

LEILA & JOSEPH APPLEBAUM

YESHIVA ELEMENTARY SCHOOL

Boys Campus: 13300 Memorial Highway, Miami, Florida 33161

TEL 786.615.5885 FAX 305.867.3388

Girls Campus: 7902 Carlyle Ave. Miami Beach, 33141

TEL 305.867.3322, FAX 305.867.3388

WWW.YESHIVAELEMENTARY.COM

T"01

Standards of Ethical Conduct Yeshiva Elementary School

(Adapted from the Code of Ethics of the Education Profession in Florida and Principles of Professional Conduct for the Education Profession in Florida)

1. Our school values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
2. Our primary concern is the student and the development of the student's potential. Employees will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.
3. Concern for the student requires that our instructional personnel:
 - a. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.
 - b. Shall not unreasonably restrain a student from independent action in pursuit of learning.
 - c. Shall not unreasonably deny a student access to diverse points of view.
 - d. Shall not intentionally suppress or distort subject matter relevant to a student's academic program.
 - e. Shall not intentionally expose a student to unnecessary embarrassment or disparagement.
 - f. Shall not intentionally violate or deny a student's legal rights.
 - g. Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination.
 - h. Shall not exploit a relationship with a student for personal gain or advantage.
 - i. Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
4. Aware of the importance of maintaining the respect and confidence of colleagues, of students, of parents, and of the community, employees of our school must display the highest degree of ethical conduct. This commitment requires that our employees:
 - a. Shall maintain honesty in all professional dealings.
 - b. Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.

Rabbi Yisroel Moshe
Janowski
Principal

Mrs. Sharon Levine
Associate Principal

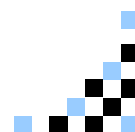
Rabbi Elchanan Zweig
Assistant Principal

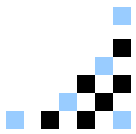
Mrs. Sharon Zweig
Preschool Director

Rabbi Chaim Friedman
Director of Development

Mrs. Wendy Tokayer
Administrative Assistant

Mrs. Beth Breier
Registrar





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c. Shall not interfere with a colleague's exercise of political or civil rights and responsibilities. d. Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.

e. Shall not make malicious or intentionally false statements about a colleague.

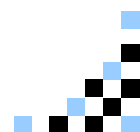
Training Requirement All instructional personnel and administrators are required as a condition of employment to complete training on these standards of ethical conduct.

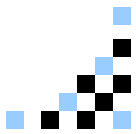
Reporting Misconduct by Instructional Personnel and Administrators All employees and administrators have an obligation to report misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student. Examples of misconduct include obscene language, drug and alcohol use, disparaging comments, prejudice or bigotry, sexual innuendo, cheating or testing violations, physical aggression, and accepting or offering favors. Reports of misconduct of employees should be made to Mrs. Sharon Levine. Reports of misconduct committed by administrators should be made to Rabbi Kalman Lebovics. Legally sufficient allegations of misconduct by Florida certified educators will be reported to the Office of Professional Practices Services. Policies and procedures for reporting misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student are posted in the Yeshiva Elementary School Employee Handbook and on our Web site at yeshivaelementary.com

Reporting Child Abuse, Abandonment or Neglect All employees and agents have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect. Call 1-800-96-ABUSE or report online at: <http://www.dcf.state.fl.us/abuse/report/>.

Signs of Physical Abuse The child may have unexplained bruises, welts, cuts, or other injuries; broken bones; or burns. A child experiencing physical abuse may seem withdrawn or depressed, seem afraid to go home or may run away, shy away from physical contact, be aggressive, or wear inappropriate clothing to hide injuries.

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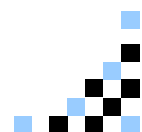
Signs of Sexual Abuse The child may have torn, stained or bloody underwear, trouble walking or sitting, pain or itching in genital area, or a sexually transmitted disease. A child experiencing sexual abuse may have unusual knowledge of sex or act seductively, fear a particular person, seem withdrawn or depressed, gain or lose weight suddenly, shy away from physical contact, or run away from home.

