school year. The information may be included in the Student Family Handbook or in a separate document provided to parents and guardians. This information shall include the causes, symptoms, and means by which the disease is spread. The administration shall also identify the places where parents and guardians may obtain additional information and vaccinations for their children.

#### **ARTICLE V ADMINISTRATION OF MEDICATION**

Emerald Charter Schools shall comply with all applicable laws regarding the administration of medication at Emerald Academy. The director of schools of Emerald Academy has the final decision-making authority with respect to the approval and rejection of parental requests for the

administration of medications. The following requirements apply to the use and administration of prescription and over the counter (OTC) medications.

1. No medication of any kind shall be self-administered by students, even with assistance from the school nurse, except when medication is necessary to affect an improvement in, or control of, a health problem during school hours.
2. No medication shall be given to a student, nor shall the school nurse or other provider assist with medication, without the written approval of the parent or guardian of a scholar.
3. In addition to written approval from the parent or guardian, prescription medication may only be taken by a student at Emerald Academy if the parent or guardian provides a written order from a health care provider. Written orders must be signed by a health care provider who has the legal right to write a prescription. The order must include the name of the drug, dosage, frequency or time interval, route or method of administration, the time to be administered, possible side effects, and method of storage. If the prescribed medication order is changed during the school year, a new authorization is required. Both the medical health care provider and the parent or guardian must sign the form.
4. All medications, whether prescription or OTC, must be brought to the school by a parent or guardian of the scholar. All medications must be in appropriate containers which are properly labeled by a medical care provider or pharmacy. The prescription bottle must be the latest one filled by the pharmacy or medical care provider. Any OTC medication must be provided in its original unopened, unexpired container with the original label and the student's name. The parent/guardian is responsible for picking up any unused medication at the end of the treatment or at the end of the school year. Any medications not picked up shall be destroyed.
5. Upon delivery of medication to Emerald Academy, the school nurse or authorized employee will confirm and document the quantity of medication received. A secure location will be provided for the storage of medications.
6. The administration of medications to a scholar will be documented on a medication administration record. Such records will be kept in the student's cumulative record pursuant to Article VI below.
7. Except for asthma inhalers, Epi-Pens (anaphylaxis medications) or insulin delivery systems (including glucose monitoring systems), students may not be in possession of medication during school hours. If students are required to use asthma inhalers, Epi-Pens, or insulin delivery systems during school hours, parents or guardians must give written permission and must provide written authorization from a medical health care provider containing the information required by T.C.A. § 49-5-415(c). Only students with such permission shall be authorized to carry these devices.

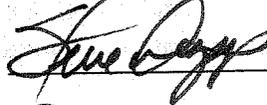
8. The school nurse or other authorized employee will assist with the administration of medications, as appropriate and as authorized in this Policy. The school nurse will also be responsible for the documentation and storage of all medications.

**ARTICLE VI  
STUDENT HEALTH RECORDS**

All health records of a scholar shall be separated from his or her academic records. Health records shall be kept in locked storage in the office of the school nurse.

*Adopted by the Board of Directors as amended, this 25<sup>th</sup> day of August, 2015.*

**Emerald Charter Schools**

By: 

Its: President

**EMERALD CHARTER SCHOOLS  
NEPOTISM POLICY**

*This nepotism policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Nepotism Policy of Emerald Charter Schools."*

**ARTICLE I  
PURPOSE AND OBJECTIVE**

It is the purpose and objective of this Policy to ensure there is fairness and objectivity when Emerald Academy supervisors have the opportunity to influence decisions which may impact immediate family members in such matters as hiring, promotion, demotion, transfer, discipline, pay, evaluation of performance, or other terms or conditions of employment which could result in actual or apparent favoritism.

**ARTICLE II  
PROHIBITIONS**

No employee shall be under the immediate supervision of a member of the employee's immediate family. In those cases where ECS operates multiple schools, no relatives shall be employed at the same school except with the approval of the School Director. Likewise, no School Director and member of his/her immediate family shall be employed at the same school, except with the approval of the President of ECS.

*Adopted by the Board of Directors, this 20<sup>th</sup> day of July, 2015.*

**Emerald Charter Schools**

By: \_\_\_\_\_

Its: \_\_\_\_\_

*Steve Rapp*

*President*

## **EMERALD CHARTER SCHOOLS OPEN MEETINGS POLICY**

*This open meetings policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Open Meetings Policy of Emerald Charter Schools" and should be read and interpreted in accordance with the Tennessee Public Charter Schools Act of 2002. The Policy incorporates by reference the policy contained in the Emerald Academy charter school application.*

### **ARTICLE I PURPOSE AND OBJECTIVE**

The purpose and objective of this Policy is to ensure that Emerald Charter Schools ("ECS") complies with the Open Meetings Act of the State of Tennessee, as made applicable to charter schools pursuant to T.C.A. § 49-13-111(h) and T.C.A. § 49-13-138. The Board of Directors of Emerald Charter Schools will fully comply with the Open Meetings Act (the "Act"), T.C.A. §8-44-101 *et seq.* and will ensure that the officers and employees of ECS comply with the Act.

### **ARTICLE II MEETINGS OF THE BOARD OF DIRECTORS**

Pursuant to T.C.A. § 49-13-111(h), the board meetings of the Board of Directors of Emerald Charter Schools (the "Board") shall be deemed public business and shall be held in compliance with the Act. Pursuant to the terms of the Act, "meeting" is defined as the convening of a governing body for which a quorum is required in order to make a decision or deliberate toward a decision on any matter. The Board shall transact its business at regular or special meetings. Except in the case of conferences with its attorney to discuss pending or threatened litigation, if any, all meetings of the Board are public meetings which shall be open to the public at all times. Board members will not conduct private meetings to decide or deliberate toward a decision about matters coming before the Board and will not use electronic means for such purposes.

Votes on any matter coming before the Board shall be public. All votes shall be by public vote, public roll call, or public ballot. No secret votes, or secret ballots, or secret roll calls shall be allowed. Board members shall vote in the affirmative (using "aye" or a similar term), in the negative (using "nay" or a similar term), or shall abstain. A "public vote" shall mean a vote in which the "aye" faction vocally expresses its will in unison and in which the "nay" faction subsequently vocally expresses its will in unison.

If a physical quorum is present at the location specified in the notice of the meeting, the Board may allow participation in a public meeting by electronic or other means of communication for the benefit of the public and the Board. Any member of the Board who participates in a public meeting by means of such communication shall be provided, before the meeting, with any

documents that will be discussed at the meeting, with substantially the same content as those documents actually presented at the meeting. All votes taken during such a public meeting shall be by roll call vote.

