

21<sup>ST</sup> CENTURY CYBER CHARTER SCHOOL  
Board of Trustees Meeting  
21CCCS  
805 Springdale Drive  
Exton, PA 19341

September 28, 2010  
Minutes

**CALL TO ORDER – ROLL CALL**

The meeting of the 21<sup>st</sup> Century Cyber Charter School was held at the 21CCCS, 805 Springdale Drive, Exton, PA 19341. Thomas Newcome called the meeting to order at 1:30pm.

Board Member in attendance were:

Barry Galasso	Bucks County IU
Francis Barnes	Palisades SD
Mark Klein	Council Rock SD
Joseph O'Brien, VICE CHAIRPERSON	Chester County IU
Thomas Newcome, CHAIRPERSON	Octorara Area SD
Raymond Fischer	Oxford Area SD
Lawrence O'Shea	Delaware County IU
Clifford Rogers	Perkiomen Valley SD
George Steinhoff	Penn-Delco SD
Merle Horowitz	Marple Newtown SD
Kathryn Emmel	Parent Representative

Also in attendance were:

Jon Marsh	Non-Member, Director/CEO
Alan Slobojan	Non-Member, CCIU Supervisor
Lindi Steczak	Non-Member, Board Secretary
Sandra McCabe	Non-Member, Board Treasurer
Judy Setar	Non-Member, Staff Accountant
Kevin McKenna	Non-Member, Solicitor

**PLEDGE OF ALLEGIANCE**

**RATIFICATION OF BOARD MEMBERS**

Francis Barnes moved to approve the ratification of the following Board Members:

Ratifications

Merle Horowitz – Marple Newtown SD – Effective September 28, 2010

Clifford Rogers – Perkiomen Valley SD – Effective September 28, 2010

Lawrence O’Shea seconded the motion, which was approved. Voting: Aye-8, Nay-0, Absent-3  
George Steinhoff was not present at the time of the vote. Merle Horowitz and Clifford Rogers were voting members at the time of the vote.

**APPROVAL OF THE MINUTES – MAY 25, 2010 BOARD MEETING**

Francis Barnes moved to approve the minutes of the May 25, 2010 Board Meeting. Merle Horowitz seconded the motion, which was approved. Voting: Aye-10, Nay-0, Absent-3  
George Steinhoff was not present at the time of the vote.

**PRESENTATIONS AND REPORTS**

Jon Marsh, Director/CEO, highlighted the following items from the reports. (The reports are on file at the 21CCCS)

- PSSA Results
- PDE Visit (PASCCR)
- Annual Report

**CONSENT AGENDA**

Joseph O’Brien moved to approve the following consent agenda items:

- |            |                                          |
|------------|------------------------------------------|
| Finance, D | Treasurer’s Report as of August 31, 2010 |
| Finance, E | July & August 2010 Expenditure Report    |
| Finance, F | 2009-10 Unaudited Treasurer’s Report     |
| Finance, G | May & June 2010 Expenditure Report       |

Merle Horowitz seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**21st Century Cyber Charter School  
Treasurer's Report as of August 31, 2010  
(Unaudited Results)**