Signs of Neglect The child may have unattended medical needs, little or no supervision at home, poor hygiene, or appear underweight. A child experiencing neglect may be frequently tired or hungry, steal food, or appear overly needy for adult attention.

Patterns of Abuse: Serious abuse usually involves a combination of factors. While a single sign may not be significant, a pattern of physical or behavioral signs is a serious indicator and should be reported.

Liability Protections Any person, official, or institution participating in good faith in any act authorized or required by law, or reporting in good faith any instance of child abuse, abandonment, or neglect to the department or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result by reason of such action. (F.S. 39.203)

An employer who discloses information about a former or current employee to a prospective employer of the former or current employee upon request of the prospective employer or of the former or current employee is immune from civil liability for such disclosure or its consequences unless it is shown by clear and convincing evidence that the information disclosed by the former or current employer was knowingly false or violated any civil right of the former or current employee protected under F.S. Chapter 760. (F.S. 768.095)



Conduct Policy and Behavioral Standards

I. INTRODUCTION

A. This School Conduct Policy and Behavioral Standards (the “Conduct Policy”) sets forth certain Behavioral Standards, reporting obligations and other responsibilities of Yeshiva Elementary School (“YES”) Staff Members and YES Students, and an outline of the procedures available to YES, YES Staff Members and YES Students relating to complaints regarding alleged violations of the Behavioral Standards, investigation of such complaints, and enforcement of the Conduct Policy.

B. Childhood, especially adolescence, is often a time of turmoil, distress and conflict. As part of YES’s educational goals, all YES Staff Members must encourage YES Students’ self-confidence and self-competence, and help YES Students grow to increase their potential within their school, family and community. YES Students must behave in a manner that facilitates their personal growth and development as well as the growth and development of all YES Students.

C. YES is committed to providing a safe and appropriate environment for all YES Staff Members and YES Students. All YES Staff Members and YES Students are expected to positively contribute to this environment. To facilitate these contributions, YES has adopted this Conduct Policy setting forth certain responsibilities and obligations of YES Staff Members and YES Students regarding interpersonal conduct and relationships.

D. Although voluminous rules and procedures could be written for all possible circumstances, this Conduct Policy focuses on situations, which, if unremedied, are likely to be damaging to YES Students and YES Staff Members. The Conduct Policy is not intended to supersede the authority and responsibility of the Administration to manage on a day to day basis, nor is the Conduct Policy intended to be the sole and exclusive source of rules governing YES personnel and student policies.

E. All pertinent definitions are listed in attached Exhibit A.

F. All questions or comments regarding the Conduct Policy may be directed to one or more persons listed on attached Exhibit B.

II. BEHAVIORAL STANDARDS AND OTHER RESPONSIBILITIES

A. Behavioral Standards: The following behavior is incompatible with YES’s educational goals and is therefore always prohibited, without regard to the location, time or frequency with which such behavior occurs:

1. “Abuse,” including (A) physical injury or mental injury of any child under 18 by a YES Staff Member or YES Student (in each case, without regard to whether such YES Staff Member or student was a YES Staff Member or student at the time such behavior occurs), under circumstances that indicate that the child’s health or welfare is harmed or at substantial risk of being harmed; and (B) sexual abuse of any child under 18 by a YES Staff Member or YES Student (in each case, without regard to whether such YES Staff Member or student was a YES Staff Member or student at the time such behavior occurs), whether physical injuries are sustained or not, including any act that involves sexual molestation or exploitation, including (without limitation):

- (i) any demeaning or exploitative behavior of a sexual nature, or threats of such behavior;
- (ii) displaying demeaning, suggestive or pornographic material;
- (iii) improper physical contact, such as inappropriate touching, fondling, patting, pinching, punching or physical assault, excluding normal physical conduct that is acceptable, as set forth in 7(a) through 7(c);
- (iv) indirect or explicit invitations to engage in sexual activities which may or may not include a promise of reward for complying or a threat of reprisal for not complying;
- (v) allowing or encouraging any child to engage in obscene or pornographic photography, films, poses or similar activity, or prostitution;
- (vi) human trafficking, incest, rape, or sexual offense in any degree; and/or
- (vi) sodomy, unnatural or perverted sexual practices.