In the case of a “necessity,” as defined in the Act, the Board may allow participation in a public meeting by electronic or other means of communication without there being a physical quorum present at the location specified in the notice of the meeting. In these circumstances, the Board must make a determination that a necessity exists. Such determination and the facts and circumstances on which the necessity is based will be included in the minutes of the meeting of the Board.

Meetings of any committee shall be conducted pursuant to the requirements of the Act if the committee includes two or more members of the Board and if the committee has the authority to make a decision for the Board on a matter of policy or administration or to make a recommendation to the Board on a matter of policy or administration.

Nothing in this Policy shall prohibit a chance meeting of, informal assemblage of, or electronic communication between members of the Board as long as the members of the Board do not use such meeting, assemblage, or communication to decide or to deliberate about business coming before the Board.

### **Regular meetings**

The Board will hold regular meetings once a month or upon such basis as is established in the Bylaws of Emerald Charter Schools.

For the year 2015, the Board shall hold its meetings on the fourth Tuesday of each month, beginning at 12:15 p.m., unless changed by action of the Board. Thereafter, the Board will establish a schedule for regular meetings of the Board. Notice of these dates shall be given as stated in Article III below.

### **Special meetings**

The Board shall hold such special meetings as are necessary to transact the business of the Board. Special meetings shall be called pursuant to the requirements of the Bylaws of Emerald Charter Schools.

### **Non-voting meetings**

The Board may hold workshops, work sessions, and other meetings where no vote is to be taken as is necessary for the purpose of receiving information, discussing a policy, or otherwise conducting the business of ECS. Such meetings shall be called pursuant to the requirements of the Bylaws of Emerald Charter Schools.

## **ARTICLE II NOTICE OF MEETINGS**

Emerald Charter Schools shall provide adequate public notice of all meetings governed by the Act. In the case of regular meetings, adequate public notice shall consist of the Board's establishment and publication of a schedule for meetings. This schedule will be posted on the website for Emerald Charter Schools ([www.emeraldcharterschools.org](http://www.emeraldcharterschools.org)) and at Emerald Academy (220 Carrick Street, Knoxville, Tennessee), will be provided to the liaison with Knox County Schools, and will be published in a newspaper of general circulation serving Knox County. The schedule for multiple regular meetings may be published at the same time. No other notice given, except that the date, time, and location of the next regular meeting shall be given at the last held meeting of the Board.

In the case of special meetings of the Board that are not emergencies, notice shall be posted on the website for Emerald Charter Schools and on the door at the main office entrance to Emerald Academy on Carrick Street, notice will be provided to the liaison with Knox County Schools, and notice will be sent to the local news media at least forty-eight (48) hours before the meeting. Notice of the special meeting shall include the date, time, place, and purpose of the meeting. In the case of an emergency, which is defined as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action of the Board," ECS shall provide such notice as is adequate under the circumstances.

If the Board determines to permit participation by electronic or other means at a public meeting, any notice of the meeting shall state that the meeting will be conducted permitting participation by electronic or other means of communication.

Notice of workshops and other non-voting meetings will be provided as required by the Act.

## **ARTICLE III AGENDA AND MINUTES**

If an agenda is prepared for a meeting covered by this Policy, a copy of the agenda shall be posted on the website for Emerald Charter Schools ([www.emeraldcharterschools.org](http://www.emeraldcharterschools.org)) and sent to the local news media at least forty-eight (48) hours before the meeting. The Board Chair or his/her designee will be available after each meeting of the Board to answer questions relating to actions taken at the meeting. The agenda shall be open for public inspection pursuant to the Open Records Policy of Emerald Charter Schools.

The minutes of each meeting of the Board and any other meeting covered by the Act shall be promptly and fully recorded and shall include, but not be limited to, a record of persons present, all motions, proposals, and resolutions offered, the results of any votes taken, and a record of individual votes in the event of a roll call vote. Such minutes shall be open for public inspection pursuant to the Open Records Policy of Emerald Charter Schools.

**ARTICLE IV  
VIOLATIONS OF THE ACT**

In the event that the Board learns that the Open Meetings Act has been violated, the Board shall take prompt remedial action to correct the violation.

*Adopted by the Board of Directors, this 23<sup>rd</sup> day of June, 2015.*

**Emerald Charter Schools**

By:  \_\_\_\_\_

Its: President \_\_\_\_\_

## **EMERALD CHARTER SCHOOLS OPEN RECORDS POLICY**

*This open records policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Open Records Policy of Emerald Charter Schools" and should be read and interpreted in accordance with the Tennessee Public Charter Schools Act of 2002. The Policy incorporates by reference the policy contained in the Emerald Academy charter school application.*

### **ARTICLE I PURPOSE AND OBJECTIVE**

The purpose and objective of this Policy is to ensure that Emerald Charter Schools ("ECS") complies with the Open Records Act of the State of Tennessee, as made applicable to charter schools pursuant to T.C.A. § 49-13-140, while protecting the confidential records of students attending Emerald Academy. The Board of Directors of Emerald Charter Schools will fully comply with the Open Records Act (the "Act"), T.C.A. § 10-7-503 *et seq.*, and will ensure that the officers and employees of ECS comply with the Act.

### **ARTICLE II PUBLIC RECORDS OPEN FOR INSPECTION**

Pursuant to T.C.A. § 10-7-503, all public records of Emerald Charter Schools shall be open for personal inspection during normal business hours by a citizen of the State of Tennessee to the same extent as records of other public schools. Public records are defined as those documents, regardless of form, which are made or received pursuant to law or ordinance or in connection with the transaction of official business by ECS. Copies of public records may be obtained pursuant to Article III below.

### **ARTICLE III STUDENT RECORDS AND OTHER CONFIDENTIAL RECORDS**

Pursuant to T.C.A. § 10-7-504(a)(4)(A), the records of students attending Emerald Academy shall be treated as confidential. Information in such records relating to academic performance, financial status of a student or the student's parent or guardian, medical or psychological treatment or testing shall not be made available to the public, to unauthorized personnel of ECS, or to any agency, except those agencies expressly authorized by the Board to conduct specific research or otherwise authorized by the Board, without the written consent of the parent or guardian of a student attending Emerald Academy, except as otherwise provided by law or regulation pursuant thereto, and except in consequence of due legal process or in cases where the safety of persons or property is involved. The Board of ECS, the Tennessee Department of

Education, and the Tennessee Higher Education Commission shall have access on a confidential basis to such records as are required to fulfill their lawful function.

In addition to maintaining the confidentiality of students records, ECS will maintain the confidentiality of other records pursuant to T.C.A. § 10-7-504 and other applicable law.

### **ARTICLE III PROCESS OF REQUESTING RECORDS**

Persons desiring to inspect public records maintained by ECS shall make the request at the main office of Emerald Academy, 220 Carrick Street, Knoxville, Tennessee. The request shall be in writing and shall be in sufficient detail to enable the records custodian of ECS to identify the specific records to be located or copied.