Unaudited Fund Balance at June 30, 2010 \$2,445,541

	<u>2010-11 Original Budget</u>	<u>August 2010 YTD Results</u>
Revenue:		
Revenue from Other LEAs	\$ 7,129,310	\$ 306
Revenue - IDEA/ARRA	48,412	
Summer School Tuition	75,000	55,958
Revenue - Health Services	9,240	
Miscellaneous Revenue	20,853	1,471
State Share Social Security	117,896	15,070
State Share Retirement	130,680	3,140
Accounts Receivable Outstanding	-	
<b>YTD 2009-10 Revenue</b>	<b>\$ 7,531,391</b>	<b>\$ 75,945</b>
 <b>Total Funds Available</b>		 <u><b>\$2,521,486</b></u>
Expenditures:		
100 Salaries	\$ 3,110,832	\$ 117,775
200 Employee Benefits	1,415,168	112,041
300 Purchased Professional Services		
322 Professional Educational Services - IUs	69,375	17,500
324 Employee Training and Conferences	6,000	-
329 Professional Services Consultants	113,611	-
330 Other Professional Services	111,050	755
340 Technical Services	40,000	13,831
350 Safety and Security Services	3,990	295
390 Professional Contract Services	243,074	60
391 Professional and Staff Development	750	-
400 Purchased Property Services		
410 Janitorial Services	21,000	2,594
430 Repairs & Maintenance	81,980	9,932
440 Rentals	51,200	3,856
441 Rental - Land and Building	132,000	20,000
460 Exterminating Services	2,220	302
500 Other Purchased Services		
513 Contracted Carriers	7,000	-
523 Insurance	26,250	8,961
530 Postage	97,189	31,113
531 Telephone	40,500	4,752
538 ISP	226,000	1,029
540 Advertising	125,000	9,243
550 Printing and Binding	12,000	1,046
560 Tuition	8,000	604
580 Travel	18,999	(104)
600 Supplies		
610 Supplies	102,699	17,602
618 Administrative Software	13,260	9,028
620 Energy	25,000	1,769
640 Books & Periodicals	110,001	8,607
648 Educational Software & Licenses	244,200	17,707
700 Equipment		
750 Equipment	-	-
757 Computers	663,800	362,372
800 Other Objects		
810 Dues and Fees	6,664	3,083
840 Contingency	80,000	-
890 Miscellaneous Expenses	18,602	390
CCIU - Admin Fee	289,097	31,046
<b>YTD 2009-10 Expenditures</b>	<b>\$ 7,516,511</b>	<b>\$ 807,189</b>
 <b>Net Revenue/(Expenditures)</b>	 <u><b>\$ 14,880</b></u>	 <u><b>\$ (731,244)</b></u>
 <b>Total Fund Balance 8/31/10</b>	 <u><b>\$ 2,460,421</b></u>	 <u><b>\$1,714,297</b></u>

**21st Century Cyber Charter School  
Treasurer's Report as of August 31, 2010  
(Unaudited Results)**

<b>Audited Fund Balance at June 30, 2009</b>	<b>\$1,410,727</b>
<b>Unaudited Excess Revenue over Expenditures 7/01/09 - 6/30/10</b>	<b>\$1,034,814</b>
<b>Unaudited Fund Balance at June 30, 2010</b>	<b>\$2,445,541</b>
<b>Unaudited Excess Expenditures over Revenue 7/01/10 - 8/31/10</b>	<b>(\$731,244)</b>
<b>Unaudited Total Fund Balance at 8/31/2010</b>	<b>\$1,714,297</b>
<b><u>Designated Fund Balances:</u></b>	
New Initiatives Fund	\$250,000
Program Stabilization Fund (approved 1/22/07 for \$500,000)	\$500,000
Curriculum Development	\$70,000
Capital Equipment & Hardware	\$7,771
Spectrum Furniture purchase for staff expansion (Approved May 2010)	\$120,000
2010-11 Purchases to be made with ARRA funds	\$18,429
New Building Fund	\$750,000
Reserved for Prepaid Expenses	\$0
Reserved for Encumbrances	\$0
<b>Total Designated Fund Balances</b>	<b>\$1,716,200</b>
<b>Undesignated Fund Balance at 8/31/10</b>	<b>-\$1,903</b>
Results subject to change based on year-end audit.	
 <b><u>PSERS STABILIZATION Funds as of 8/31/10</u></b>	 <b>\$73,009</b>

**FINANCE**

**DESIGNATED FUND REPLENISHMENT**

Mark Klein moved to approve the transfer of funds from the undesignated fund balance to the designated fund balances at the amounts listed below as of June 30, 2010.

	<b>Proposed Transfer</b>	<b>Fund Total After Adjustment</b>
New Initiatives Fund	\$43,747	\$250,000
Curriculum Development Fund	\$44,000	\$70,000
New Building Fund	\$750,000	\$750,000

Barry Galasso seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**ARRA FUND DESIGNATION**

Francis Barnes moved to approve the following fund balance designation as well as the transfer of funds into the designated fund balance at the amount listed below.