Any conduct which meets the preceding definition of sexual abuse shall be prohibited conduct whether or not such conduct was consensual.

2. "Neglect," including leaving any child under 18 unattended, or other failure to give proper care and attention to any child under 18, by a YES Staff Member or YES Student (in each case, without regard to whether such YES Staff Member or student was a YES Staff Member or student at the time such behavior occurs), under circumstances that indicate that the child's health or welfare is harmed or placed at substantial risk of harm, or that Mental Injury to the child, or substantial risk of such Mental Injury, may result.

3. "Harassment," including physical, verbal, visual or behavioral mannerisms or conduct by a YES Staff Member or YES Student (in all cases, with or without sexual advances or sexual overtones) that denigrates or shows hostility towards any YES Student or YES Staff Member because of such person's sex, marital status, race, color, national origin, age, or disability where:

(A) submission to, or rejection of, such conduct is (i) made (explicitly or implicitly) a term or condition of enrollment as a YES Student, employment or engagement as a YES Staff Member, participation in YES activities or granting of preferential treatment (for example, awards, recommendations, scholarships); or (ii) used as a basis for evaluation in making personnel or leadership decisions affecting a YES Student or a YES Staff Member, or

(B) such conduct is severe, persistent or pervasive and has the effect of interfering with a YES Student's schooling or a YES Student's or YES Staff Member's work, participation in YES activities or living conditions, or such conduct creates an intimidating, hostile or offensive educational environment.

4. A YES Staff Member mocking, ridiculing, or berating a YES Student if such conduct is severe, persistent, pervasive or causes Mental Injury.

5. Any sexual attention by a YES Staff Member to a YES Student in the form of remarks, jokes or innuendo about a YES Student's body or clothing, or about sexual activity.

6. Any psychological manipulation or control of a YES Student by a YES Staff Member, including (without limitation) (A) attempting to restrict, rather than widen, the range of resource persons with whom a YES Student develops relationships, or (B) attempting to eliminate a YES Student's parents as critical influences in the life of the YES Student, or (C) implying that the relationship between a YES Staff Member and YES Student is conditioned upon the conformity of the YES Student to a particular point of view, in each case, if such conduct is severe, persistent or pervasive.

7. A YES Staff Member using physical force against a YES Student, except (A) to safeguard against immediate physical danger to any person (or the YES Student himself or herself), to a sacred religious object, or to property if the result of damaging such property is reasonably likely to cause physical danger to a person, or (B) normal physical contact (such as hugging or touching) as an act of encouragement or consolation, within the bounds of Halacha, common sense and Florida law, or (C) normal aggressive contact (such as contact in a basketball or football game, or arm-wrestling), within the bounds of Halacha, common sense and Florida law.

8. "Bullying," including, but not limited to, any intentional written, verbal or physical act, or an intentional electronic communication, or the unwanted teasing, threatening, intimidating, stalking, cyberstalking, cyberbullying, or public humiliation, by a YES Staff Member or YES Student, that (A) either (i) physically harms a YES Student, (ii) damages a YES Student's property, (iii) substantially interferes with a YES Student's education or learning environment, or (iv) places a YES Student in reasonable fear of harm to such YES Student's person or property, and (B) either (i) occurs on YES's property, at a YES activity or event, or on a YES school bus, or (ii) substantially disrupts the orderly operation of YES. Electronic communication means a communication transmitted by means of an electronic device, including (without limitation) a telephone, cellular phone, computer, or pager. YES Students, YES Staff Members and parents

of YES Students should become familiar with Florida law prohibiting bullying and harassment, The Jeffrey Johnston Stand Up for All Students Act, Florida Statutes, Section 1006.147.

B. Student Discipline: YES Staff Members are expected to keep order and control their YES Students in a respectful but firm manner. Physical force may not be used to discipline a recalcitrant student except pursuant to a written waiver for medical reasons signed by the YES Student's parents and doctor.