Upon receipt of the request, the records custodian shall promptly make available for inspection all public records not exempt from disclosure. In the event that it is not practicable for the records to be made available promptly, the custodian shall so notify the requester. In addition, within seven (7) days, the custodian shall either (a) make the information available for inspection, (b) deny the request in writing, giving the basis for the denial, or (c) furnish the requestor a completed records request form stating the time reasonably necessary to produce the records.

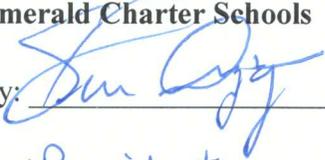
A person who has a right to inspect a public record may obtain copies of the documents subject to the payment of the reasonable costs of copying. The records custodian shall provide a requestor an estimate of the reasonable costs to provide copies of the public records. Except in cases where the administrative costs are determined by the custodian to be de minimis, the records custodian shall require the requestor to pay the reasonable costs incurred in producing the requested material, as determined by the state's open records counsel.

### **ARTICLE IV APPEAL OF DENIALS**

A person who believes that he/she has been wrongfully denied the right to inspect a public record of ECS may file a complaint with the President. Upon receipt, the President shall promptly evaluate the request, consult with legal counsel, and make a determination.

Adopted by the Board of Directors, this 23<sup>rd</sup> day of June, 2015.

**Emerald Charter Schools**

By: 

Its: President

## EMERALD CHARTER SCHOOLS PROCUREMENT POLICY

*This procurement policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known and may be cited as the "Procurement Policy of Emerald Charter Schools" and should be read and interpreted in accordance T.C.A. § 49-13-111(e) of the Tennessee Public Charter Schools Act of 2002.*

### ARTICLE I PURPOSE AND APPLICATION

- A. **Purpose.** The purpose and objective of this Policy is that all purchases of goods and services by ECS shall be conducted on the basis of the best value to Emerald Charter Schools ("ECS" or the "Organization") considering all factors relevant to the particular purchase.

Other subordinate purposes of this Policy include: (1) to promote fair and equitable treatment to all suppliers or prospective suppliers of goods and services; (2) to make reasonably uniform the procedures of ECS for purchasing goods and services; and (3) to promote public confidence in ECS's sourcing procedures.

- B. **Application.** This Policy shall apply to all purchases of goods and services, provided that this Policy shall not apply to Emergency Purchases, as described in Article IV below.

### ARTICLE II BASIS FOR SELECTION

All purchases made pursuant to this Policy shall be made on the basis of providing the best value to ECS, considering of the particular need of ECS for the good or service. Factors may include: quality, price, performance, risk, availability, and any other factors relevant to the particular decision. In furtherance of this Policy, the capability, capacity, and historical performance of a vendor may be considered and weighed in the decision-making process. Contracts for services shall be made only with responsible contractors and professionals who possess the qualifications, licensure, experience, and ability to perform successfully under the terms and conditions of the particular procurement.

### ARTICLE III PROCEDURE FOR SELECTION

- A. All purchases of goods and services shall be made by ECS in compliance with T.C.A. § 49-13-111(e) and shall be consistent with the principles contained in Article I and the criteria contained in Article II.

- B. All purchases of goods costing ten thousand dollars (\$10,000) or more shall be bid, and contracts for such purchases shall be approved by the Board of Directors of ECS.
- C. All purchases of goods costing more than five thousand dollars (\$5,000) but less than ten thousand dollars (\$10,000) shall be based upon a selection process in which the responsible officer or employee of ECS obtains at least three written quotations or proposals, where feasible. The officers, employees, and/or committee making the selection shall document the reason for the selection of the successful vendor.

#### **ARTICLE IV EMERGENCY PURCHASES**

Any purchase made in response to a threat to the health or safety of the officers, directors, employees of ECS or to the students and faculty of the Charter School, which threat could not be reasonably foreseen (an "Emergency Purchase"), shall not be subject to the purchasing procedure described in Article III. The person(s) making the decision to make an Emergency Purchase shall document the reason for the purchase and the basis for selecting the specific vendor.

#### **ARTICLE V PROCUREMENT CARDS**

Employees of Emerald Charter Schools (ECS) are at times required to expend funds in the performance of school-related business when a standard purchase order may not be practical or efficient. In such cases, ECS allows the utilization of school-issued procurement (e.g. credit) cards, the use of which is governed by this Procurement Policy. Procurement cards can enable ECS to expedite payments when the need arises.

Cardholders are authorized buyers on behalf of ECS for each purchase made with procurement cards and are accountable to ECS for each of these transactions. Procurement cards may only be used to purchase items and services for the benefit of ECS. Utilization of cards for personal expenses is strictly prohibited. Compliance with this Procurement Policy and with all other applicable policies and procedures of ECS is a requirement for holding and using a procurement card. Employees violating any applicable policy or procedure may be subject to disciplinary measures and revocation of the use of the procurement card.

No procurement card may be issued without the prior approval of the President. Only employees who have demonstrated trustworthiness, responsibility, and organizational skills, and serve in a position to acquire goods or services (e.g. principal, school bookkeeper, etc.) on behalf of ECS, should be considered for issuance of a card. The ECS Principal is responsible for the oversight of procurement cards issued to teachers or other school employees.

**ARTICLE VI  
CONFLICTS OF INTEREST**

The Conflict of Interest Policy of ECS and the relevant provisions of state law relating to Charter Schools [T.C.A. § 49-13-111(g)] shall be applicable to any evaluation, selection, or award of a contract, purchase order, or procurement card purchase under this Policy.

**ARTICLE VII  
CONFIDENTIALITY**

Subject to the requirements of state law, ECS will maintain the confidentiality of all proposals, quotations, prices, and proprietary materials received from prospective vendors, if designated as confidential by such vendors.

*Adopted by the Board of Directors, this 28<sup>th</sup> day of April, 2015.*

**Emerald Charter Schools**

By: \_\_\_\_\_

Its: \_\_\_\_\_

*Sam Capps*  
*President*

## **EMERALD CHARTER SCHOOLS SEXUAL AND OTHER HARASSMENT POLICY**

*This sexual harassment policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Sexual and Other Harassment Policy of Emerald Charter Schools" and should be read and interpreted in accordance with state and federal law.*

### **ARTICLE I PURPOSE AND OBJECTIVE**

It is the purpose and objective of this policy to regard sexual and other forms of harassment as an extremely serious matter, to prohibit it in the workplace at Emerald Academy, and to provide a notification process for employees who are subjected to harassment.

### **ARTICLE II PROHIBITION OF HARASSMENT**

Each employee of ECS has an affirmative duty not to engage in sexual harassment and to maintain his or her workplace free from such harassment. Sexual harassment may include unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or other words or conduct which could be viewed as sexual harassment.