	<b>Proposed Transfer</b>	<b>Fund Total After Adjustment</b>
ARRA Fund	\$18,429	\$18,429

Merle Horowitz seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**BRANDYWINE VIRTUAL ACADEMY (BVA) RATES**

Kathryn Emmel moved to approve the revision of fees for services purchased by the Brandywine Virtual Academy for the 2010-11 School Year, effective October 1, 2010.

<b>Service</b>	<b>Cost</b>	<b>Status</b>
Full-Credit (1.0) Class	\$504 + Shipping	Approved
Half-Credit (0.5) Class	\$281 + Shipping	Approved
Quarter-Credit (.25) Class	\$155 + Shipping	New
Full-Credit (1.0) Independent	\$277 + Shipping	New
Half-Credit (0.5) Independent	\$155 + Shipping	New
Quarter-Credit (.25) Independent	\$85 + Shipping	New
Full-Credit (1.0) Credit Recovery	\$266 + Shipping	Approved
Half-Credit (0.5) Credit Recovery	\$146 + Shipping	Approved
Full-Credit (1.0) Credit Recovery Independent	\$146 + Shipping	New
Half-Credit (0.5) Credit Recovery Independent	\$80 + Shipping	New
Monthly Rental of Computer Hardware	Computer Cost / 36 months * 25% + Shipping	Approved
Rental of Other Hardware	Hardware Cost /18 months * 25% + Shipping	Approved
Daily Consulting Rate	\$1,000 plus expenses	Approved
Administration of PSSA Testing	\$41	Approved
Shipping Cost	\$10 flat rate (UPS, FedEx, etc.) \$0 if CCIU currier is used	Approved

Mark

Klein seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**OLD BUSINESS**

**CODE OF ETHICS FOR TRUSTEES AND OFFICERS**

Francis Barnes moved to approve the Code of Ethics for Trustees and Officers. Merle Horowitz seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**CONFLICT OF INTEREST POLICY**

Barry Galasso moved to approve the Conflict of Interest Policy. Joseph O'Brien seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**WHISTLEBLOWER ACT POLICY**

Francis Barnes moved to approve the Whistleblower Act Policy. Lawrence O'Shea seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**NEW BUSINESS**

**CHARTER RENEWAL APPLICATION**

Joseph O'Brien moved to approve the Charter Renewal Application to be submitted to the Pennsylvania Department of Education for the renewal of the 21CCCS Charter (Effective July 1, 2011- June 30, 2016). Francis Barnes seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**2010-11 CHARTER SCHOOL GOALS**

Mark Klein moved to approve, the following goals for the 2010-11 school year:

GOAL #1 Meet the NCLB academic and participation standards for the 2010-11 school year.

GOAL #2 Continue Development of Board Policy Manual (Year 3)

GOAL #3 To establish separate bank account(s) for 21CCCS

GOAL #4 Complete the PDE requirements to gain a new five-year charter that begins July 1, 2011.

GOAL #5 – Create a separate format for all BVA courses.

GOAL #6 - Initiate the research and development of a mobile platform.  
(2 year)

Francis Barnes seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**BVA COURSE USE TO MEET 4-YEAR COHORT GRADUATION RATE**

Lawrence O'Shea moved to authorize the CEO to offer BVA summer school courses at a reduced fee, or no fee to students of 21CCCS to allow the opportunity to help meet the 4-Year Cohort Graduation Rate. Kathryn Emmel seconded the motion, which was approved. Voting: Aye-10, Nay-0, Absent-3 Francis Barnes was not present at the time of the vote.

**PERSONNEL**

APPROVAL OF PERSONNEL ACTIONS

Barry Galasso moved to approve the routine terminations/resignations/retirements, nominations, and changes in status of the 21<sup>st</sup> Century Cyber School staff as follows:

**Terminations/Resignations/Retirements**

Professional

Rosario Currie

Spanish Teacher

Effective: August 23, 2010

Reason: Resignation

Rose Marsh

Physical Education/Health Teacher

Effective: August 30, 2010

Reason: Resignation

**Nominations**

Professional

Kylene Ball

Dean of Students

Effective: August 17, 2010

Reason: New Position

Relationship: None

Erin Kline

English Teacher

Effective: August 17, 2010

Reason: New Position

Relationship: None

Stephanie Shantz

Math Teacher

Effective: August 17, 2010

Reason: New Position

Relationship: None

Melissa Brown

Science Teacher

Effective: August 17, 2010

Reason: New Position

Relationship: None

Mark Miller

Health/Physical Education Teacher

Effective: August 17, 2010

Reason: New Position

Relationship: None

Andrew Coonradt  
Social Studies Teacher  
Effective: August 17, 2010  
Reason: New Position  
Relationship: None

