

March 1, 2018

Mr. Ron Wiens

ronwiens@choiceschools.com

Mr. Stan Rathbun

stanrathbun@choiceschools.com

New Branches Charter Academy

3662 Poinsettia Avenue, SE

Grand Rapids, Michigan 49508

Dear Mr. Wiens and Mr. Rathbun:

RE: Final Fall 2017 Board Policies Updates

It has been a pleasure working with you and New Branches Charter Academy's Board of Directors to prepare the Fall 2017 Board Policies updates for your school. We know that each update takes time and thoughtful review to make sure that every policy is the right fit. At the Institute, we believe that this is time well-spent. We hope that you share in this belief and that the experience was valuable to you.

Our team at the Institute has finalized your Board's policies for you. Final copies of updated policies are attached, as well as an updated copy of your complete Board Policies Manual for your convenience. Also, to ensure that everyone at your school has easy access to them so they can provide clear direction and guidance for your school, your policies are available anytime through Epicenter. Please do not hesitate to contact us if you need help signing onto your Epicenter account.

As always, please know that we're always here to support you. Please don't hesitate to call your associate, Mrs. Peggy Yates, or me if you ever need our support or if we can be of assistance with your next board retreat or planning session. We would be honored to help out.

Again, thank you for your work with the Institute. We look forward to our continued work together.

Sincerely,



Michelle Wilson

Board Services Coordinator

National Charter Schools Institute

Enclosures

CC: Mr. Ryan Julian

**NEW BRANCHES CHARTER ACADEMY
FINAL FALL 2017 UPDATES**

REMOVE (and discard):

Table of Contents, all

Index 1000, all

Index 2000, all

Policy #2414, all

Index 5000, all

Policy #5111.01, all

Index 7000, all

Policy #7540.03, all

Policy #7540.04, all

Policy #7540.05, all

Index 8000, all

Policy #8142, all

ADD

Table of Contents, all revised 1/8/18

Index 1000, all, revised on 1/8/18

New Policy #1421, all, adopted on 1/8/18

New Policy #1439, all, adopted on 1/8/18

Index 2000, all, revised on 1/8/18

New Policy #2410, all, adopted on 1/8/18

Policy #2414, all, revised on 1/8/18

Index 5000, all, revised on 1/8/18

Policy #5111.01, all, revised on 1/8/18

Index 7000, all, revised on 1/8/18

Policy #7540.03, all, revised on 1/8/18

Policy #7540.04, all, revised on 1/8/18

Policy #7540.05, all, revised on 1/8/18

New Policy #7540.06, all, adopted on 1/8/18

Index 8000, all, revised on 1/8/18

Policy #8142, all, revised on 1/8/18

If you have any questions, please feel free to call me. Thank you for the opportunity to be of service.

0000 BOARD OPERATING POLICY

0100 Definitions

0110 Official Description

- 0111 Name
- 0112 Purpose
- 0115 Address

0120 Powers and Philosophy

0121 Authority

L

0130 Functions

- 0131 Legislative
- 0131.1 Charter Contract Bylaws and Board Operating Policies
- 0132 Executive
- 0132.1 Selection of Educational Service Provider
- 0132.2 Administrative Guidelines
- 0133 Judicial

BP

0140 Membership

- 0141 Number
- 0142 Appointment
- 0142.1 Term
- 0142.2 Oath
- 0142.3 Vacancies
- 0142.31 Filling a Board Vacancy
- 0142.4 Orientation
- 0143 Authority
- 0143.1 Public Expression of Board Members
- 0144 Operations
- 0144.1 Compensation
- 0144.11 Reimbursement of Expenses**
- 0144.2 Board Member Ethics
- 0144.3 Conflict of Interest**
- 0144.4 Indemnification
- 0145 Discriminatory Harassment

BP

BP

BP

BP

L

BP

L

BP

0150 Organization

- 0151 Annual Organizational Meeting
- 0152 Officers
- 0154 Annual Organizational Meeting Agenda (Motions)
- 0155 Committees

0160 Meetings

- 0161 Parliamentary Authority
- 0162 Quorum
- 0163 Presiding Officer
- 0164 Call
- 0164.1 Regular Meetings
- 0164.2 Special Meetings
- 0164.3 Emergency Meetings

Legend:

L = Legally Required (if applicable)

BP = Best Practice

0165	Notice	BP
0165.1	Posting Notice of Regular Meetings	BP
0165.2	Change of Regular Meetings	BP
0165.3	Posting Notice of Special Meetings	BP
0165.4	Posting Notice of Emergency Meetings	BP
0166	Agenda	
0166.1	Consent Agenda	
0167	Conduct	
0167.1	Voting	
0167.2	Closed Session	
0167.3	Public Participation at Board Meetings	
0167.4	Administrative Participation	BP
0167.5	Use of Electronic Mail	BP
0168	Minutes	BP
0168.1	Open Meeting	L
0168.3	Committee Meetings	BP
0169	Student Disciplinary Hearings	BP
0169.1	Closed Session Requested	BP
0169.2	Open Hearing	BP
0170	Duties	
0171	Officers	
0171.1	President	
0171.2	Vice-President	
0171.3	Secretary	
0171.4	Treasurer	
0172	Legal Counsel	BP
0173	Independent Auditor	BP
0175	Association Memberships	BP
0175.1	Board Conferences, Conventions, and Workshops	BP
1000	ADMINISTRATION	
1110	Assessment of Academy's Goals	
1130	Conflict of Interest	L
1210	Board/Educational Service Provider Relationship	BP
1220	Employment of the School Leader	BP
1230	Responsibilities of the Educational Service Provider	BP
1230.01	Development of Administrative Guidelines	BP
1240	Evaluation of the Educational Service Provider	BP
1241	Termination of the Educational Service Provider/School Leader (employed by the Board)	BP
1400	Job Descriptions	
1420	Academy Administrator and School Leader Evaluation	BP
1421	Criminal History Record Check	L
1422	Nondiscrimination and Equal Employment Opportunity	L
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
1439	Administrator Discipline	L
1460	Physical Examination	BP