In addition to sexual harassment, ECS prohibits harassment based upon race, color, religion, national origin, gender, age, disability, sexual orientation, or veteran status. Harassment may consist of unwelcome conduct, whether verbal, physical, or visual, that is based upon one of these qualities.

ECS prohibits unlawful harassment in the workplace whether committed by supervisory or nonsupervisory personnel. Supervisors shall not threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's employment, wages, duties, or any other condition of employment or career advancement. In addition, ECS will not tolerate harassing conduct that creates a hostile work environment.

Examples of conduct that violate this policy include but are not limited to:

- Threatening or insinuating that an employee or applicant should submit to sexual advances or that refusal to submit to sexual advances will adversely affect employment
- Giving favorable treatment in any way to an employee or applicant because that person has shown a willingness to perform sexual activities
- Making unwelcome or unwanted sexual advances, including physical contact considered unacceptable by another individual
- Making statements that are sexually suggestive and considered unacceptable by another individual, such as inappropriate comments about an individual's body or appearance, off-color or offensive jokes, or innuendoes

- Displaying sexually suggestive objects or pictures, including nude photos
- Creating a work environment that is intimidating, hostile, abusive, or offensive because of the display or circulation of offensive written materials (including electronic mail)
- Any other sexually oriented conduct that would unreasonably interfere with another's work performance.

### ARTICLE III NOTIFICATION AND REPORTING PROCESS

Any employee who believes that he or she has been harassed by anyone at ECS (including supervisors, co-workers, or employees of contractors) must report the problem immediately to the School Director. If the School Director is involved in the harassment, the employee must report the problem to the President. Reports may be made verbally or in writing. Retaliation against an employee for bringing a complaint of harassment is prohibited.

All complaints will be investigated promptly and thoroughly. Upon completion of the investigation and evaluation of the evidence, ECS will take prompt and appropriate corrective action where warranted. The employee who has made the complaint will be advised of the results of the investigation. Confidentiality with respect to the investigation will be maintained to the extent reasonably possible.

### ARTICLE IV DISCIPLINE AND TERMINATION

*Any person found to have engaged in harassment will be subject to appropriate discipline, up to and including termination.*

*Adopted by the Board of Directors, this 20<sup>th</sup> day of July, 2015.*

**Emerald Charter Schools**

By: 

Its: President

# **EMERALD CHARTER SCHOOLS STUDENT CONDUCT AND DISCIPLINE POLICY**

*This Policy regarding any student conduct and discipline (“Policy”) is hereby adopted by Emerald Charter Schools. The Policy is adopted in compliance with the Charter School Agreement with the Knox County Board of Education and should be interpreted pursuant to federal and state law.*

## **ARTICLE I PURPOSE AND OBJECTIVE**

The purpose and objective of this Policy is to provide a clear statement of the expectations of Emerald Charter Schools (“ECS”) with regard to student conduct and student discipline. The code of conduct for students at Emerald Academy is based upon the philosophy that classroom respect and order are essential for academic progress, that scholars benefit from the explicit teaching of acceptable behavior, and that immediate, clear, and appropriate consequences for minor infractions make it more likely that major infractions will not take place. In administering discipline to students, ECS will comply with federal and state law and will ensure that each scholar’s due process rights are satisfied.

## **ARTICLE II GUIDING PRINCIPLES**

The code of conduct for students attending Emerald Academy is based upon six beliefs or guiding principles. These are safety, respect, self-discipline, prompt intervention, clear consequences, and uninterrupted learning.

First and foremost, Emerald Academy will be a safe place in which learning can occur. The code of conduct is designed to ensure that Emerald Academy is safe for every scholar and every staff member at all times. Second, respect for persons and property is a hallmark of effective character development and facilitates strong community. Third, by learning self-discipline and professional behavior, scholars learn skills useful beyond the walls of Emerald Academy. Scholars who behave well in school, speak well in public, and are helpful to others will develop strong self-advocacy skills that will serve them well throughout their lives. Fourth, this code is based upon the realization that seemingly small problem can quickly contribute to more serious problems. By promptly intervening when “little” problems arise, staff at Emerald Academy can make sure that big problems happen infrequently. Similarly, many disciplinary problems can be avoided or minimized by having clear, well-articulated consequences. The scholars at Emerald Academy will know exactly what behavior is expected and what consequences will result if the expectations are not met. Finally, the code of conduct is designed to remove distractions from the classroom so that scholars can commit one hundred percent of their attention to academic learning.

These guiding principles shall be included in the Student and Family Handbook distributed to parents or guardians at the beginning of the school year.

**ARTICLE III  
SCHOLAR CODE OF CONDUCT**

Grounded in the guiding principles listed in Article II above, the administration of Emerald Academy will develop a clear, fair, and strict code of conduct, which will govern the behavior of scholars. Pursuant to the requirements of state law, the code shall address at a minimum: student language, appropriate clothing, respect for school employees, fighting, threats, student conduct on school property and school buses, weapons on school property, damage to persons or property, possession of and abuses of illegal drugs or alcohol. Upon completion, this code shall be included in the Student and Family Handbook.

**ARTICLE IV  
FAMILY, SCHOLAR, AND SCHOOL COMMITMENT AGREEMENT**

Emerald Charter Schools believes that the most effective way to ensure the highest quality education for every child is through a three-way partnership of the scholar, the scholar's family, and the school. To achieve this goal, the administration of Emerald Academy shall develop a written agreement, known as "The Family, Scholar and School Commitment," which shall be the guiding agreement between these three parties. The Family, Scholar and School Commitment signifies an agreement to abide by the code of conduct, solidifies the three-way partnership, and reaffirms the principle that the highest expectations that must govern all actions for our scholars. This document will be signed by all three parties prior to a scholar's attendance at Emerald Academy.

**ARTICLE V  
STUDENT DISCIPLINE**

Consistent with the philosophy that order in the classroom and respect for others is essential for academic progress, teachers and administrators at Emerald Academy shall use disciplinary measures to maintain an appropriate learning environment. The school director shall have ultimate authority for the discipline of students attending Emerald Academy. In carrying out his responsibilities, the school director shall have all power and authority granted by state and federal law. It shall be the responsibility of the school director to ensure that school personnel comply with due process in administering discipline to scholars.

Teachers and administrators at Emerald Academy shall administer discipline to scholars as appropriate for the situation involved. Minor infractions shall normally be resolved by the teacher, and no formal process shall be required. More serious disciplinary measures, including in-school and out-of-school suspension and expulsions, shall be used for more serious offenses, for accumulating or reoccurring offenses, and for willful and persistent violations of school rules. Before employees of Emerald Academy administer significant disciplinary measures, reasonable inquiry shall be made to determine what occurred. The nature of this inquiry will vary depending upon the seriousness of the offense and the possible disciplinary consequences.