**Changes in Status**

Professional

Kathleen Groff  
English Teacher  
Status: Unpaid Leave  
Effective: August 23, 2010 – September 21, 2010  
Reason: Family Medical Leave

Merle Horowitz seconded the motion, which was approved. Voting: Aye-9, Nay-0, Absent-4  
Francis Barnes and George Steinhoff were not present at the time of the vote.

**HAY POINT ADJUSTMENTS**

Joseph O'Brien moved to approve the change in Hay Points and the associated salary adjustment for the following staff member retroactive to the beginning of the 2010-11 School Year to reflect the attainment of a Masters degree.

	<b>From</b>	<b>To</b>
Aaron Schnittman	342 pts (Bachelors w/Cert)	382 pts (Masters w/Cert)

Barry Galasso seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2

**BOARD MEMBER COMMENT**

**PUBLIC COMMENT**

**EXECUTIVE SESSION ANNOUNCEMENT**

THE NEXT MEETING IS SCHEDULED TO BE HELD ON NOVEMBER 23, 2010, AT THE PATTAN CENTER, 200 ANDERSON ROAD, KING OF PRUSSIA, PA 19406.

AN EXECUTIVE SESSION IS SCHEDULED TO BE HELD AT 12:30PM. TOPICS WILL INCLUDE PERSONNEL, LABOR RELATIONS, AND REAL ESTATE.

**ADJOURNMENT**

Mark Klein moved to adjourn the meeting at 2:23pm. Barry Galasso seconded the motion, which was approved. Voting: Aye-11, Nay-0, Absent-2





POLICY #:

SECTION:

TITLE: Code of Ethics for Trustees and  
Officers

ADOPTED:

REVISED:

## I. INTRODUCTION – GENERAL POLICIES AND GUIDELINES ON LEGAL AND ETHICAL STANDARDS

The maintenance of extremely high standards of honesty, integrity, impartiality, and conduct is essential to assure the retention of the students' and the public's trust in 21<sup>st</sup> Century Cyber Charter School ("21CCCS"). The preservation of that trust and of 21CCCS's reputation requires close observance of these standards on the part of its Trustees and Officers.

21CCCS requires that its Trustees, Officers and other representatives avoid possible misconduct and conflicts of interest through informed judgment and careful regard for the standards of conduct and responsibilities as set forth in this Code. In all situations, including those where there are no applicable legal principles or the law is unclear or in conflict, 21CCCS's Trustees and Officers are expected to conduct themselves in such a manner that can be supported by 21CCCS and to exercise reasonable judgment in the discharge of their responsibilities.

Compliance with the Code of Ethics will be the responsibility of every representative of 21CCCS including, but not limited to, Trustees and Officers.

## II. CONFIDENTIAL INFORMATION

The use of confidential information obtained through or as a consequence of employment with or acting as a Trustee or Officer for 21CCCS must be limited to the proper conduct of

21CCCS's operations. Neither 21CCCS nor any of its Trustees or Officers may use or permit others to use such confidential information for the purpose of furthering a private interest or as a means of making a profit.

## III. CONFLICT OF INTEREST

Policy – It is the policy of 21CCCS that all Trustees, Officers, and other representatives must avoid potential conflicts of interest. A potential conflict exists whenever a Trustee, Officer or other representative has an outside interest, direct or indirect, which conflicts with the individual's duty to 21CCCS or adversely affects the individual's judgment in the discharge of his or her duties with 21CCCS. The appearance of a conflict of interest may be just as damaging to

21CCCS's reputation as a real conflict.

21CCCS's name is not to be used as leverage by Trustees or Officers to enhance their own opportunities when dealing with others in their political, investment, or retail purchasing activities.