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1461	Unrequested Leaves of Absence/Fitness for Duty	BP
1619.03	Patient Protection and Affordable Care Act	L
1623	Section 504/ADA Prohibition against Disability Discrimination in Employment	L
1662	Anti-Harassment	L
2000	PROGRAM	
2105	Mission of the Academy	BP
2111	Value Statements for Board, Staff and/or Educational Service Provider, and Students	BP
2112	Parent Involvement in the Academy Program	L
2120	School Improvement	BP
2131	Educational Outcomes for Students	BP
2132	Educational Process Goals	BP
2210	Curriculum Development	BP
2210.01	Right to Inspect Instructional Materials	BP
2220	Adoption of Courses of Study	BP
2221	Mandatory Courses	BP
2225	Students with Limited English Proficiency	BP
2231	Curriculum	BP
2240	Controversial Issues	BP
2250	Innovative Programs	BP
2260	Nondiscrimination and Access to Equal Educational Opportunity	L
2260.01	Section 504/ADA Prohibition Against Discrimination Based on Disability	L
2261	Title I Services	L
2261.01	Parent Participation in Title I Programs	BP
2261.02	Title I – Parent’s Right to Know	BP
2261.03	Federal School Improvement Plan	L
2270	Religion in the Curriculum	BP
2271	Postsecondary (Dual) Enrollment Option Programs	L
2330	Homework	BP
2340	Field and Other Academy-Sponsored Trips	BP
2370	Educational Options	BP
2370.01	On-Line/Blended Learning Program	L
2410	Prohibition of Referral or Assistance	L
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	BP
2413	Health Education Program	BP
2414	Reproductive Health and Family Planning	L
2416	Student Privacy and Parental Access to Information (FERPA)	L
2430	Academy-Sponsored Clubs and Activities	BP
2431	Interscholastic Athletics	L
2431.01	Managing Heat and Humidity in Interscholastic Athletic Programs	L
2433	Operation of a Child Care Center or Before/After School Program	L
2460	Education of Children with Disabilities	L

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2460.02	Least Restrictive Environment (LRE) Position Statement	L
2510	Adoption of Textbooks	BP
2521	Selection of Instructional Materials and Equipment	BP
2531	Copyrighted Works	BP
2605	Program Accountability and Evaluation	BP
2623	Student Assessment	L
2628	State Aid Incentives	BP
2700	Combined P.A. 25 Annual Report and NCLB Report Card	BP
3000	STAFF	
3000	Educational Service Provider Statement	
3220	Teacher Evaluation	BP
3419.03	Patient Protection and Affordable Care Act	L
5000	STUDENTS	
5111	Admission of Students	L
5111.01	Homeless Students	L
5111.02	Educational Opportunity for Military Children	L
5111.03	Children and Youth in Foster Care	L
5112	Entrance Age	L
5113.02	School Choice Options Provided by the <i>No Child Left Behind Act</i>	BP
5114	Foreign and Foreign-Exchange Students	L
5130	Withdrawal from the Academy	BP
5136	Personal Communication Devices	BP
5200	Attendance	BP
5215	Missing and Absent Children	BP
5223	Absences for Religious Instruction	BP
5230	Late Arrival and Early Dismissal	BP
5310	Health Services	BP
5320	Immunization	BP
5330	Use of Medications	L
5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
5341	Emergency Medical Authorization	BP
5350	Student Suicide	BP
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5451	Student Recognition	BP
5460	Graduation Requirements	L
5463	Credits from Nonpublic Schools	BP
5464	Early Graduation	BP

Legend:

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BP = Best Practice

5500	Student Conduct	BP
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5512	Use of Tobacco by Students	BP
5513	Care of School Property	BP
5514	Student Use of Bicycles	BP
5514.01	Student Use of Motor Vehicles	BP
5515.01	Safe Operation of Motorized utility Vehicles by Students	BP
5516	Student Hazing	L
5517	Anti-Harassment	L
5517.01	Bullying	L
5520	Disorderly Conduct	BP
5530	Drug Free Environment	L
5532	Performance-Enhancing Drugs/Compounds	L
5540	Interrogation of Students	BP
5600	Student Discipline	BP
5610	Emergency Removal, Suspension and Expulsion of Nondisabled Students	L
5630.01	Student Seclusion and Restraint	L
5710	Student Grievance	BP
5771	Search and Seizure	BP
5772	Possession of Weapons	BP
5780	Student/Parent Rights	BP
5820	Student Government	BP
5830	Student Fund-Raising	BP
5850	Social Events	BP
5895	Student Employment	BP
6000	FINANCES	
6107	Authorization to Accept and Distribute Electronic Records and to Use Electronic Signals	BP
6110	Grant Funds	L
6111	Internal Controls	L
6112	Cash Management of Grants	BP
6114	Cost Principles – Spending Federal Funds	BP
6116	Time & Effort Reporting	BP
6144	Investments	L
6151	Bad Checks	BP
6152	Student Fees, Fines, and Supplies	BP
6210	Fiscal Planning	BP
6220	Budget Preparation	BP
6230	Budget Hearing	BP
6231	Budget Implementation	BP
6320	Purchasing	L
6321	New School Construction, Renovation	L
6325	Procurement – Federal Grants/Funds	BP

Legend:

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BP = Best Practice

6350	Prevailing Wage Coordinator	
6420	Conflict of Interest – Legal Counsel, Advisors, or Consultants	L
6423	Use of Credit/Debit Cards	BP
6424	Purchasing Cards	BP
6440	Cooperative Purchasing	BP
6460	Vendor Relations	BP
6470	Payment of Claims	BP
6510	Payroll Authorization	BP
6520	Payroll Deductions	L
6550	Travel Payment & Reimbursement	L
6605	Crowdfunding	BP
6620	Petty Cash	BP
6670	Trust and Agency Fund	BP
6680	Recognition	BP
6700	Fair labor Standards Act (FLSA)	L
6800	System of Accounting	BP
6850	Public Disclosure and Reporting	L
7000	PROPERTY	
7217	Weapons	BP
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	L
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
7434	Use of Tobacco on Academy Premises	L
7440	Facility Security	BP
7450	Property Inventory	L
7455	Accounting System for Fixed Assets	BP
7460	Conservation of Natural and Material Resources	BP
7510	Use of Academy Facilities	BP
7530	Lending of Academy-Owned Equipment	BP
7540	Technology	BP
7540.01	Technology Privacy	BP
7540.03	Student Education Technology Acceptable Use and Safety	BP
7540.04	Staff Education Technology Acceptable Use and Safety	BP
7540.05	Electronic Mail	BP
7540.06	Academy-Issued Student E-mail Account	BP
7540.07	Personal Internet Account Privacy – Students	L
7540.08	Personal Internet Account Privacy – Staff	L
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP

7542	Access to Academy Technology Resources from Personal Communication Devices ** Web Accessibility Policy	BP
8000	OPERATIONS	
8120	Iran Economic Sanctions Act Compliance	L
8142	Criminal History Record Check	L
8142.01	Weapons	BP
8210	Academy Calendar	BP
8220	School Day	BP
8310	Public Records	L
8320	Personnel Files	BP
8321	Criminal Justice Information Security	L
8330	Student Records	L
8340	Letters of Reference	L
8350	Confidentiality	BP
8390	Animals on Academy Property	L
8400	Academy Safety Information	L
8401	Fire Safety and Fire Department Notification	L
8405	Environmental Health and Safety Issues	L
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	BP
8431	Preparedness for Toxic Hazards and Asbestos Hazard	L
8442	Reporting Accidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8452	Automatic External Defibrillators (AED)	BP
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	BP
8462	Student Abuse and Neglect	L
8500	Food Services	L*
8510	Wellness	L
	8510 Appendix A: Specific Goals for Nutrition	
	8510 Appendix B: Specific Goals for Physical Activity	
	8510 Appendix C: Specific Goals for Other Academy-Based Activities	
	Designed to Promote Student Wellness	
	8510 Appendix D: Specific Goals for Nutrition Promotion	
	8510 Appendix E: Nutrition Guidelines for All Foods Available	
	On Campus During the School Day	
	8510 Appendix F: Wellness Policy Board Resolution	
8540	Vending Machines	L*
8660	Transportation by Private Vehicle	BP
8710	Insurance	BP
8740	Bonding	BP
8760	Student Accident Insurance	BP

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8800	Religious/Patriotic Ceremonies and Observances	L
8900	Anti-Fraud	BP
9000	RELATIONS	
9111	Telephone Communications	BP
9120	Academy Information Program	BP
9130	Public Complaints	BP
9150	Academy Visitors	BP
9160	Public Attendance at Academy Events	L
9211	Academy Support Organizations	BP
9250	Parent/Legal Guardian Review of Instructional Materials and Observation of Instructional Activities	L
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP
9700	Relations with Special Interest Groups	BP

Adopted 06/28/05

Revised 11/16/05; 2/26/07; 4/14/08; 9/14/09; 5/10/10; 11/8/10; 3/14/11; 8/15/11; 4/16/12;
8/13/12; 3/11/13; 10/14/13; 2/10/14; 9/8/14; 10/13/14; 4/20/15; 6/19/15; 6/29/15; 3/14/16;
8/18/16; 1/19/14; 8/7/17; 11/6/17; 1/8/18

***These policies are only legally required if the School serves food to students and receives direct or indirect federal aid for the program.**

**** This policy is not a NCSI policy and will not be maintained by the Institute.**

1000 **ADMINISTRATION**

1110	Assessment of Academy's Goals	
1130	Conflict of Interest	L
1210	Board/Educational Service Provider Relationship	BP
1220	Employment of the School Leader	BP
1230	Responsibilities of the Educational Service Provider	BP
1230.01	Development of Administrative Guidelines	BP
1240	Evaluation of the Educational Service Provider	BP
1241	Termination of the Educational Service Provider/School Leader (employed by the Board)	BP
1400	Job Descriptions	
1420	Academy Administrator and School Leader Evaluation	BP
1422	1421 Criminal History Record Check	L
1422	Nondiscrimination and Equal Employment Opportunity	L
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
1439	Administrator Discipline	L
1460	Physical Examination	BP
1461	Unrequested Leaves of Absence/Fitness for Duty	BP
1619.03	Patient Protection and Affordable Care Act	L
1623	Section 504/ADA Prohibition against Disability Discrimination in Employment	L
1662	Anti-Harassment	L

Adopted 5/7/02

Revised 2/13/06; 3/14/11; 8/15/11; 4/16/12; 3/11/13; 2/10/14; 9/8/14; 4/20/15; 6/19/15; 6/29/15; 3/14/16; 8/18/16; 1/19/17; 1/8/18

CRIMINAL HISTORY RECORD CHECK

Reference: M.C.L. 380.1230 et. seq., 380.1535, 380.1535a, 380.1809, 28.722

Before the Academy hires any employee (full or part-time) or allows any individual under contract to continuously and regularly work in the schools, a criminal history records check shall be conducted in accordance with State law.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the Academy or with a third party vendor, management company, or similar contracting entity to provide food, custodial, transportation, counseling or administrative services on more than an intermittent or sporadic basis. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

Prior to allowing an individual, who is subject to the criminal history record check requirement, to work in the Academy, the Academy shall submit a fingerprint-based check on the individual, using Michigan State Police (MSP) Form RI-030 (7/2012), regardless of whether the individual will work directly for the Academy or be contracted through a third-party vendor, management company or similar contracting entity ("Private Contractors"). Except as provided below, the report from the MSP must be received, reviewed and approved by the Academy prior to the individual commencing work.

Such Private Contractors cannot receive or retain criminal history record information ("CHRI").¹ Where the Academy will contract with a Private Contractor for the services of an individual, the Academy will notify the Private Contractor(s), after review of the MSP report, whether the individual has been approved to work within the Academy. The Academy may not give any details, including the fact that a criminal history check was run. Notice for approval to work in the Academy should use the Affidavit of Assignment or similar "red light/green light" procedure.

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the School Leader may contract on a provisional basis until the report is received. Any such provisional hire requires that:

- A. the record check has been requested;
- B. the applicant has signed a disclosure of all convictions and acknowledges that employment may be terminated if there are discrepancies; and
- C. the hiring occurs during the school year or not more than thirty (30) days before the beginning of the school year.

¹ Individuals who submit and receive such criminal history record checks on behalf of the Academy must be direct employees of the Academy or, if such access is approved by the Board, ESP personnel who are provided view only access by the Local Agency Security Officer. Notwithstanding this, Information Technology contractors and vendors may be granted access to CHRI subject to successful completion of a national fingerprint-based criminal history record check as detailed in Policy 8321.

Individuals working in multiple Academies or districts may authorize the release of a prior criminal history records check with another Academy or district in lieu of an additional check for either direct employment or working regularly and consistently under contract in the schools.

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the Academy in lieu of submitting to a new criminal background check. If this method is used, the School Leader must confirm that the record belongs to that individual and whether there have been any additional convictions by processing the individual's name, sex and date of birth through the Internet Criminal History Access Tool (ICHAT).