Because disagreements, fights, and other disruptions occasionally occur, it may become necessary for administrators, staff, and employees to separate students and to relocate students to other areas of the classroom or school. Pursuant to state law, the school directors and all teachers, employees, and bus drivers may use reasonable force in compliance with T.C.A. § 49-6-4003(b).

In certain situations, it may be necessary for a teacher or the school director to question scholars about matters pertaining to the operation of Emerald Academy or the violation of a school rule. Any student answering falsely, evasively or refusing to answer may be subject to disciplinary action, including suspension. If a student is suspected or accused of any offense committed in a school during school hours or on school property at any time, the school director may question the student, without the presence of parents or guardians and without giving the student constitutional warnings. If a student is suspected or accused of a crime or if interrogation of a particular student is instigated by a law enforcement agency, a parent shall be notified if reasonably possible.

### **Scholars with Special Needs**

In those cases where discipline is necessary of scholars with special needs, the administration and staff of Emerald Academy will make any and all necessary adjustments to comply with federal and state law. In particular, discipline for these scholars will be managed in accordance with scholar's Individualized Education Plan (IEP) or Section 504 Plan. A scholar with disabilities will be subject to recommendation for expulsion as a habitually disruptive student only if the appropriate special education team has determined that the disruptive behavior is not a manifestation of the scholar's disability.

### **Lockers, Storage Areas & Vehicles**

All lockers or other storage areas provided for student use on school premises remain the property of Emerald Charter Schools and are provided for the use of students subject to inspection, access for maintenance, and search. Pursuant to the requirements of state law, notice shall be posted that lockers and other storage areas are school property and are subject to search.

The school director or his designee may search a student, a place on school property, or a thing on school property or in the actual or constructive possession of any student during any organized school activity off campus, including buses, if he or she has reasonable suspicion, as defined by law. In addition, the school director or his designee may search any vehicle parked or otherwise located on school property if there is reasonable suspicion to believe that the vehicle contains a dangerous weapon or drug or contains evidence of a violation of school rules which endangers or has endangered the health or safety of any scholar or member of the staff. Pursuant to the requirements of state law, notice shall be posted that vehicles on school property are subject to search.

### **Suspensions**

Serious offenses or accumulating, reoccurring offenses may result in a suspension from school. The school director or his designee, may suspend a scholar for a reasonable number of days in accordance with the seriousness of the offense or the recurrence of the offense or offenses. The school director shall conduct such investigation as he/she deems appropriate, including the interview of witnesses, the review of documents and photographic images, and the interview of the scholar. The school director is authorized to engage such other persons as necessary to collect information and interview witnesses. Except in the case of an emergency, the scholar shall be advised of the nature of his misconduct, questioned about it, and allowed to give an explanation before a suspension is imposed.

At the completion of the investigation, the school director shall render a decision. In accordance with T.C.A. § 49-6-3401(c)(4)(A), the school director may suspend a student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable. Suspensions may range from one day up to less than one year.

Upon suspension of any scholar (out-of-school suspension or in-school suspension in excess of one day), the school director or his designee shall make an immediate attempt to contact the parent/guardian of the scholar to inform him or her of the suspension. The scholar shall not be sent home before the end of the school day unless the parent/guardian has been contacted and has made arrangements to pick up the scholar.

Within 24 hours of the suspension, the school director will notify the parent/guardian and the President of the ECS of the cause for the suspension, the right of an appeal, if any, and the conditions for readmission, which may include, at the request of either party, a meeting of the parent/guardian, the scholar, and the school director. Before the scholar returns to Emerald Academy, the scholar, the parent/guardian, and the school director or his/her designee will meet in order to address the scholar's behavior and a plan for improvement.

Suspensions are considered absences. If scholars are absent from school due to suspension, these days will be treated the same as absences.

### **Expulsions and “Zero Tolerance” Offenses**

Very serious offenses, reoccurring offenses, and willful and persistent violations of the rules of Emerald Academy may result in an expulsion from school. In addition, pursuant to state law, students who engage in “zero tolerance” offenses and certain other offenses shall be expelled from Emerald Academy for at least one year. “Zero tolerance” offenses are 1) possession of illegal drugs on school property or on a school bus, 2) possession of a firearm on school property or on a school bus, or 3) committing a physical assault on a teacher or other school employee.

In those cases where the school director has information leading him or her to believe that a student has committed an offense for which expulsion is required or permitted, the school director shall conduct such investigation as he or she deems appropriate, including the interview of witnesses, the review of documents and photographic images, and the interview of the scholar. The school director is authorized to engage such other persons as necessary to collect information and interview witnesses. Except in the case of an emergency, the scholar shall be advised of the nature of his misconduct, questioned about it, and allowed to give an explanation before the scholar is expelled.

At the completion of his investigation, the school director shall determine whether or not to expel the scholar. If the school director determines that the violation warrants a punishment less severe than expulsion but justifying a suspension for more than ten (10) days, the school director may suspend the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.

Upon expulsion of any scholar, the school director or his designee shall make an immediate attempt to contact the parent/guardian of the scholar to inform him or her of the expulsion. The scholar shall not be sent home before the end of the school day unless the parent/guardian has been contacted and has made arrangements to pick up the scholar. Within 24 hours of the expulsion, the school director will notify the parent/guardian and the President of the ECS of the cause for the expulsion.

### **Appeals**

Appeals of any suspension of ten (10) days or less can be appealed in writing to the President of Emerald Charter Schools. This appeal can only be examined for procedural correctness and compliance with procedural due process. Written notice shall be given at the office of Emerald Charter School, 220 Carrick Street, Knoxville, Tennessee. Absent a timely request for an appeal, the decision of the school director will be final. The President shall review the appeal and make a decision. Notice of the decision shall be provided to the parent/guardian of the scholar within three (3) days of the decision.

Pursuant to state law, the parent or guardian of a scholar may appeal an expulsion or a suspension of more than ten (10) days. In the notice of the suspension or expulsion, the school director or his designee shall notify the parent/ guardian of the basis for the disciplinary action and the right to appeal the decision to expel or suspend for more than ten (10) days. All appeals shall be filed, in writing, within five (5) days after the receipt of such notice. Written notice shall be given at the office of Emerald Charter School, 220 Carrick Street, Knoxville, Tennessee. Absent a timely request for an appeal, the decision of the school director will be final.