C. Parental Influences: If a YES Staff Member is aware that such YES Staff Member's attempt to advise a YES Student is causing conflict with the parents of such student, such YES Staff Member must inform the Principal who should then consult with the student's parents.

D. YES Student Behavior: In addition to complying with this Conduct Policy's prohibition against Abuse, Neglect and Harassment, each YES Student must conduct himself properly at all times in and out of school, in accordance with specific guidelines set forth in the YES Student handbook. The most important elements of proper YES Student behavior are (1) treating YES Staff Members and YES Students with the personal respect that lies at the heart of healthy personal relationships, and (2) following directions and instructions of YES Staff Members so long as such directions and instructions are not harmful to such YES Students or others.

E. Cooperation: All YES Staff Members and YES Students are required to fully cooperate with any and all Investigations, including, without limitation, disclosing all relevant information of which they are aware to the Principals, the individual serving as YES's Liaison to the Conduct Advisory Board (the "Liaison"), the Conduct Advisory Board, or any other person selected by the Liaison to conduct an investigation (an "Investigator").

F. False Reports: While reporting violations of this Conduct Policy is encouraged and required, YES Staff Members, YES Students and parents of YES Students are expected to understand that false reports of violations of this Conduct Policy are likely to be damaging to the individual falsely accused (and could lead to severe consequences including, but not limited to, civil and criminal liability for the accused and/or the person making the false report, firing of YES Staff Members and/or expulsion of YES Students). Consequently, all YES Staff Members and YES Students are prohibited from knowingly making a false report of any violation of this Conduct Policy. In addition, in light of the serious nature of the consequences of false reports and the subject matter of this Conduct Policy, YES Staff Members, YES Students and parents of YES Students are urged not to post information, statements or comments on the Internet or social media websites.

G. Training and Compliance: All YES Staff Members are required to attend all training programs relating to this Conduct Policy to be provided from time to time by YES. In addition, all YES Staff Members are required to know and comply with all provisions of this Conduct Policy.

III. REPORTING OBLIGATIONS

A. General: All YES Staff Members and YES Students recognize and understand that none of the reporting obligations set forth in this Conduct Policy constitutes impermissible Lashon Hara or any other violation of other Halachos of Proper Speech. YES will not (and YES Staff Members and YES Students shall not) retaliate in any way against any YES Staff Member, YES Student or parent of a YES Student who, **in good faith**, (1) reports a violation of this Conduct Policy by a YES Staff Member or YES Student, or (2) cooperates with any investigation of any suspected violation of this Conduct Policy.

B. Reporting to YES: Any YES Staff Member or YES Student who has reason to believe that conduct by a YES Staff Member or YES Student constitutes a violation of any of the Behavioral Standards must report the alleged conduct immediately (in the case of a YES Staff Member with such belief) or as soon as reasonably practicable (in the case of a YES Student with such belief). Such Report must be made either (1) orally, to the Associate Principal (by leaving a voicemail message at the Associate Principal phone number listed on Exhibit B); 2) orally, to any other person listed on Exhibit B (by leaving a voicemail message at the person's phone number listed on Exhibit B), or (2) in writing using the report forms available

from the YES administrative offices (by delivering a completed copy of the report via email to the address of any person listed on Exhibit B).

C. Reporting to Government: Each YES Staff Member is required to be aware of, and comply with, legally mandated reporting requirements in the event such YES Staff Member has reason to believe that (1) a YES Staff Member or YES Student has committed Abuse or Neglect, or (2) a YES Student is a victim of Abuse or Neglect.

1. Currently, Florida law does not require proof that Abuse or Neglect has actually occurred before reporting a suspected incident. Any person should report Abuse or Neglect when they know or have reasonable cause to suspect that Abuse or Neglect has occurred. A YES Staff Member who fails to report suspected Abuse or Neglect may be subject to professional sanctions by applicable licensing boards, in addition to action by YES in accordance with Section V of this Conduct Policy. Failure to report may be prosecuted under certain circumstances.