"No separation," for purposes of the preceding paragraph, means a lay off or leave of absence of less than twelve (12) months with the same employer; or the employee transfers without a break in service to another school district, intermediate school district, public school academy or non-public school within the State.

All criminal history record check reports received from the State Police or produced by the State Police and received by the Academy from another proper source, will be maintained in the individual's confidential file, which must be maintained in compliance with Policy 8321 and AG 8321.

When the Academy receives a report that shows an individual has been convicted of a listed offense under State statutes or any felony, the School Leader shall take steps to verify that information using public records, in accordance with the procedures provided by the State Department of Education.

Verified convictions may result in termination of employment or rejection of an application. The Academy will not hire or continue to employ any individual, either directly or as a contracted employee to work regularly and continuously in the schools, who has been convicted of a "listed" offense as defined in M.C.L. 28.722. The Academy will not hire or continue to employ any individual, either directly or as a contracted employee to work regularly and continuously in the schools, who has been convicted of any felony unless both the School Leader and the Board provide written approval.

The Academy must report as directed by and to the State Department of Education the verified information regarding conviction for any listed offense or conviction for any felony and the action taken by the Academy with regard to such conviction. Such report shall be filed within sixty (60) days of receipt of the original report of the conviction.

The School Leader shall establish the necessary procedures for obtaining from the Criminal Records Division of the State Police any criminal history on the applicant maintained by the State Police. In addition, the School Leader shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must submit, provide, at the Academy's expense, a set of fingerprints, prepared by an entity approved by the Michigan State Police, as part of his/her employment application or as required by State law for continued employment.

Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those who have

not been given access to CHRI by the School Leader or the Board. Violation of confidentiality is considered a misdemeanor punishable by a fine up to \$10,000.

Any notification received from the Michigan Department of Education or Michigan State Police regarding Academy employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days until the accuracy of the information can be verified. Thereafter, only information about felony convictions or misdemeanor convictions involving physical or sexual abuse may be disclosed in reference to a FOIA request.

Criminal history reports may be released with the written authorization of the individual.

Records may also be released, in accordance with statute, upon the request of a school district, intermediate school district, public school academy or non-public school when the individual is an applicant for employment at such school and there has been no separation from service, as defined in this policy and by statute.

Adopted 1/8/18

ADMINISTRATOR DISCIPLINE

Whenever it becomes necessary to discipline an Administrator, the Educational Service Provider shall utilize the following principles and procedures. The Board, or its designee, shall utilize the following principles and procedures if the School Leader is the subject of the disciplinary action.

The Educational Service Provider shall conduct an investigation of any alleged act or omission by an Administrator that could result in disciplinary action. The Administrator shall be provided with oral or written notice of the issue or incident being investigated.

The investigation shall include, at a minimum, interviews of appropriate persons and a meeting with the subject Administrator to allow the Administrator an opportunity to respond to the complaint. Prior notice of this meeting shall be provided to the Administrator for any discipline that may result in a suspension or loss of pay.

After completion of the investigation, if discipline is to be imposed, the Administrator shall receive written notice of the discipline and this notice shall also be placed in the Administrator's file.

Discipline may include, but is not limited to:

- A. written warning;
- B. written reprimand;
- C. suspension (paid or unpaid);
- D. discharge;
- E. financial penalty in accordance with Michigan law.

The Academy does not have to apply discipline in a progressive manner, but, rather, may impose discipline consistent with seriousness of the Administrator's conduct, as determined by the Academy. Additionally, nothing in this policy limits the Academy's right to take other appropriate action, such as placing an Administrator on administrative leave during the pendency of an investigation or issuing a counseling memorandum, which is considered instructional, not disciplinary.

The Educational Service Provider's decision to impose any disciplinary action is final.

Adopted 1/8/18

2000 **PROGRAM**

2105	Mission of the Academy	BP
2111	Value Statements for Board, Staff and/or Educational Service Provider, and Students	BP
2112	Parent Involvement in the Academy Program	L
2120	School Improvement	BP
2131	Educational Outcomes for Students	BP
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2210.01	Right to Inspect Instructional Materials	BP
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2260.01	Section 504/ADA Prohibition Against Discrimination Based on Disability	L
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Adopted 5/7/02

Revised 8/8/05; 2/13/06; 9/11/06; 4/9/07; 4/14/08; 9/14/09; 11/8/10; 3/14/11; 4/16/12; 3/11/13;
10/14/13; 9/8/14; 4/20/15; 6/19/15; 6/29/15; 8/18/16; 1/19/17; 8/7/17; 1/8/18

PROHIBITION OF REFERRAL OR ASSISTANCE

Reference: M.C.L. 388.1766

In accordance with Michigan statute, any officer, agent, or employee of the Board of Directors is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion.

Whenever it becomes necessary to discipline a member of the staff for violation of this policy, the Educational Service Provider shall utilize related procedures described in the Staff Discipline Policy 1439 and Policy 3139 or the current negotiated agreement, if applicable.

Using due-process procedures, the Educational Service Provider shall conduct an investigation, as appropriate to the situation, including providing the employee with reasonable notice and the opportunity to respond.

If it is determined that an employee of the Educational Service Provider has violated this policy, the Educational Service Provider shall apply a financial penalty against such individual that is equivalent to not less than three percent (3%) of that individual's annual compensation.

The Academy shall refund to the State School Aid fund an amount of money equal to the amount of the penalty or fine.

Adopted 1/8/18

REPRODUCTIVE HEALTH AND FAMILY PLANNING

Reference: MCL 380.1169, 380.1507, 388.1766
AC Rule 388.273 et seq.

The Board of Directors directs that instruction be provided on the principal modes by which dangerous communicable diseases, including HIV and AIDS, are spread and the best methods for the restriction and prevention of these diseases. The instruction shall stress that abstinence from sex is the only protection that is 100% effective against unplanned pregnancy and sexually transmitted diseases, including HIV and AIDS, and that abstinence is a positive lifestyle for unmarried young people.

No person shall dispense or otherwise distribute in an Academy or on Academy property a family planning drug or device. Additionally, any officer, agent, or employee of the Board is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion. Violation of these prohibitions may lead to disciplinary action, including, but not limited to any financial penalties required by the State of Michigan.

The Board accepts as policy the guidelines entitled "Sex Education Guidelines including Reproductive Health and Family Planning" established by the Michigan Department of Education. A copy shall be available for inspection in the Academy office.