The hearing on the appeal of the long-term suspension or expulsion shall be conducted within ten (10) days after the beginning of the suspension or expulsion. The appeal shall be heard by a disciplinary hearing authority appointed by the Board of Directors of Emerald Charter Schools. The hearing authority shall conduct the hearing pursuant to the requirements of state law (T.C.A. § 49-6-3401). Notice of the time, date, and place of the hearing shall be given to the parents or guardians of the scholar, the scholar, and the school director. Pursuant to the requirements of T.C.A. § 49-6-3401(c)(6), a written record of the proceedings shall be made by the hearing authority.

After the hearing, the hearing authority shall affirm the decision of the school director, order removal of the suspension or expulsion unconditionally, or take such other actions as are permitted by T.C.A. § 49-6-3401(c)(5). Within five (5) days of the decision, a party dissatisfied with the decision may appeal to the Board of Directors of Emerald Charter Schools. The Board shall review the written record of proceedings and take such actions as are permitted by T.C.A. § 49-6-3401(c)(6).

**Notification to Knox County Schools**

The School Director shall promptly notify the liaison for Knox County Schools (“KCS”) of any student who is expelled from Emerald Academy or suspended for more than ten (10) days. The administration of ECS shall provide Knox County Schools with any information requested regarding the basis for the expulsion or suspension of the student. Pursuant to the charter school contract between ECS and the Knox County Board of Education, the student shall be given access to KCS’s alternative school programs in the same manner as KCS provides to any student within Knox County.

**ARTICLE VI  
COOPERATION WITH PUBLIC OFFICIALS**

The administration and staff of Emerald Academy, and all persons working for ECS pursuant to a contract, will fully cooperate with local, state, and federal officials, including the Knox County Sheriff’s Department and the Knox County Police Department (collectively “law enforcement”). The school director or his/her designee may request the assistance of law enforcement to the extent permitted by state or federal law. If the school director determines that the health or safety of scholars, staff, or the general public is involved, the school director may request law enforcement to make a general search of students’ lockers, desks, and other property for dangerous or illegal items.

If the school director has reason to suspect that a student or other person has possession on school property of firearms or weapons of any kind, as defined in T.C.A § 39-17-1309, the school director shall immediately notify law enforcement. The school director is authorized and directed to take all actions as necessary to protect the health and safety of students, staff, and the public while law enforcement investigates the situation.

If the school director has requested assistance by law enforcement to investigate a crime involving Emerald Academy, the police shall have permission to interrogate a student suspect in school during school hours. The school director shall first attempt to notify the parent or guardian of the student of the intended interrogation, but the interrogation may proceed if the parent is unavailable or unwilling to attend. The school director or his designee may be present during the interrogation.

*This amendment is to take effect on June 1, 2020.*

*Adopted by the Board of Directors on the 28<sup>th</sup> day of May, 2020.*

**Emerald Charter Schools**

By:  \_\_\_\_\_  
Its: President

## **EMERALD CHARTER SCHOOLS STUDENT RECORDS POLICY**

*This policy relating to the maintenance, availability, and disclosure of student records ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Student Records Policy of Emerald Charter Schools" and should be read and interpreted in accordance with federal and state law.*

### **ARTICLE I PURPOSE AND OBJECTIVE**

The purpose of this policy is to identify the process for the maintenance of the records of scholars at Emerald Academy and to implement the provisions of federal and state law with respect to the rights of parents and guardians with respect to these records. In particular, Tennessee law and federal law, particularly the Family Educational Rights and Privacy Act ("FERPA"), afford parents and guardians the right to review educational records of their children and prevent public schools from disclosing educational records, except as permitted in the applicable statutes.

### **ARTICLE II MAINTENANCE OF STUDENT RECORDS**

A cumulative record shall be kept for each student enrolled at Emerald Academy. The folder shall contain, at a minimum: a health record, an attendance record, and a scholarship record. These records shall be kept current and shall accompany the student through his school career. The name used on the record of the student entering the school system must be the same as that shown on the birth certificate, unless evidence is presented that such name has been legally changed. If the parent does not have or cannot obtain a birth certificate, then the name used on the records of such student shall be as shown on documents which are acceptable to the School Director as proof of date of birth.

The name used on the records of a student entering the system from another school must be the same as that shown on records from the school previously attended, unless evidence is presented that such name has been legally changed as prescribed by law. When a student transfers and his records are requested from another school in the Knox County School system, the administration of Emerald Academy shall obtain the original records from the transferring school. Problems in obtaining student records shall be taken to the liaison for Knox County Schools.

When a student transfers from Emerald Academy and his records are requested from a school outside of the Knox County System, the school shall keep the original records and send copies to the transfer school, except the original green Tennessee immunization certificate. A copy of the green certificate should be kept at Emerald Academy. The principal may withhold such copies until the student pays all outstanding debts to the school.

In that Emerald Academy is a public charter school operating under the supervision of the Knox County Board of Education (“KCBE”), cumulative records kept on each student are property of the Knox County School system.

Except as stated herein or as authorized by law, student records shall be kept confidential.

### **ARTICLE III RIGHTS OF PARENTS OR GUARDIANS**

It is the policy of Emerald Charter Schools to permit the disclosure of educational records of scholars attending Emerald Academy to parents and guardians of those scholars. It is also the policy of ECS to protect the privacy of scholars and their families by preventing the disclosure of educational records and Personally Identifiable Information. Except with the written consent of parents or guardians, such information will only be released or disclosed to persons other than parents or guardians as permitted by federal or state law. Directory Information will only be disclosed as permitted by law, as expressly determined by the Board of Directors of Emerald Charter Schools (the “Board”), and after providing notice to parents and guardians of their right to deny consent to such disclosure.

For purposes of this Policy, the following definitions apply.

“Educational Records” means records, files, documents and other materials which contain information directly related to a student and which are maintained by ECS or a person acting on behalf of ECS. Examples of educational records are: state and national assessment results, including information on untested public school students; course taking and completion, credits earned and other transcript information; course grades and grade point average; date of birth, grade level and expected graduation date or graduation cohort; degree, diploma, credential attainment and other school exit information such as receipt of the GED® and drop-out data; attendance and mobility; data required to calculate the federal four-year adjusted cohort graduation rate, including sufficient exit and drop-out information; discipline reports limited to objective information sufficient to produce the federal Title IV annual incident report; remediation; special education data; demographic data and program participation information;

“Personally Identifiable Information” (PII) includes, but is not limited to:

- A. Student name;
- B. Name of student’s parent or other family member;
- C. Address of student or student’s family;
- D. A personal identifier, such as student’s social security number, student number, or biometric record;
- E. Other indirect identifiers, such as student’s date of birth, place of birth, and mother’s maiden name;

F. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

G. Information requested by a person who the LEA reasonably believes knows the identity of the student to whom the education record relates.