2. In addition to, and without limiting, the reporting obligations set forth in the preceding clause "III.B.," Florida law requires any individual who knows, or has reasonable cause to suspect, that a child has been abused or neglected by any person to report that to the Florida Abuse Hotline of the Florida Department of Children and Families at myflfamilies.com and 1-800-962-2873. Florida law considers YES Staff Members mandatory reporters. As such, YES Staff Members are required to provide their names when reporting, but identity information is kept confidential. If the following information is known by the reporting YES Staff Member, it should be included in any report: (A) names, date of birth (or approximate age), race, and gender for all adults and children involved; (B) addresses or another means to locate the subjects of the report including the current location; (C) the specific nature and extent of Abuse or Neglect; (E) any information known to the reporting YES Staff Member of possible previous Abuse or Neglect; and (F) any information that would help determine (i) the cause of the suspected Abuse or Neglect, and (ii) the identity of any individual responsible for the suspected Abuse or Neglect.

3. The United States Department of Health and Human Services offers the following website and hotline for information on applicable laws at <http://www.childhelpusa.com> and 1-800-4-A-CHILD (1-800-422-4453).

4. In the event a YES Staff Member is the person alleged to have committed Abuse or Neglect with respect to a YES Student, the Principal shall, if given permission by the investigating government agency, promptly (normally prior to the end of the next school day) inform the YES Student's parents/legal guardians of the situation and the referral to the investigating agency.

5. Florida law (A) provides immunity for persons reporting Abuse or Neglect, in good faith, and (B) prohibits an individual from intentionally preventing or interfering with the making of a report of suspected Abuse or Neglect required by law.

D. YES Student Misconduct: In the event a YES Student commits any act of misconduct, the Principal has the responsibility to inform the parents of such YES Student regarding such misconduct, especially any misconduct that may lead to a YES Student's suspension or expulsion, even if such misconduct is not illegal. Principals may seek assistance, if necessary, from mental health professionals or other outside consultants.

E. Conduct Advisory Board: Separate and in addition to the Reporting Obligations set forth above, the YES Administration created a separate board named the Conduct Advisory Board (the "Board" or "Conduct Advisory Board") to receive Reports (as defined herein in Exhibit A), coordinate Investigations (as defined herein in Exhibit A), report the findings of Investigations to the Administration, and perform other functions set forth herein. The Board is made up of five people and their respective spouses, if any. Each of the five members of the Board will have one vote. If one of the five members of the Conduct Advisory Board leaves the Board, for any reason, the remaining members of the Board shall elect a fifth member within ninety (90) days of the departure of the Board member. The Conduct Advisory Board shall appoint a Liaison to communicate between and among YES, the YES Administration, the Conduct Advisory Board, YES Staff

Members, YES Students, and parents of YES Students. The Liaison shall be appointed (or re-appointed) on a yearly basis and shall serve at the discretion of the Board.

F. Confidentiality: The existence and contents of any Report (including, without limitation, the names of the person making the Report, the alleged violator and alleged victim) may be disclosed by YES, a YES Staff Member, a YES Student, the Conduct Advisory Board and/or other persons acknowledging acceptance of this Conduct Policy (in accordance with Section VI.E. hereof) only to the extent (1) necessary for the Investigator to fully investigate allegations in the Report, (2) necessary for YES to take disciplinary and other actions in response to such Report, and/or (3) otherwise permitted by law (solely in the case of disclosure by YES) or otherwise required by law (in all other cases).

IV. SUSPECT PERSONS

A. For purposes of this Conduct Policy, a "Suspect Person" includes any individual who meets both of the following criteria: (1) the individual is, or ever was, the subject of a law enforcement investigation with respect to a crime either (A) of a sexual nature (including, for example, any crime for which an individual is, or if convicted would be, listed on the Florida Sexual Offenders and Predators List) or (B) involving a substantial risk of physical harm to children under 18 (including, for example, Abuse, Neglect, etc.); and (2) such individual is a YES Staff Member, YES Student, "Close Relation" (as defined herein) of a YES Staff Member or a YES Student, or otherwise resides within a one-half mile radius of YES. The term "Close Relation" includes (i) any individual who resides with a YES Staff Member or a YES Student, and (ii) any sibling, parent, grandparent (residing in South Florida), child or spouse of a YES Staff Member or YES Student.

B. Any YES Staff Member, Conduct Advisory Board member, or YES Student who has reason to believe that an individual is a Suspect Person, and any Suspect Person himself or herself, must immediately make a Report with respect to such Suspect Person. Such Report must be made in the same manner as other Reports under this Conduct Policy (orally or in writing, to the Assistant Principal or any other person listed on Exhibit B, etc.).

C. A Report with respect to a Suspect Person must be investigated in the same manner as other Reports under this Conduct Policy (Liaison may appoint an Investigator, as set forth in V.B., etc.). In connection with any such Investigation, the Liaison or other Investigator may also (1) identify any existing limitations, restrictions or prohibitions on the Suspect Person with respect to schools and/or children, and (2) interview the Suspect Person and/or other Close Relations with respect to the applicable YES Staff Member or YES Student. An Investigation by the Board may not occur with respect to any Abuse requiring immediate referral to the local department of social services or law enforcement, until the Board is cleared to do so by any such government agency.

D. Pending completion of an Investigation, (1) on a weekly basis, the Liaison shall inform the Principal of the status of the Investigation, and (2) the Principal and/or the Conduct Advisory Board may take such immediate action as they deem appropriate, in their sole discretion, to protect YES Staff Members, YES Students and other persons (in the case of any "Disclosure" (as defined herein), subject to Section IV.E(2) below.

E. Upon completion of the Investigation (as determined by the Liaison and the Investigator), the Liaison and the Investigator shall report the findings of the Investigation to the Conduct Advisory Board. Upon receipt of the findings of the Investigation, the Conduct Advisory Board shall take such action as they deem appropriate, in their sole discretion, including, for example, (1) taking no action, (2) creating and imposing limitations, restrictions or prohibitions on the Suspect Person's access to YES's premises, YES's functions or events, YES Staff Members and/or YES Students, and/or any other action to protect YES Staff Members, YES Students and/or other persons, and/or (3) disclosing (to YES Staff Members, YES Students and/or other persons) the existence and contents of the Report, the Investigation (including, for example, the findings thereof), and/or any actions thereon taken by the Principal and/or the Conduct Advisory Board (a "Disclosure").

1. In all cases, the Investigator, the Principal and the Conduct Advisory Board may consider all facts and circumstances, including, for example, (A) the nature, time and circumstances of the crime committed, or alleged to have been committed, by the Suspect Person, (B) the past and current status of the handling and treatment of such crime by law enforcement and/or other officials within the criminal justice system, and (C) the relationship between the Suspect Person and the applicable YES Staff Member or YES Student.

2. Prior to any Disclosure by YES to YES Staff Members, YES Students and/or other persons (except any Disclosure necessary for the Investigator to fully investigate a Report), (A) the Liaison (or his designee) and the Principal (or his designee) must consult with the Rabbi Yisroel Miller, and (B) unless Rabbi Yisroel Miller determines that a Disclosure is Halachically prohibited, a decision to make a Disclosure must be approved by either (i) the Principal and a majority or more of the members of the Conduct Advisory Board, or (ii) a unanimous decision of the members of the Conduct Advisory Board. Any individual who makes a Disclosure without such approval is subject to any and all remedies available to YES.

3. In the event the Principal and/or the Conduct Advisory Board take any action hereunder, (A) the Suspect Person may be required to agree, unconditionally, to such action (such agreement to be memorialized in a manner selected by the Conduct Advisory Board), and (B) such agreement (and memorialization) by the Suspect Person may be a condition to admission (or continued enrollment) of the applicable YES Student, or hiring (or continued employment or other relationship) of the applicable YES Staff Member.

4. YES shall have the right (but no obligation) to periodically reassess the status of a Suspect Person, and take any and all actions with respect to such reassessment consistent with the Conduct Policy.