Each person who teaches students in grades K to 12 about human immunodeficiency virus infection and acquired immunodeficiency syndrome shall have training in human immunodeficiency virus infection and acquired immunodeficiency syndrome education for young people. Licensed health care professionals who have received training on human immunodeficiency virus infection and acquired immunodeficiency syndrome are exempt from this requirement.

The Academy shall notify parents/guardians, in advance of the instruction, about the content of the instruction, give the parents/guardians an opportunity, prior to instruction, to review the materials to be used (other than tests), and observe the instruction. The Academy shall further advise the parents/guardians of their right to have their child excused from the instruction.

Before any revisions to the curriculum on the subjects taught pursuant to M.C.L. 380.1169 are implemented, the Board shall hold at least two (2) public hearings on the proposed revisions. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given in the manner required for board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to M.C.L. 380.1507.

Adopted 05/07/02
Revised 01/09/06; 1/8/18

5000 STUDENTS

5111	Admission of Students	L
5111.01	Homeless Students	L
5111.02	Educational Opportunity for Military Children	L
5111.03	Children and Youth in Foster Care	L
5112	Entrance Age	L
5113.02	School Choice Options Provided by the <i>No Child Left Behind Act</i>	BP
5114	Foreign and Foreign-Exchange Students	L
5130	Withdrawal from the Academy	BP
5136	Personal Communication Devices	BP
5200	Attendance	BP
5215	Missing and Absent Children	BP
5223	Absences for Religious Instruction	BP
5230	Late Arrival and Early Dismissal	BP
5310	Health Services	BP
5320	Immunization	BP
5330	Use of Medications	L
5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
5341	Emergency Medical Authorization	BP
5350	Student Suicide	BP
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5451	Student Recognition	BP
5460	Graduation Requirements	L
5463	Credits from Nonpublic Schools	BP
5464	Early Graduation	BP
5500	Student Conduct	BP
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5512	Use of Tobacco by Students	BP
5513	Care of School Property	BP
5514	Student Use of Bicycles	BP 5514.0
5515.01	Safe Operation of Motorized utility Vehicles by Students	BP
5516	Student Hazing	L
5517	Anti-Harassment	L
5517.01	Bullying	L
5520	Disorderly Conduct	BP
5530	Drug Free Environment	L
5532	Performance-Enhancing Drugs/Compounds	L
5540	Interrogation of Students	BP
5600	Student Discipline	BP
5610	Emergency Removal, Suspension and Expulsion of Nondisabled Students	L
5630.01	Student Seclusion and Restraint	L
5710	Student Grievance	BP

BOARD OF DIRECTORS
NEW BRANCHES CHARTER ACADEMY

STUDENTS
5000/page 2 of 2

5771	Search and Seizure	BP
5772	Possession of Weapons	BP
5780	Student/Parent Rights	BP
5820	Student Government	BP
5830	Student Fund-Raising	BP
5850	Social Events	BP
5895	Student Employment	BP

Adopted 05/07/02

Revised 08/08/05; 01/09/06; 9/11/06, 4/9/07; 4/14/08; 9/14/09; 11/8/10; 3/14/11; 8/15/11;
4/16/12; 8/13/12; 10/14/13; 2/10/14; 9/8/14; 4/20/15; 6/19/15; 6/29/15; 3/14/16; 8/18/16;
1/19/17; 8/7/17; 1/8/18

HOMELESS STUDENTS

References: 42 U.S.C. 11431 et seq. (McKinney - Vento Homeless Act)

Definitions

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the Academy. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The Academy shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The Academy shall regularly review and revise its policies, including school discipline policies that may impact homeless students, including those who may be a member of any of the Protected Classes (Policy 2260).

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing¹, bus or train station, or similar setting

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

¹ According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing."

Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, at A-3 (July 27, 2016).

Services to Homeless Children and Youth

The Academy will provide services to homeless students that are comparable to other students in the Academy, including:

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
 - 1. programs for children with disabilities;
 - 2. programs for English Learners (ELs) (i.e., students with Limited English Proficiency (LEP));
 - 3. programs in career and technical education;
 - 4. programs for gifted and talented students;
 - 5. school nutrition programs; and
 - 6. before - and after-school programs.

The Board will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Educational Service Provider. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. For more information on the role of the Liaison, refer to AG 5111.01.

School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the Academy must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The Academy must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

When determining a child or youth's best interest, the Academy must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or

enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the Academy must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The Academy also considers the school placement of siblings when making this determination.

If the Academy finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the Academy must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

Immediate Enrollment

The Academy has an obligation to remove barriers to the enrollment and retention of homeless students. A school chosen on the basis of a best interest determination must immediately enroll the homeless student, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the local liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or Academy. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, the Academy will also make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available). Additionally, the Academy should consider giving homeless children and youth's priority if there is a waitlist for these schools, programs, and activities.

Transportation

The Academy provides homeless students with transportation services that are comparable to those available to non-homeless students. The Academy also provides or arranges for transportation to and from the school of origin at the parent or guardian's request, or the

liaison's request in the case of an unaccompanied youth. Transportation is arranged promptly to allow for immediate enrollment and will not create barriers to a homeless student's attendance, retention, and success. The following procedures also apply subject to a determination of the student's best interest:

- A. If the homeless student moves to an area outside of the Academy's charter, though continuing his/her education at the school of origin, the Academy and the public school district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the Academy and the public school district cannot agree upon such a method, the responsibility and costs will be shared equally.
- B. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The Academy determines the mode of transportation in consultation with the parent or guardian and based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The Academy will work with the State to resolve transportation disputes with other Academies. If the disputing Academy is in another State, the Academy will turn to the State for assistance as Federal guidance says that both States should try to arrange an agreement for the Academies.

Dispute Resolution

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the Academy must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the Academy will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, Academy and Board of Directors policies, the Academy will provide the parent, guardian or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the Academy or State, along with a written explanation of appeal rights.

The Academy's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The Academy must also include contact information for the Liaison and the State Coordinator, and a brief

description of their roles. The Academy will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The Academy ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the Academy will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to federal laws. The Academy will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

Homeless Children in Preschool

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the Academy. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the Academy takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The Academy must also provide transportation services to the school of origin for a homeless child attending preschool. It is the Academy's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the Academy moves to another Academy that does not provide widely available or universal preschool.

Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the Academy shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the Academy shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

Records

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the

appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The Academy shall incorporate practices to protect student privacy as described in AG 5111.01, AG 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Adopted 1/12/2004
Revised 8/7/17; 1/8/18

7000 **PROPERTY**

7217	Weapons	BP
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	L
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
7434	Use of Tobacco on Academy Premises	L
7440	Facility Security	BP
7450	Property Inventory	L
7455	Accounting System for Fixed Assets	BP
7460	Conservation of Natural and Material Resources	BP
7510	Use of Academy Facilities	BP
7530	Lending of Academy-Owned Equipment	BP
7540	Technology	BP
7540.01	Technology Privacy	BP
7540.03	Student Education Technology Acceptable Use and Safety	BP
7540.04	Staff Education Technology Acceptable Use and Safety	BP
7540.05	Electronic Mail	BP
7540.06	Academy-Issued Student E-mail Account	BP
7540.07	Personal Internet Account Privacy – Students	L
7540.08	Personal Internet Account Privacy – Staff	L
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP
7542	Access to Academy Technology Resources from Personal Communication Devices	BP
	** Web Accessibility Policy	

** This policy is not a NCSI policy and will not be maintained by the Institute.

Adopted 5/7/02

Revised 2/13/06; 9/11/06; 9/14/09; 5/10/10; 3/14/11; 8/15/11; 8/13/12; 3/11/13; 10/14/13; 4/20/15; 3/14/16; 8/18/16; 1/19/17; 8/7/17; 11/6/17; 1/8/18

STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

Reference: P.L. 106-554, Children's Internet Protection Act of 2000
P.L. 110-385, Title II, Protecting Children in the 21st Century Act
18 U.S.C. 1460
18 U.S.C. 2246
18 U.S.C. 2256
20 U.S.C. 6777, 9134 (2003)
20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965,
as amended (2003)
47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)
47 C.F.R. 54.520

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Directors provides Technology Resources (as defined by Bylaw 0100) to support the educational and professional needs of its students and staff. With respect to students, Academy Technology Resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The Academy's computer network and Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of Academy Technology Resources by principles consistent with applicable local, State, and Federal laws, the Academy's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy and its related administrative guidelines and the Student Code of Conduct govern students' use of Academy Technology Resources and students' personal communication devices when they are connected to the Academy computer network, Internet connection, and/or online educational services/apps, or when used while the student is on Board-owned property or a Board-sponsored activity (see Policy 5136).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using Academy Technology Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the Academy's computer network and/or Internet connection).

First, the Board may not be able to technologically limit access through its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in

the world, will open classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or the School Leader, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Academy also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on students to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the School Leader. The technology protection measures may not be disabled at any time that students may be using Academy Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Educational Service Provider may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Parents are advised that a determined user may be able to gain access to services and/or resources on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents may find inappropriate, offensive, objectionable or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

The Educational Service Provider is directed to prepare procedures which address students' safety and security while using e-mail, chat rooms and other forms of direct electronic communications, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors online.

Pursuant to Federal law, students shall receive education about the following:

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.) cyberbullying and other unlawful or inappropriate activities by students online, and

- D. unauthorized disclosure, use, and dissemination of personally -identifiable information regarding minors.

The Board directs the ESP to implement procedures regarding the appropriate use of technology and online safety and security as specified above. Furthermore, the ESP will implement monitoring procedures for the online activities while students are at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The Educational Service Provider is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of Academy Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms, and cyberbullying awareness and response. All users of Academy Technology Resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

Students are responsible for good behavior when using Academy Technology Resources – i.e., behavior comparable to that expected of students when they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The Board does not approve any use of its Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

Students may only use Academy Technology Resources to access or use social media if it is done for educational purposes in accordance with their teacher's approved plan for such use.

Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Academy Technology Resources that are not authorized by this policy and its accompanying procedures.

The Board designates the Educational Service Provider and School Leader as the persons responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to students' use of Academy Technology Resources.

Revised 5/10/10; 8/15/11; 8/13/12; 4/20/15; 1/8/18

STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Reference: P.L. 106-554, Children's Internet Protection Act of 2000
P.L. 110-385, Title II, Protecting Children in the 21st Century Act
18 USC 1460
18 USC 2246
18 USC 2256
20 USC 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)
47 USC 254(h), (1), Communications Act of 1934, as amended (2003)
47 C.F.R. 54.520

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Directors provides Technology and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The Academy's computer network and Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of Academy Technology and Information Resources by principles consistent with applicable local, State, and Federal laws, and the Academy's educational mission. This policy and its related administrative guidelines and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the Academy's Technology and Information Resources and staff's personal communication devices when they are connected to the Academy's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using Academy's Technology and Information Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the Academy's computer network and/or Internet connection).

Staff are expected to utilize Academy Technology and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2521 – Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the Academy with computers and users worldwide. Through the Education

Technology, students and staff can access relevant information that will enhance their learning and the education process. Further, Academy Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, the Board may not be able to technologically limit access over its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, will open classrooms and students to electronic information resources that not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures, that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or Educational Service Provider, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on Staff members to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the School Leader. The technology protection measures may not be disabled at any time that students may be using the Academy Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Educational Service Provider may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

The Educational Service Provider is directed to prepare procedures which address students' safety and security while using e-mail, chat rooms and other forms of direct electronic communication, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors online. Staff members are reminded that personally identifiable student information is confidential and may not be disclosed without prior written parental permission.

The Board directs the Educational Service Provider to initiate professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students or staff online; and
- D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

Furthermore, the Board directs the Educational Service Provider to cause to provide instruction for students regarding the appropriate use of technology and online safety and security as specified above, and the Educational Service Provider will implement monitoring procedures for the online activities while students are at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

The Educational Service Provider is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that guidance will be provided and instruction offered to students in the appropriate use of the Academy Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media including in chat rooms, and cyberbullying awareness and response. All users of Academy Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

Staff will be assigned an Academy email address that they are required to utilize for all Academy-related electronic communications, including those to students parents and other staff members.

The Board expects all Academy personnel to be responsible for good behavior when using Academy Technology and Information Resources – i.e., behavior comparable to that expected when in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its Technology and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Staff members may only use Academy Technology Resources to access or use social media if it is done for educational or business-related purposes.

General Academy rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Academy Technology and Information Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Educational Service Provider and School Leader (employed by the Board) as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of Academy Technology and Information Resources.