“Directory Information” is information from a student’s educational records to be used in certain school publications, such as a yearbook, an honor roll, or a sports activity sheet. Directory Information may also be released to outside organizations. In general, Directory Information is not considered an invasion of privacy. The term directory information relating to a student includes, but is not limited to:

- A. Name;
- B. Physical and electronic mail address;
- C. Telephone listing;
- D. Date and place of birth;
- E. Major field of study;
- F. Participation in officially recognized activities and sports;
- G. Weight and height of members of athletic teams;
- H. Dates of attendance;
- I. Degrees and awards received; and
- J. The most recent previous LEA or institution attended by the student.

#### **ARTICLE IV RESPONSIBILITIES OF EMERALD CHARTER SCHOOL**

Emerald Charter Schools shall be responsible for the following:

1. Annually notify parents and guardians of their rights to request student education information;
2. Annually notify parents and guardians of the definition of Personally Identifiable Information;
3. Determine what information shall be Directory Information and annually notify parents and guardians of this determination;
4. Adopt procedures to ensure security when providing student records to parents or guardians;
5. Adopt procedures to ensure student records and data are provided only to authorized individuals; and

6. Give parents or guardians an opportunity to inspect and review the records and data of their children and provide such records and data within forty-five (45) calendar days of a request.

7. Prevent disclosure and release of educational records and personally identifiable information, except as permitted by federal or state law.

8. Provide notice to parents or guardians of their right to deny consent for the disclosure of Directory Information.

Pursuant to Tennessee law, Emerald Charter Schools shall not collect individual student data on a student's:

1. Political affiliation;
2. Religion;
3. Voting history;
4. Firearms ownership; or
5. Biometrics, analysis of facial expression, EEG brain wave patterns, skin conductance, galvanic skin response, heart rate variability, pulse, blood volume, posture, and eye tracking ( without written consent of the parent).

## **ARTICLE V ANNUAL NOTICE OF PARENTAL RIGHTS**

The following notice of parental rights concerning education records shall be sent to all parents or guardians at the beginning of the school year:

1. The right to inspect and review the student's education records within forty-five (45) calendar days after the day Emerald Charter Schools receives a request for access.

2. The right to request amendment of the student's education records that the parent believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA and Tennessee law. Parents who seek to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the principal determines not to amend the record as requested, the administration will notify the parent of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent when notified of the right to a hearing.

3. The right to provide written consent before the Emerald Charter Schools discloses PII from the student's education records, except to the extent that FERPA and Tennessee law authorize disclosure without consent. One exception, which permits disclosure without consent, is disclosure to officials and employees of Emerald Charter Schools and the Knox County Board of Education ("KCBE") with legitimate educational interests. These are persons employed by

Emerald Charter Schools or KCBE as an administrator, supervisor, instructor, or support staff member. This also includes a contractor who performs an institutional service or function for which Emerald Charter Schools or KCBE would otherwise use its own employees and who is under the direct control of the Emerald Charter Schools or KCBE with respect to the use and maintenance of PII from education records, such as: an attorney, auditor, medical consultant, or therapist; or other contractor or volunteer assisting another KCBE official in performing his or her tasks. These individuals have a legitimate educational interest if the person needs to review an education record in order to fulfill his or her professional responsibility. Upon request, Emerald Charter School may disclose educational records without consent to officials of another public school district in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Emerald Charter Schools to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202  
<http://familypolicy.ed.gov/>

## **ARTICLE VI INSPECTION PROCEDURE**

Parent and guardians of students may inspect and review the student's education records upon written request. The written request must specify the record(s) he/she wishes to inspect as precisely as possible in order to avoid any confusion as to the record(s) requested. The administration of Emerald Academy shall, within 5 days of the written request, inform the parent or eligible student of the time and place where the records may be inspected. Unless the parent or eligible student agrees to a longer time frame in writing, the custodian of records shall arrange the time and place so that it is within 45 calendar days of the receipt of the written request. In the event that a child's educational record contains information about another child, that portion of the record may not be reviewed and inspected by the parent or guardian.. The administration may delete or redact this information.

The fee for copies of records shall be set by the Director of Schools and shall be consistent with the fee charged for copies made pursuant to the Open Records Act. If the fee represents an unusual hardship, it may be modified by the custodian of the records. Emerald Charter Schools has no obligation to make copies of records if the parent has an unpaid financial obligation to ECS.

## **ARTICLE VII DISCLOSURE OF EDUCATION RECORDS**

Federal and state law permit the disclosure of educational records and PII, without consent of the parent, if the disclosure meets certain conditions stated in FERPA and its implementing regulations

or in the Tennessee Code. Except for specified disclosures, FERPA regulations require Emerald Charter Schools to record the disclosure. Parents and students have a right to inspect and review the record of these disclosures.

Emerald Charter Schools shall disclose information regarding the student's educational record only with the written consent of the parent or eligible student, except when the disclosure is:

1. To school employees and officials deemed by the Emerald Charter School administration as having a legitimate interest in the record, thereby creating a need to know. For the purpose of this policy, this may include:

- a. A person employed by ECS or the Knox County School System as an administrator, supervisor, instructor, or support staff personnel inclusive of but not limited to health or medical staff;
- b. A Board member of ECS;
- c. A person employed by ECS or Knox County Schools to perform certain specific duties such as but not limited to an attorney, auditor, consultant, therapist, security officer; and
- d. Persons who serve on committees that are appointed by the Board of ECS in an effort to assist them in completing their tasks.

A person has a legitimate educational interest if the person is:

- a. Performing a task that is included in the position description or by agreement with their supervisor;
- b. Performing a task related to the student's education;
- c. Performing a task related to the discipline of a student;
- d. Performing a service or benefit relating to the child or child's family included but not limited to health care, counseling, job placement or any other related services to the child's education; or
- e. Performing services that maintain the safety and security of the child or campus.

2. To officials of another school, upon request, in which the student seeks or intends to enroll. Records may be forwarded to a requesting school district unless the parent has specifically requested in writing that the records not be sent; however, the school system reserves the right to send educational records to requesting school districts, without a request from a parent or guardian. In such case, the school system will notify the parent or eligible student that records have been sent.

3. To comply with a judicial order or lawfully issued subpoena, provided that the administration of Emerald Academy makes a reasonable effort to notify the parents of the judicial order or subpoena in advance of compliance so the parents may take protective action.

4. To federal or state officials that need information in order to audit or enforce legal conditions related to federally supported education programs in the Knox County School system;

5. To entities that have entered into a written agreement with Emerald Charter Schools or the Knox County School system to conduct research and/or joint projects;

6. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State Department of Education. Disclosures under this provision may be made, subject to the requirements of the Code of Federal Regulations (CFR), in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit or evaluation.

7. In connection with financial aid for which the student has applied or for which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.

8. To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to the requirements of the Code of Federal Regulations.

9. To accrediting organizations to carry out their accrediting functions.

10. To parents of a student if the student is a dependent for IRS tax purposes.

11. To appropriate officials in connection with a health or safety emergency, subject to the requirements of the Code of Federal Regulations.