V. INVESTIGATION AND ENFORCEMENT

A. Liaison and Principals: No later than one business day after receipt of any Report, the Liaison and/or any Principal receiving such Report shall notify each person listed on Exhibit B of the existence of such Report, and, in the event the Report was made in writing, circulate a copy of such Report to all such persons. Alternatively, in the event the Report was made orally, the Assistant Principal shall prepare a written version of the Report (with input from the person or persons making such oral Report) and circulate it to all such persons. In the event a principal is the alleged violator, such principal shall be treated in the same manner as any other YES Staff Member who is the alleged violator. In the event a person listed on Exhibit B is a parent, grandparent, child, spouse, sibling, aunt, uncle or first cousin of either the alleged violator or the alleged victim, such family member shall not receive such Report, and shall not be involved in any related Investigation, determination and action.

B. Investigation: As soon as practicable after receipt of a Report, the Liaison, in consultation with YES's legal counsel and the Conduct Advisory Board, shall (1) make a determination as to whether an Investigation of the Report will be conducted by one or more Principals, the Liaison, or a third party Investigator selected by the Liaison, and (2) appoint one or more persons (who may, but need not, be the Investigator) to be YES's authorized spokesperson and point of contact for any and all communications regarding the Investigation (such spokesperson to communicate with the alleged violator and alleged victim at least weekly). An Investigation by YES may not occur with respect to any Abuse or Neglect requiring immediate referral to the local department of social services or law enforcement, until YES is cleared to do so by any such government agency.

C. Investigation: The Investigation shall be initiated and conducted in a reasonably expeditious manner, and may consist of (1) personal interviews with the person making the Report, the alleged violator, the alleged victim, and all other persons the Investigator determines may have relevant knowledge, (2) inspection and review of any files, e-mails and other electronic or physical documents or materials deemed relevant by the Investigator, and/or (3) any other methods deemed appropriate by the Investigator.

D. Experts: In connection with any Investigation, the Liaison may arrange to have YES engage experts (for example, mental health professionals, attorneys, and/or rabbis) to assist the Investigator in conducting the Investigation.

E. Interim Actions: Pending completion of an Investigation, (1) on a weekly basis, the Liaison shall inform the Principal of the status of the Investigation, and (2) the Principal and/or the Conduct Advisory Board may take such immediate action as they deem appropriate, in their sole discretion, to protect the alleged victim of the alleged violation of Behavioral Standards and other persons.

F. Determination and Enforcement: Upon completion of the Investigation (as determined by the Liaison and the Investigator), the Liaison and the Investigator shall report the findings of the Investigation to the Conduct Advisory Board. Upon receipt of the findings of the Investigation, the Board shall take such action as it deems appropriate, in its sole discretion, including, without limitation, taking no disciplinary action, or alternatively, directing the Principal to issue a warning, suspend the violator, terminate the employment or other relationship between YES and such violator, or take any other action to prevent any recurrence of the applicable violation of the Behavioral Standards. In all cases, the Investigator and the Board may consider all facts and circumstances including, without limitation, (1) the nature, time and frequency of the behavior, (2) past incidents or patterns of behavior, (3) the relationship between the parties, (4) the context in which the behavior occurred, and (5) applicable laws.

G. Other Actions and Enforcement: In the event the Conduct Advisory Board determines that a YES Staff Member or YES Student has violated any such person's obligations set forth in this Conduct Policy (other than violations of the Behavioral Standards), the Board shall take such action as it deems appropriate, in its sole discretion, including, without limitation, directing the Principal to issue a warning, suspend the violator, terminate the employment or other relationship between YES and such violator, or take any other action to prevent any recurrence of the applicable violation of this Conduct Policy.

VI. MISCELLANEOUS

A. Amendment and Termination: The Conduct Advisory Board may modify or terminate this Conduct Policy, or any portion thereof, at any time, with or without notice.