Social Media Use

Personal or private use of social media may result in unintended consequences. While the Board respects employees First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the Academy's Mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes Academy personnel online conduct that occurs off school property, including from the Academy's personal or private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

In addition, Federal and State confidentiality laws forbid schools and Academy employees from using or disclosing student education records without parental consent. See Policy 8330. Education records include a wide variety of information; posting personally identifiable information about students is not permitted. Academy personnel who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential employee information may be disciplined.

Revised 5/10/10; 8/15/11; 8/13/12; 4/20/15; 1/8/18

ACADEMY-ISSUED STAFF E-MAIL ACCOUNT

The Board is committed to the effective use of electronic mail ("e-mail") by all school staff and Board members in the conduct of their official duties. This policy and any corresponding procedures are intended to establish a framework for the proper use of e-mail for conducting official business and communicating with colleagues, students, parents and community members.

When available, the Academy's e-mail system must be used by ESP for any official Academy e-mail communications. Personal e-mail accounts on providers other than the Academy's e-mail system may be blocked at any time if concerns for network security, SPAM, or virus protection arise. Furthermore, school staff are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the Academy's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

School staff shall not send or forward mass e-mails, even if the e-mails concern Academy business, without prior approval of the School Leader.

School staff may join list serves or other e-mail services (e.g. RSS feeds) that pertain to their responsibilities in the Academy, provided these list serves or other e-mail services do not exceed the staff member's e-mail storage allotment. If a staff member is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue with his/her building principal or the Academy's Technology Director and/or IT Staff. The School Leader is authorized to block e-mail from list serves or e-mail services if the e-mails received by the staff member(s) regularly exceed 10 megabytes.

Staff members are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages, appropriately saving e-mails that constitute a public record or student record and e-mails that are subject to a litigation hold (see Policy 8315 – Information Management), and purging all other e-mails that have been read. If the staff member is concerned that his/her e-mail storage allotment is not sufficient, s/he should contact the Academy's Technology Director and/or IT staff.

Public Records

The Academy complies with all Federal and State laws pertaining to electronic mail. Accordingly, e-mails written by or sent to school staff and Board members may be public records if their content concerns Academy business, or education records if their content includes personally identifiable information about a student. E-mails that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. E-mails that are student records must be maintained pursuant to Policy 8330 – Student Records. Finally e-mails may constitute electronically stored information ("ESI") that may be subject to a litigation hold pursuant to Policy 8315 – Information Management.

State and Federal law exempt certain documents and information within documents from disclosure, no matter what their form. Therefore, certain e-mails may be exempt from disclosure or it may be necessary to redact certain content in the e-mails before the e-mails are released pursuant to a public records request, the request of a parent or eligible student to review education records, or a duly served discovery request involving ESI.

E-mails written by or sent to school staff and Board members by means of their private e-mail account may be public records if the content of the e-mails concerns Academy business, or education records if their content includes personally identifiable information about a student. Consequently, staff shall comply with an Academy request to produce copies of e-mail in their possession that are either public records or education records, or that constitute ESI that is subject to a litigation hold, even if such records reside on a computer owned by an individual staff member, or are accessed through an e-mail account not controlled by the Academy.

Retention

Pursuant to State and Federal law, e-mails that are public records or education records, and e-mails that are subject to a litigation hold shall be retained.

The Academy maintains archives of all e-mails sent and/or received by users of the Academy's e-mail service. Staff members are required to forward copies of any e-mails received in their personal e-mail account(s) not affiliated with the Academy server to their Academy e-mail account so that these records are also archived for future retrieval, if necessary.

Unauthorized E-mail

The Board does not authorize the use of its Technology Resources, including its computer network ("network") to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

Authorized Use and Training

Pursuant to Policy 7540.04, staff and Board members using the Academy's e-mail system shall acknowledge their review of, and intent to comply with, the Academy's policy on acceptable use and safety by signing and submitting Form 7540.04 F1 annually.

Furthermore, staff and Board members using the Academy's e-mail system shall satisfactorily complete training, pursuant to Policy 7540.04, regarding the proper use and retention of e-mail.

Adopted 1/12/15
Revised 1/8/18

ACADEMY-ISSUED STUDENT E-MAIL ACCOUNT

Students assigned an academy e-mail account are required to utilize it for all academy-related electronic communications, including those to staff members and individuals and/or organizations outside the Academy with whom they are communicating for academy-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their academy-assigned e-mail account when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

This policy and any corresponding guidelines serve to establish a framework for student's proper use of e-mail as an educational tool.

Personal e-mail accounts on providers other than the Academy's e-mail system may be blocked at any time if concerns for network security, SPAM, or virus protection arise. Students are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the Academy's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

Students shall not send or forward mass e-mails, even if educationally-related, without prior approval of their classroom teacher or the School Leader.

Students may join list serves or other e-mail services (e.g. RSS feeds) that pertain to academic work, provided the e-mails received from the list serves or other e-mail services do not exceed the students' individual e-mail storage allotment. If a student is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue with his/her classroom teacher, the building principal or the Academy's Technology Director and/or IT staff. The School Leader is authorized to block e-mail from list serves or e-mail services if the e-mails received by the student regularly exceed 10 megabytes.

Students are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages and purging e-mails once they are read and no longer needed for school.

Unauthorized E-mail

The Board does not authorize the use of its Technology Resources, including its computer network ("network"), to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

Authorized Use and Training

Pursuant to Policy 7540.03, students using the Academy's e-mail system shall acknowledge their review of, and intent to comply with, the Academy's policy on acceptable use and safety by signing and submitting Form 7540.03 F1.

Furthermore, students using the Academy's e-mail system shall satisfactorily complete training, pursuant to Policy 7540.03, regarding the proper use of e-mail.