12. To requests for directory information, to the extent the Board of ECS has defined and approved such information.

### **ARTICLE VIII CORRECTION OF EDUCATION RECORDS**

Parents have the right to request that records be corrected that they believe are in error, misleading or in violation of their privacy rights. The following are the procedures for requesting that a record be modified.

1. The parent(s) must make a written request to the school principal to amend the record. The request must identify specifically the part of the record that they want changed and they must specify why they believe it is inaccurate, misleading or a violation of the student's rights.

2. In the event that the principal determines not to amend the record, the parent(s) shall be notified of the decision and advised of their right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's privacy rights. The hearing shall address only those issues specifically listed in the original request for amendment.

3. Upon written request to the Director of Schools for a hearing, the parent shall be informed of the date, time and place for a hearing. This notice shall be within a reasonable time of the written request to the Director of Schools.

4. The hearing shall be conducted by the designee of the President, and the parents shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request letter to amend the record. The parent(s) may be assisted by representation including legal counsel if they choose.

5. The person in charge of the hearing shall make a determination solely on the basis of information presented at the hearing and shall issue a decision that includes a summary of evidence and the basis for the decision. The hearing shall take place only on the specific issues raised in the original written request to amend the education record. Other issues will not be addressed by the hearing officer.

6. If the hearing officer determines that the record is inaccurate, misleading or in violation of the student's privacy rights, the record shall be promptly amended, and the parent shall receive notice that the record has been amended.

7. If the hearing officer determines that the challenged information is not inaccurate, misleading or in violation of the student's rights, then ECS will not modify the record. The parent(s) may attach to the record a statement commenting on the challenged material and/or a statement setting forth their reasons for disagreeing with the decision. The statement shall remain as a portion of the child's record as long as the challenged portion of the record is maintained by the Knox County School system.

#### **ARTICLE IX DETERMINATION OF DIRECTORY INFORMATION**

In that FERPA permits but does not require a public school to disclose students' names and other types of information about students in school-related materials and to third parties (termed "Directory Information"), the Board of Directors of Emerald Charter Schools will determine on at least an annual basis what information shall be "Directory Information."

For the academic year 2015-2016, Directory Information shall only consist of a student's name and grade.

*Adopted by the Board of Directors, this 23<sup>rd</sup> day of June, 2015.*

**Emerald Charter Schools**

By: \_\_\_\_\_

Its: President

**EMERALD CHARTER SCHOOLS  
POLICY REGARDING USE OF SCHOLAR IMAGES**

*This policy ("Policy") regarding the use of scholar images is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Policy of Emerald Charter Schools Regarding Use of Scholar Images."*

**ARTICLE I  
PURPOSE AND OBJECTIVE**

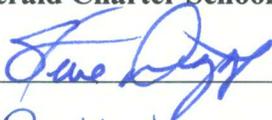
The administration and Board of Emerald Charter Schools believe that the use of the images of scholars in promotional and other materials will be beneficial not only to Emerald Academy but also to the scholars themselves. However, Emerald Charter Schools ("ECS") will not use such images without the written consent of the parents or guardians of the scholar. The purpose and objective of this Policy is to ensure that photographic images of students attending Emerald Academy be used only with the permission of parents or guardians.

**ARTICLE II  
REQUIREMENTS FOR USE**

Upon enrollment of a student at Emerald Academy, each parent/guardian will be asked to sign a Release to Publish permission form in order to give ECS and its agents and employees the full, unrestricted right to publish, distribute electronically, and use any photographs, motion pictures, or other images of his/her child in editorial content, art, advertising, trade journals, or any other lawful purpose. The form shall inform the parent/guardian that their child's likeness may be used in advertising and promotional material. The form shall also inform the parent/guardian: 1) that the parent/guardian will release and hold harmless ECS, its employees and agents from any liability or claims of damage whatsoever in connection with said use of the student's image and 2) that the parent/guardian waives any right to inspect and approve final use of the photographs or other images. Unless a parent/guardian signs a permission form, his or her child shall not be used in materials published by ECS or its agents or employees.

*Adopted by the Board of Directors, this 23<sup>rd</sup> day of June, 2015.*

**Emerald Charter Schools**

By: 

Its: President

## **EMERALD CHARTER SCHOOLS WHISTLEBLOWER POLICY**

*This whistleblower policy ("Policy") is hereby adopted by Emerald Charter Schools. The Policy shall be known as the "Whistleblower Policy of Emerald Charter Schools" and should be read and interpreted in accordance with state and federal law.*

### **ARTICLE I PURPOSE AND OBJECTIVE**

It is the purpose and objective of this Policy to protect the financial assets of Emerald Charter Schools and to encourage compliance with federal, state, and local laws by encouraging employees to disclose illegal and improper actions that they become aware of while employed at Emerald Academy.

### **ARTICLE II NOTIFICATION PROCESS**

It is important that ECS be apprised about unlawful or improper behavior including but not limited to: 1) theft, fraud, or any other improper action involving cash, financial procedures, or financial reporting, 2) abuse or misuse of ECS's resources or assets, 3) improper or undocumented financial transactions, 4) unlawful discrimination against employees, 5) unlawful harassment of employees, and 6) any behavior that violates federal, state, or local laws, including laws relating to special education of students.

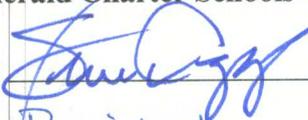
An employee who has a reasonable suspicion that one of these violations has occurred should report the matter as follows. Reports shall be made to the School Director for all types of possible violations except those involving discrimination. Complaints of discrimination shall be reported directly to the President of ECS.

If for any reason the employee does not believe that reporting a violation to the School Director is adequate, the concern may be reported to the President. Anonymous reports to the School Director or President will be accepted. The employee should raise the concern in writing and place it in an envelope marked: "TO BE OPENED BY ADDRESSEE ONLY. PERSONAL AND CONFIDENTIAL." Upon receipt of a concern, ECS will investigate the allegation and take appropriate action based upon the facts and circumstances. At all times, ECS will comply with Tennessee law (T.C.A. § 50-1-304), with regard to the protection from termination for employees who refuse to participate in illegal activities or remain silent about illegal activities.

ECS values honest input from its employees, and employees should feel free to raise legitimate issues of concern, in good faith, without fear of retaliation. At the same time, ECS expects all employees to use this policy in a judicious manner. Reports that are not made in good faith, and reports that are intended to harass another employee, may result in disciplinary action.

Adopted by the Board of Directors, this 20<sup>th</sup> day of July, 2015.

**Emerald Charter Schools**

By:  \_\_\_\_\_

Its: President \_\_\_\_\_