B. Dispute Resolution.: 1. In the event of any dispute between YES, on the one hand, and any YES Staff Member, YES Student, the Board or any other person, on the other hand, relating to this Conduct Policy (other than disputes regarding factual issues, with respect to which the findings, if any, of the Investigator shall be deemed conclusive and binding on all parties), all parties shall use good faith efforts to resolve such dispute; provided, that if such parties do not resolve such dispute within ten (10) days after any party notifies the other parties, in writing, of such party's intent to submit the dispute to arbitration pursuant hereto, such dispute shall be submitted by all parties to arbitration by Rabbi Yisroel Miller (the "Arbitrator"). The Arbitrator's decision in any such arbitration shall be binding and enforceable by a court of competent jurisdiction. Each party shall be responsible for its own fees, costs and expenses in connection with such arbitration, and each party shall be responsible for one-half of the Arbitrator's fees.

2. Subject to the preceding clause "VI.B.1," the venue of any legal proceeding brought in connection with this Conduct Policy shall be in Miami-Dade County, Florida. This Conduct Policy shall be governed by and construed in accordance with the laws of the State of Florida. YES Staff members, YES Students and other persons acknowledging acceptance of this Conduct Policy (in accordance with Section VI.E hereof) hereby (i) consent to such jurisdiction, and (ii) waive any and all rights which they may have to request a jury trial in any proceeding at law or in equity.

C. Interpretation: In the event of any conflict or inconsistency between this Conduct Policy and any other YES rules governing YES personnel and/or student policies, this Conduct Policy shall control.

D. Severability: Each provision of this Conduct Policy shall be considered severable, and if, for any reason, any provision hereof is determined to be invalid and/or contrary to any existing or future laws, such invalidity shall not impair the operation of (or affect) those provisions of this Conduct Policy which are valid.

E. Acknowledgment: YES reserves the right to require, from time to time, any and all YES Staff Members, YES Students, parents of YES Students and certain other persons to acknowledge, in writing, receipt of a copy of, and acceptance of all provisions of, this Conduct Policy.

F. Release: By accepting and agreeing to this Conduct Policy, each YES Staff Member and/or parent of a YES Student (on behalf of him or herself, his or her spouse and their children who are YES Students) shall thereby release, hold harmless, indemnify and agree not to commence any legal, equitable or Halachic proceeding of any kind against the Conduct Advisory Board or any member, officer or agent thereof in connection with or as a result of any action or inaction taken or not taken by the Conduct Advisory Board or any member, officer or agent thereof pursuant to the Conduct Policy.

EXHIBIT A

Definitions

“Abuse” means (i) in the case of conduct engaged in by a YES Staff Member or YES Student, the conduct described as “Abuse” in Section II.A of this Conduct Policy, and (ii) in the case of conduct engaged in by any other person who has permanent or temporary care or custody or responsibility for supervision of a child, or any family member of a child, the same conduct described in the preceding clause (i) engaged in by any such other person.

“Behavioral Standards” means, collectively, the behavior prohibited in Section II.A of this Conduct Policy.

“Investigation” means the investigation of any Report, in accordance with Section V of this Conduct Policy.

“Mental Injury” means the observable, identifiable and substantial impairment of a child’s mental or psychological ability to function.

“Neglect” means (i) in the case of conduct engaged in by a YES Staff Member or YES Student, the conduct described as “Neglect” in Section II.A of this Conduct Policy, and (ii) in the case of conduct engaged in by any other person who has permanent or temporary care or custody or responsibility for supervision of a child, the same conduct described in the preceding clause (i) engaged in by such other person.

“Report” means an oral or written report (with respect to any alleged violation of the Behavioral Standards) made by a YES Staff Member or YES Student in accordance with Section III.B and/or IV.B of this Conduct Policy.

“YES Staff Member” means each full-time or part-time teacher, counselor, social worker, administrator, clerk, custodian or other employee of YES, and any independent contractor or volunteer engaged by YES to interact with YES Students.

EXHIBIT B

Title/Position	Name	Email
Principal	Rabbi Y. M. Janowski	rabbijanowski@yeshivaelementary.com
Assistant Principal	Rabbi E. Zweig	rabbiezweig@yeshivaelementary.com
Associate Principal	Mrs. S. Levine	sharonlevine@yeshivaelementary.com
Director, Early Childhood	Mrs. S. Zweig	sharon@yeshivaelementary.com
Director of Development	Rabbi C. Friedman	rabbifriedman@yeshivaelementary.com