Adopted 1/8/18

8000 **OPERATIONS**

8120	Iran Economic Sanctions Act Compliance	L
8142	Criminal History Record Check	L
8142.01	Weapons	BP
8210	Academy Calendar	BP
8220	School Day	BP
8310	Public Records	L
8320	Personnel Files	BP
8321	Criminal Justice Information Security	L
8330	Student Records	L
8340	Letters of Reference	L
8350	Confidentiality	BP
8390	Animals on Academy Property	L
8400	Academy Safety Information	L
8401	Fire Safety and Fire Department Notification	L
8405	Environmental Health and Safety Issues	L
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	BP
8431	Preparedness for Toxic Hazards and Asbestos Hazard	L
8442	Reporting Accidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8452	Automatic External Defibrillators (AED)	BP
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	BP
8462	Student Abuse and Neglect	L
8500	Food Services	L*
8510	Wellness	L
	8510 Appendix A: Specific Goals for Nutrition	
	8510 Appendix B: Specific Goals for Physical Activity	
	8510 Appendix C: Specific Goals for Other Academy-Based Activities Designed to Promote Student Wellness	
	8510 Appendix D: Specific Goals for Nutrition Promotion	
	8510 Appendix E: Nutrition Guidelines for All Foods Available On Campus During the School Day	
	8510 Appendix F: Wellness Policy Board Resolution	
8540	Vending Machines	L*
8660	Transportation by Private Vehicle	BP
8710	Insurance	BP
8740	Bonding	BP
8760	Student Accident Insurance	BP
8800	Religious/Patriotic Ceremonies and Observances	L

8900 Anti-Fraud BP

Adopted 05/07/02

Revised 08/08/05; 2/13/06; 9/11/06; 4/9/07; 4/14/08; 9/14/09; 5/10/10; 3/14/11; 8/15/11;
8/13/12; 10/14/13; 2/10/14; 10/13/14; 4/20/15; 6/19/15; 6/29/15; 3/14/16; 8/18/16; 1/19/17;
8/7/17; 1/8/18

***These policies are only legally required if the School serves food to students and receives direct or indirect federal aid for the program.**

CRIMINAL HISTORY RECORD CHECK

Reference: MCL 380.1230 et. seq., 380.1535, 380.1535a, 380.1809, 28.722

Before the Academy hires any employee (full or part-time) or allows any individual under contract to continuously and regularly work in the schools, a criminal history records check shall be conducted in accordance with State law.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the Academy or with a third-party vendor, management company, or similar contracting entity, to provide food, custodial, transportation, counseling or administrative services on more than an intermittent or sporadic basis. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

Prior to allowing an individual, who is subject to the criminal history record check requirement, to work in the Academy, the Academy shall submit a fingerprint-based check on the individual, using Michigan State Police (MSP) Form RI-030 (7/2012), regardless of whether the individual will work directly for the Academy or be contracted through a third-party vendor, management company or similar contracting entity ("Private Contractors"). Except as provided below, the report from the MSP must be received, reviewed and approved by the Academy prior the individual commencing work.

Such Private Contractors cannot receive or retain criminal history record information ("CHRI").¹ Where the Academy will contract with a Private Contractor for the services of an individual, the Academy will notify the Private Contractor(s), after review of the MSP report, whether the individual has been approved to work within the Academy. The Academy may not give any details, including the fact that a criminal history check was run. Notice for approval to work in the Academy should use the Affidavit of Assignment or similar "red light/green light" procedure.

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the School Leader may contract on a provisional basis until the report is received. Any such provisional hire requires that:

- A. the record check has been requested;
- B. the applicant has signed a disclosure of all convictions and acknowledges that employment may be terminated if there are discrepancies; and
- C. the hiring occurs during the school year or not more than thirty (30) days before the beginning of the school year.

For substitute teachers or substitute bus drivers currently working in another district, public school academy or non-public school in the State, the School Leader may use a report received from the State Police by such school to confirm the individual has no criminal history. Absent such confirmation, a criminal history record check shall be performed.

¹ Individuals who submit and receive such criminal history record checks on behalf of the Academy must be direct employees of the Academy or, if such access is approved by the Board, ESP personnel who are provided view only access by the Local Agency Security Officer. Notwithstanding this, Information Technology contractors and vendors may be granted access to CHRI subject to successful completion of a national fingerprint-based criminal history record check as detailed in Policy 8321

Individuals working in multiple districts or Academies may authorize the release of a prior criminal history records check with another district or Academy in lieu of an additional check for either direct employment or working regularly and consistently under contract in the schools.

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the Academy in lieu of submitting to a new criminal background check. If this method is used, the School Leader must confirm that the record belongs to that individual and whether there have been any additional convictions by processing the individual's name, sex and date of birth through the Internet Criminal History Access Tool (ICHAT).

"No separation," for purposes of the preceding paragraph, means a lay-off or leave of absence of less than twelve (12) months with the same employer; or the employee transfers without a break in service to another school district, intermediate school district, public school academy or non-public school within the State.

All criminal history record check reports received from the State Police or produced by the State Police and received by the Academy from another proper source will be maintained in the individual's personnel record.

When the Academy receives a report that shows an individual has been convicted of a listed offense under state statutes or any felony, the School Leader shall take steps to verify that information using public records, in accordance with the procedures provided by the State Department of Education.

Verified convictions may result in termination of employment or rejection of an application. The Academy will not hire or continue to employ any individual, either directly or as a contracted employee to work regularly and continuously in the schools, who has been convicted of a "listed" offense as defined in MCL 28.722. The Academy will not hire or continue to employ any individual, either directly or as a contracted employee to work regularly and continuously in the schools, who has been convicted of any felony unless both the School Leader and the Board provide written approval.

The Academy must report as directed by and to the State Department of Education the verified information regarding conviction for any listed offense or conviction for any felony and the action taken by the Academy with regard to such conviction. Such report shall be filed within sixty (60) days of receipt of the original report of the conviction.

The School Leader shall establish the necessary procedures for obtaining from the Criminal Records Division of the State Police any criminal history on the applicant maintained by the State Police. In addition, the School Leader shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must provide, at the Academy's expense, a set of fingerprints, prepared by an entity approved by the Michigan State Police, upon receiving an offer of employment, or as required by State law for continued employment.

Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those who have not been given access to the CHRI by the School Leader or the Board. Records involving misdemeanor convictions for sexual or physical abuse or any felony are not subject to these restrictions. Violation of confidentiality is considered a misdemeanor punishable by a fine up to \$10,000.

Any notification received from the Michigan Department of Education or Michigan State Police regarding Academy employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days until the accuracy of the information can be verified. Thereafter, only information about felony convictions or misdemeanor convictions involving physical or sexual abuse may be disclosed in reference to a FOIA request.

Criminal history reports may be released with the written authorization of the individual.

Records may also be released, in accordance with statute, upon the request of a school district, intermediate school district, public school academy or non-public school when the individual is an applicant for employment at such school and there has been no separation from service, as defined in this policy and by statute.

Adopted 2/10/14
Revised 10/13/14; 1/8/18