In the event that a potential conflict of interest does arise involving an Officer or Trustee, its nature and extent should be fully disclosed immediately to the Chairperson of the Board of 21CCCS (the "Chairperson") who, after making a thorough review of the circumstances, will report to the Executive Committee of 21CCCS's Board of Trustees (the "Executive Committee") who will determine appropriate action to be taken.

In the event a potential conflict of interest does arise involving a member of the Board of Trustees, its nature and extent should be fully disclosed immediately to the Chairperson and to the Executive Committee.

Transactions with Trustees and Officers – No contract or transaction between 21CCCS and a Trustee or Officer, or any organization in which the Trustee or Officer has a financial or beneficial interest or is serving as a trustee or officer shall be authorized unless it has been adopted and approved in accordance with The Public School Code of 1949, 24 P.S. § 1-101, et seq.

Employment – Trustees and Officers should carefully scrutinize outside employment to avoid potential conflicts of interest.

Participation in Public Affairs – It is the philosophy of 21CCCS to encourage a full awareness and interest in civic and community responsibility. The Trustees and Officers shall have the opportunity to support civil or community activities as they desire.

Corporate and Community Directorships, Public Offices, and Commissions – Trustees and Officers must be constantly aware when considering election or appointment to corporate or community boards, public offices, or commissions, that serving in such capacity will not place them in a position where a potential conflict of interest may exist.

Unless specifically approved by the Chairperson and/or the Executive Committee, a Trustee or Officer shall not serve on the board of Trustees or trustees of any entity which is direct competition with 21CCCS. Should a conflict develop, 21CCCS reserves the right to request the Trustee or Officer involved to divest himself or herself of one of the conflicting interests.

#### IV. IMPROPER USE OF CORPORATE POSITION OR PROPERTY

Gifts Received by Trustees and Officers – 21CCCS expects all Trustees and Officers to render efficient and courteous service to the students of 21CCCS at all times without expectation of reward. To avoid even the implication of any impropriety, it is important that any cash or gifts be declined or redirected to 21CCCS as a contribution.

Preferential Treatment – A Trustee or Officer shall not acquire or appropriate to his or her own personal use any 21CCCS property, service, or revenue opportunity on the basis of or under situations not available to members of the public.

Political Involvement – A Trustee or Officer shall not use 21CCCS funds for the purpose of making contributions or expenditures in connection with the support of any candidate for any election to any local, state, or federal office.

Improper Transactions and Payments – It is commonly recognized that there is a direct correlation between illegal or improper payments and inaccurate records. To guarantee the accuracy of

21CCCS's books and records, the following principles shall be observed:

1. All transactions or conduct of 21CCCS business shall be properly reflected in 21CCCS' books;
2. Unrecorded funds, money or other assets of 21CCCS shall not be established or maintained;
3. Any payment is prohibited if no record of its disbursement is entered in 21CCCS's accounting records; and
4. False and/or fictitious entries in the books or records of 21CCCS or issuing false or misleading documents shall be prohibited.

#### V. ADMINISTRATION OF THE CODE OF ETHICS

The Board of Trustees has adopted this Code of Ethics and delegated to the Chairperson and Executive Committee the responsibility for its administration throughout 21CCCS.

It is the responsibility of all Trustees, Officers and representatives of 21CCCS to be familiar with this Code of Ethics and to abide by the letter and spirit of its provisions at all times.

#### VI. STATEMENT OF FINANCIAL INTEREST

The Public Office and Employee Ethics Act requires appointed members of boards and commissions to file annual statements of their personal financial interests. This filing requirement applies to the members of a charter school board of directors/trustees. Board members serving on the Board are required to file annually by May 1; a copy of these must be kept on file at the charter school. Board members appointed to the board between January 1 and May 1 must file their report no later than May 1 of the year in which they were appointed. Board members appointed after May 1 must file their report by May 1 of the following year. Only one Statement of Financial Interest is required for each year.

A penalty may be assessed for failure to file. Failure to file is considered a misdemeanor with a possible fine up to \$1,000 or imprisonment for not more than one year and/or both.

#### References

The Public School Code of 1949, 24 P.S. § 1-101, et seq.



POLICY #:

SECTION:

TITLE: Board Conflict of Interest Policy

ADOPTED:

REVISED:

## 1. Purpose

- 1.1 Board of Trustees ("Board") members, Officers and employees of 21st Century Cyber Charter School ("21CCCS") has a duty of loyalty to 21CCCS and to the public whose interest they are sworn to serve. The purpose of this Conflict of Interest Policy, which provides guidance and a general standard of conduct with respect to actual or apparent conflicts, is in keeping with the Pennsylvania Public Official and Employee Ethics Law and the State Legislature's declaration that the people have the right to be assured that the financial interests of public officials and employees conflict with the public trust, and the principle which prohibits public officials and employees from entering into situations where private interests may conflict with official duties.
- 1.2 The appearance of conflict of interest undermines the public confidence in the integrity of 21CCCS, its Board Members and employees, and should be scrupulously avoided.
- 1.3 21CCCS requires that its Trustees, Officers, administrative staff and other representatives avoid possible misconduct and conflicts of interest through informed judgment and careful regard for the standards of conduct and responsibilities as set forth in this Policy. In all situations, including those where there are no applicable legal principles or the law is unclear or in conflict, 21CCCS' Trustees, Officers and employees are expected to conduct themselves in such a manner that can be supported by 21CCCS and to exercise reasonable judgment in the discharge of their responsibilities.

## 2. Standards of Conduct - No Board Member or employee shall:

- 2.1 Engage in conduct that constitutes a conflict of interest, which shall be defined as use by a Board Member or employee of authority of his office or employment of any confidential information received through his position for the private pecuniary benefit of himself, a member of his immediate family, or a business with which the Board Member or employee or a member of his immediate family is associated. "Immediate family" is defined to mean a parent, spouse, child, brother or sister.
- 2.2 Engage, or have any interest, financial or otherwise, directly or indirectly, in any business, transaction or professional activity, which conflicts with or

impairs the proper discharge of official duties or which could bring disfavor or disrespect upon 21CCCS.

- 2.3 Accept an honorarium which represents a payment in recognition of published works, appearances, speeches, and presentations and which is not intended as consideration of the value of such services which are non-public, occupational or professional in nature.
- 2.4 Recommend or otherwise participate in the decision to make any contract valued at \$500 or more between 21CCCS, any 21CCCS or Student Activity Fund, and any business or entity in which the Board Member or employee or a member of his immediate family, has a personal or financial interest or act to implement or administer any such contract. A Board Member or employee shall report the nature of his or her interest in a potential 21CCCS contract to his or her superior. Where a Board Member or employee or a member of his or her immediate family has a personal or financial interest in a contract, he or she shall disclose it publicly and abstain from voting on the contract. Formal approval of the contract by a majority of all members of the Board of Trustees other than the abstaining member shall be required. The foregoing would apply to any business in which the Board Member's or employee's spouse or child is associated.
- 2.5 Advertise business or professional activities on 21CCCS property or use during 21CCCS work hours, property or services to perform or promote personal or commercial enterprises or to campaign or raise money for any candidates for political office.
- 2.6 Use confidential information, as defined by the Sunshine Act or the Board of Trustees, concerning property, personnel matters, or affairs of 21CCCS or its employees to advance the financial or other private interests of the Board Member, employee or others; nor shall Board Members and employees disclose confidential information except as directed by the Board or a court of law. Nothing in this provision shall be interpreted as prohibiting the practice of "whistle-blowing."
- 2.7 Accept anything of value including, but not limited to, a gift, loan, political contribution, reward, promise of future employment, favor, gratuity, entertainment, transportation or lodging based on any implied or actual understanding that the judgment of the Board Member or public employee would be influenced thereby.
- 2.8 Solicit directly from other Board Members or employees, students or their parents, anything of value for the Board Member's or employee's personal benefit.

- 2.9 Purchase property of any kind from 21CCCS, either directly or indirectly, except in a manner approved by the Board for the particular sale involved, unless 1) there is an open and public bid process, including public notice and subsequent public disclosures of all bids considered and contracts awarded, and 2) the Board Member or employee did not act in an official capacity in connection with the sale, and 3) the Board Member or employee was not privy to non-public information received in the course of his office or employment.
- 2.10 Participate in the review and approval of publications or materials for 21CCCS purchase if the Board Member or employee is the author/ editor of or has any financial interest in the sale of such publications or materials.
- 2.11 Tutor or counsel as a private enterprise, for compensation, pupils assigned to any class of 21CCCS to which the employee is assigned. Employees may tutor or counsel pupils enrolled in other schools unless such private enterprise conflicts with or impairs the proper discharge of official duties.
- 2.12 Refer a 21CCCS parent or student to a service, service provider or product in return for anything of value. Employees making referrals as part of their official duties shall make referrals to more than one provider of any non-unique service or product. For example, school counselors shall refer parents or students to more than one counselor or provider of medical services where comparably qualified persons are available.
- 2.13 Trustees, officers and employees must be constantly aware when considering election or appointment to corporate or community boards, public offices, or commissions, that serving in such capacity will not place them in a position where a potential conflict of interest may exist. Unless specifically approved by the Board or designee committee of the Board, a Trustee, Officer or employee shall not serve on the Board of Trustees or trustees of any entity which is in direct competition with 21CCCS. Should a conflict develop, 21CCCS reserves the right to request the Trustee or Officer or employee involved to divest him/herself of one of the conflicting interests.
- 2.14 It is commonly recognized that there is a direct correlation between illegal or improper payments and inaccurate records. To guarantee the accuracy of 21CCCS' books and records, the following principles shall be observed:
- (a) All transactions or conduct of the 21CCCS business shall be properly reflected in 21CCCS' books;
  - (b) Unrecorded funds, money or other assets of 21CCCS shall not be established or maintained;
  - (c) Any payment is prohibited if no record of its disbursements is entered in 21CCCS 's accounting records; and

(d) False and/or fictitious entries in the books or records of 21CCCS or issuing false or misleading documents shall be prohibited.

2.15 Upon separation from 21CCCS service or employment, represent any individual or business entity on any matter before 21CCCS for a period of one year after such separation.

### 3. Administration

3.1 It is the responsibility of all Trustees, Officers and representatives of 21CCCS to be familiar with this Policy and to abide by the letter and spirit of its provisions at all times.

#### 3.2 Statement of Financial Interest

(a) In accordance with Pennsylvania's Public Official and Employee Ethics Law, the 21CCCS requires each Board Member and employee at the level of Lead Teacher and above to file a Statement of Financial Interest with the 21CCCS Board Secretary by May 1 of each year for the immediate prior year.

3.3 The Board of Trustees may require any employee whose duties require the exercise of discretion or judgment to file a Statement of Financial Interest.

#### 3.4 Conflict of Interest Resolution

(a) In the event that a question of conflict of interest or the appearance of conflict of interest arises, a Board Member or employee should apprise his/her superior and the Board President who will investigate and report the fact of the inquiry and results of his investigation to the CEO and the Finance Committee of the Board of Trustees for resolution. A Board Member having a conflict question shall take it to the President of the Board of Trustees who, if he/she cannot resolve it, with counsel, will refer the question to the Finance Committee of the Board of Trustees for resolution.

3.5 All violations of the foregoing policy are subject to appropriate censure or disciplinary action, including termination of employment and any penalties as prescribed by law.

3.6 Any contract or subcontract made in violation of this policy shall be voidable by the Board of Trustees and subject to termination for the Board's convenience.

### References

Pennsylvania's Public Official and Employee Ethics Law

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL.**





POLICY #:

SECTION:

TITLE: Whistleblower Act Policy

ADOPTED:

REVISED:

## Purpose

All employees of the 21st Century Cyber Charter School ("21CCCS") are subject to the obligations and protections of the Pennsylvania Whistleblower Law, 43 P.S. § 1421-1428. 21CCCS will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee or a person acting on behalf of the employee makes a good faith report or is about to report to 21CCCS or an appropriate authority an instance of wrongdoing, which is not merely technical or minimal, or an instance of substantial waste, abuse, misuse, destruction or loss of 21CCCS funds or resources.

21CCCS will not discharge, threaten or otherwise discriminate or retaliate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee is requested by an appropriate authority to participate in an investigation, hearing or inquiry held by an appropriate authority or in a court action.

## References

Whistleblower Law, 43 P.S. § 1421-1428

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL.