

About Our Cover

The featured artwork on the cover is from the National Charter Schools Institute's 2016 Midwest Charter Schools K-5 Art Contest: "When I grow up." Approximately 2,000 students from Illinois, Indiana, Michigan, Ohio, and Wisconsin submitted entries. Featured artwork represents some of the most outstanding and inspirational submitted.

For more information on the Institute's art contest, visit www.CharterInstitute.org.



BOARDPOLICIES

New Branches Charter Academy

Board Policies

New Branches Charter Academy

ADOPTION RESOLUTION

RESOLVED, that the board operating policies and policies printed and codified in the comprehensive document entitled "Board Operating Policies and Policies of the _____ Board of Directors" are hereby adopted and that all board operating policies and policies heretofore adopted by the _____ Board of Directors are hereby rescinded, further be it

RESOLVED, that in the event any policy, part of a policy or section of the board operating policies is judged to be inconsistent with law, inoperative by a court of competent jurisdiction or is invalidated by a policy or contract duly adopted by this Board, the remaining board operating policies, policies and parts of policies shall remain in full effect.

Take notice that the foregoing resolution was adopted by the _____ Board of Directors at a public meeting held at, _____ Michigan on, _____, 20____.

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
1422	Nondiscrimination and Equal Employment Opportunity	L
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
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
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
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	BP
2413	Health Education Program	BP
2414	Reproductive Health and Family Planning	BP
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
2460.02	Least Restrictive Environment (LRE) Position Statement	L
2510	Adoption of Textbooks	BP

Legend:
L = Legally Required (if applicable)
BP = Best Practice

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
5500	Student Conduct	BP
5510	Students-Sex Offender Registry; Criminal Convictions	BP

Legend:
L = Legally Required (if applicable)
BP = Best Practice

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
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	L
7540.04	Staff Education Technology Acceptable Use and Safety	L
7540.05	Electronic Mail	
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	

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

Legend:
L = Legally Required (if applicable)
BP = Best Practice

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

***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.**

GLOSSARY OF EDUCATIONAL TERMS AND ACRONYMS

The following terms and acronyms are used in the School policy and Administrative Guidelines and in communications with parents, students, and the public.

ASSESSMENT

The comparison made between what should have been accomplished and what has been actually accomplished. Concerning student learning, assessments make comparisons between what has been learned and what should have been learned.

ATTITUDE

One (1) of the five (5) major types of learning contained in courses of study, along with facts, concepts, principles, and skills. For example, students develop attitudes toward "doing quality work," "maintaining a clean environment," "participating in civic affairs," "not using drugs," etc.

CONCEPT

One (1) of the five (5) major types of learning involved in a course of study, along with attitudes, facts, principles, and skills. Students form an abstract idea by understanding the characteristics that are generally true of it. For example, *triangle* is the name for the concept of any plane, closed, geometric figure that has three (3) sides that form three (3) internal angles.

CONTENT

The name used to refer to all of the facts, concepts, principles, attitudes, and skills students are expected to learn in any course of study.

COURSE OF STUDY

An organized sequence of learning activities designed for students to acquire a body of knowledge, attitudes, and skills associated with a particular academic or vocational field. Course of Study activities may be scheduled over a semester, a school year, or several school years. Examples are a K-6 math program, 11th grade American History, or Junior High School Science.

CRITERION (CRITERIA)

A feature or characteristic by which something or someone is measured or judged. For example, in judging a student's writing ability, some criteria that might be used are "organization," "originality of thought," "clarity of expression," "grammar," etc.

CURRICULUM

All the planned activities - formal and informal, individual and group, in and outside of the classroom – necessary to accomplish the educational goals of the District. (See Policy 2210)

DIAGNOSIS

A determination of the causes for a particular condition, usually based on an assessment or evaluation. Diagnosis deals with the question "What are the reasons for?" For example, a diagnosis might deal with the reasons students are or are not meeting expected learning goals.

EVALUATION

A value judgment made about an assessment. For example, if an assessment shows a student has satisfactorily achieved 90% of the objectives of a course, the evaluation (judgment) might be that the student's achievement is "excellent" or "better-than-average" or "superior."

FACT

One (1) of the five (5) major types of learning involved in a course of study, along with attitudes, concepts, principles, and skills. Facts are verified, specific pieces of information about an event, procedure, place, person, or object.

GOAL

An intention or expectation, stated or written, that requires several tasks to produce the desired result. Most goals involve the accomplishment of two or more related objectives.

IDEA

The Federal law that defines how states and local school systems will provide education for disabled children. IDEA (Individuals with Disabilities Act) usually referred to as special education or "special ed." Enforced by the Department of Education (DOE).

IEP

The acronym for *Individualized Education Plan*. An IEP is required for every student who is classified as eligible for special education by Federal and State criteria.

INSTRUCTION

The information, questions, and/or directions provided to students by teachers, books, computers, etc., so students may gain a particular skill, knowledge, attitude, or understanding.

LEADERSHIP

A five-step process of working with people, using certain knowledge, skills, and attitudes, combined with risk-taking, 1.) to envision a desired or needed outcome; 2.) to communicate to others so they participate willingly in the necessary tasks; 3.) to monitor progress toward the outcome; 4.) to reinforce and/or remediate actions; 5.) to evaluate the results.

MANAGEMENT

The process of organizing and maintaining needed resources (people, things, time, and money) and ensuring they are utilized appropriately for their intended purpose.

MEASUREMENT

A determination of the quantity and/or quality of something. In education, measurement is usually a determination (often by testing) of how much has been learned and/or how well it has been learned. Measurement is the necessary first step of an assessment and evaluation.

MISSION

The stated purpose or intent of a school or school system. A mission statement provides reasons for the school's existence.

MODEL

A program or project designed to demonstrate unique educational activities, structures, and/or organizations.

NORMS

A set of achievement levels attained by a given number or percentage of students from representative populations or areas of a state or the nation.

OBJECTIVE

An intended action or result in the process of achieving a goal. For students, learning objectives are usually the initial level of accomplishment toward the School's Educational Goals for Students. The next level is the achievement of Course of Study objectives, followed by the accomplishment of additional Courses of Study objectives, ultimately leading to the accomplishment of one (1) or more of the District's Educational Goals for Students.

OUTCOME

The situation that exists when one (1) or more goals have been achieved. In instructional plans, outcomes are usually stated in terms of expected accomplishment, while goals are usually stated in terms of intended actions. Both emanate from the Mission Statement.

PARENT

The natural or adoptive parents, or individuals with a valid power of attorney for the care and custody of the student for purposes other than educational placement. Parent also refers to any individual appointed by the State or court as a legal guardian or custodian for the student. Both parents will have equal access to records and rights regarding the student's education absent a court order restricting such rights.

PILOT

A tryout or trial run of a new or innovative program or activity before making a major, long-term commitment.

PLACEMENT

The assignment of a student to another group, grade, program, or course, for reasons other than educational achievement.

PLAN

An intentional series of actions designed to accomplish an objective or goal. A plan usually lists the objective or goal first, then describes needed resources, appropriate actions and timelines, potential problems, and procedures for monitoring progress.

PRINCIPLE

One (1) of the five (5) major learnings involved in a course of study, along with attitudes, concepts, facts, and skills. Principles define cause-effect relationships in the natural and social sciences, mathematics, and other subject areas.

PROGRAM

A series of related, planned activities designed to accomplish one or more stated purposes.

PROMOTION

The advancement of a student from one level of learning to a higher level of learning usually by assignment to a higher group, grade, program, or course.

RELIABILITY

In education, the consistent measurement of the same learning among different students on test questions or a test as a whole.

RETENTION

The decision to have a student remain at his/her current level for an additional semester or school year, because the student lacks knowledge or skills needed for further learning and/or exhibits emotional or social immaturity.

SCHOOL LEADER

The educational leader and head administrator of one (1) or more District schools or programs, as designated by the Board of Directors. The School Leader is responsible for the supervision of the school or program consistent with Board policy and directives of the Educational Service Provider/Board of Directors and may delegate responsibility to subordinates as appropriate.

SCOPE

A curriculum term that refers to both the length of a particular course of study and to the amount and types of learnings to be developed from beginning to end.

SECTION 504

The section of the Rehabilitation Act of 1973 that includes requirements for employment and education of disabled persons. Section 504 is enforced by the Office of Civil Rights (OCR).

SEQUENCE

A curriculum term correlated to SCOPE. Sequence describes the order in which learnings will be developed throughout a course of study.

SKILL

One (1) of the five (5) major types of learning involved in a course of study, along with attitudes, facts, concepts, and principles. A skill involves taking certain actions and producing a particular result at a given standard of quality. A skill is acquired through repeated practice, interspersed with clear, concise feedback on what to change and what to maintain in order to improve the result.

STANDARDIZED TEST

A test containing questions and/or problems designed by educators outside of the district rather than by the students' teachers. A standardized test has State or national norms by which to judge the level of each student's achievement.

STANINE

A term used in reporting standardized test results. Stanine refers to one (1) of nine (9) possible levels of performance on the test.

TEST

Questions, problems, or activity directions, designed to determine what students have learned in the way of attitudes, facts, concepts, principles, and/or skills. A test may also be used to determine how much or how well students can apply what they have learned.

UNDERSTANDING

A level of knowledge beyond memorization or rote that enables a student to explain what s/he has learned and/or to apply knowledge in new and unfamiliar situations.

VALIDITY

In education, how well test items or a test as a whole actually measures what is intended to be measured or needs to be measured. (See RELIABILITY).

ACRONYMS

The following acronyms are used in the School policy and Administrative Guidelines and in communications with parents, students, and the public.

A

ACH – Automatic Clearing House

ADA – Americans with Disabilities Act of 1990

AED – Automatic External Defibrillator

AEP – Alternative Education Program

AFS – American Field Service, International/Intercultural Programs

AIDS – Acquired Immunodeficiency Syndrome

AYP – Adequate Yearly Progress

B

C

CDL – Commercial Drivers License

CEPI – Center for Educational Performance and Information

CFR – Citations to the Federal Register are noted as to the Code of Federal Regulations as CFR, and to the United States Code as USC

COR – Custodian of Records

CPA – Certified Public Accountant

CPR – Cardiopulmonary Resuscitation

CTE – Career and Technical Education

D

DHS – Department of Human Services (formerly FIA and DSS)

DOE –Department of Education (Federal)

DRO – District Records Officer

E

ECD – Electronic Communication Device

EDP – Education Development Plan

EIP – Emergency Intervention Plan

EMS – Emergency Medical Services

ESI – Emergency Safety Intervention

EPA – Environmental Protection Agency

ESP – Educational Service Provider

ETO – Electronic Transfer Officer

F

FAPE – Free and Appropriate Public Education

FERPA – Federal Educational Rights and Privacy Act

FMLA – Family and Medical Leave Act

FOIA – Freedom of Information Act

FSA – Flexible Spending Accounts (Health Care)

FTE – Full Time Equivalent (Student Attendance)

FBA – Functional Behavioral Assessment

G

GAA – General Appropriations Act

GAAB – Generally Accepted Accounting Bulletin

GAAP – Generally Accepted Accounting Principles

GED – General Education Diploma

GPA – Grade Point Average

H

HACCP – Hazard Analysis Critical Control Point

HAV – Hepatitis A

HBV – Hepatitis B

HCV – Hepatitis C

HIPAA – Health Insurance Portability and Accountability Act of 1996

HIV – Human Immunodeficiency Virus

HTML – Hyper Text Mark Up Language

HVAC – Heating Ventilating Air Conditioning

I

ICHAT – Internet Criminal History Access Tool

IDEA – Individuals with Disabilities Education Act

IEP – Individualized Education Plan

IEPT – Individualized Education Planning Team

IEQ – Indoor Environmental Quality

IIS – Indentix Identification Services

IPM – Integrated Pest Management

ISD – Intermediate School District

J

K

L

LEA – Local Education Agency

LEIN – Law Enforcement Information Network

LEP – Limited English Proficient

LRE – Least Restrictive Environment

M

MCLA – Michigan Compiled Laws Annotated

MDCH – Michigan Department of Community Health

MDCIS – Michigan Department of Consumer and Industry Services

MDE – Michigan Department of Education

MEAP – Michigan Education Assessment Program

MEIS – Michigan Educational Information System

MHSAA – Michigan High School Athletic Association

MMC – Michigan Merit Curriculum

MME – Michigan Merit Examination

MOSHA – Michigan Occupational Safety Health Act

MPG – Michigan Promise Grant

MPSERS – Michigan Public School Employment Retirement System (MPSERS)

MRO – Medical Review Officer

MSDS – Material Safety Data Sheets

MSP – Michigan State Police

N

NAEP – National Assessment of Educational Progress

NASSP – National Association of Secondary School Principals

NCLB – No Child Left Behind (Federal legislation of 2001)

O

OCR – Office of Civil Rights

OCTP – Office of Career and Technical Preparation

OSHA – Office of Safety and Health Administration

OTC – Over the Counter

P

PBS – Positive Behavior Support

PBSP – Positive Behavior Support Plan

PPE – Personal Protection Equipment

PSA – Public School Academy

PTA – Parent Teacher Association (Usually affiliated with the National Organization)

PTO – Parent Teacher Organization (Usually do not pay dues to a National Organization)

Q

R

RFP – Request for Proposal

RHO – Records Hearing Officer

S

SAT – Scholastic Aptitude Test

SEAB – Sex Education Advisory Board

SRO – School Resource Officer

STD – Sexuality Transmitted Disease

T

TAF – Trust and Agency Fund

TDP – Deferred Payment (TDP) Plan (MPERS)

THP – Toxic Hazard Preparedness

U

USAS – Uniform School Accounting System

USC – United States Code

USDA – United States Department of Agriculture

USIA – United States Information Agency

V

W

X

Y

Z

Revised 4/14/08

0000 **BOARD OPERATING POLICY**

0100 **Definitions**

0110 **Official Description**

0111 Name
0112 Purpose
0115 Address

0120 **Powers and Philosophy**

0121 Authority
0122 Board Powers

0130 **Functions**

0131 Legislative
0131.1 Charter Contract Bylaws and Board Operating
 Policies
0132 Executive
0132.1 Selection of School Administrator
0132.2 Administrative Guidelines
0133 Judicial

BP

0140 **Membership**

0141 Number
0142 Appointment
0142.1 Term
0142.2 Oath
0142.3 Vacancies
0142.4 Orientation
0143 Authority
0143.1 Public Expression of Board Members
0144 Operations
0144.1 Compensation
0144.2 Board Member Ethics
0144.3 Conflict of Interest
0144.4 Indemnification
0145 Discriminatory Harassment

BP

BP

BP

BP

BP

BP

0150 **Organization**

0151 Annual Meeting
0152 Officers
0154 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	
0165	Notice	BP
0165.1	Regular Meetings	BP
0165.2	Change of Regular Meetings	BP
0165.3	Special Meetings	BP
0165.4	Emergency Meetings	BP
0165.5	Recess	BP
0166	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	BP
0168.2	Closed Meeting	BP
0168.3	Committee Meetings	BP
0169	Student Disciplinary Hearings	BP
0169.1	Closed Session Requested	BP
0169.2	Open Hearing	
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	School Board Conferences, Conventions, and Workshops	BP

Adopted 5/7/02

Revised 2/13/06; 11/8/10; 8/13/12; 10/14/13; 2/10/14; 9/8/14; 3/14/16; 8/18/16;1/19/17;
8/7/17

DEFINITIONS

The Board Operating Policy of the Board of Directors of this School incorporate quotations from the laws and administrative code of the State of Michigan. Such quotations may be substantively altered only by appropriate legislative, judicial, or administrative action.

Whenever the following items are used in these policies, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Board

The Board of Directors.

Board Operating Policies

Rule of the Board for its own governance.(See Bylaws provision in Charter Contract)

Curriculum Supervisor

The educational Administrator to the School. In policy and administrative guidelines, implies authority to delegate responsibilities to appropriate members of his/her staff. Reports to School Administrator.

Due Process

Procedural due process requires prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond.

Procedural due process may require right to counsel and/or confrontation or cross examination of witnesses, depending upon the situation.

May

This word is used when an action by the Board or its designee is permitted but not required.

Meeting

Any gathering which is attended by or open to all of the members of the Board, held with

the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body.

Parent

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise.

Policy

A general, written statement by the governing Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board of Directors. (See Board Operating Policy 0170)

Professional Staff Member

An employee who implements or supervises one (1) or more aspects of the School's program and whose position requires a professional credential from the State.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the policy covering this subject.

Secretary

The chief clerk of the Board of Directors. (See Board Operating Policy 0170)

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

Student

A person who is officially enrolled in the School.

School

The Public School Academy

School Administrator

The Administrator of the School. In policy, implies delegation of responsibilities to appropriate staff members. Reports to Board of Directors.

Support Employee

An employee who provides support to the School's program and whose position does not require a professional certificate.

Treasurer

The chief financial officer of the School. (See Board Operating Policy 0170)

Vice-President

The Vice-President of the Board of Directors.(See Board Operating Policy 0170)

Voting

A vote at a meeting of the Board of Directors. The law requires that Board members must be physically present in order to have their vote officially recorded in the Board minutes.

Citations to Michigan Compiled Laws Annotated (MCL) are shown as MCL followed by the Section Number (e.g., MCL 380.1438). Citations to the Michigan Administrative Code are prefaced AC Rule (e.g., AC Rule R380.221). Citations to the Federal Register are noted as FR, to the Code of Federal Regulations as CFR, and to the United States Code as USC

OFFICIAL DESCRIPTION

0111 **Name**

The Board of Directors of this School shall be known officially as the New Branches Charter Academy Board of Directors.

0112 **Purpose**

The Board of Directors exists for the purpose of providing a system of free, public education for children in grades K-6 as authorized in the Charter Contract.

0115 **Address**

The official address of the New Branches Charter Academy shall be:

New Branches Charter Academy
3662 Poinsettia SE
Grand Rapids, MI 49508

POWERS AND PHILOSOPHY

Reference: MCL 380.503, 380.504a, 380.1225, 423.217

0121 **Authority**

The supervision of this School shall be conducted by the Board of Directors, hereinafter sometimes referred to as the "Board", which is constituted and is governed by the laws of the State of Michigan and the Charter Contract.

MCL 380.1201 et seq.

0122 **Board Powers**

The School shall operate as a General Powers School. As such it has all of the rights, powers, and duties expressly stated in statute; may exercise a power implied or incident to any power expressly stated in statute; and, except as provided by law, may exercise a power incidental or appropriate to the performance of any function related to the operation of the School in the interests of public elementary and secondary education in the School, including, but not limited to, all of the following:

- A. Educating Students. In addition to educating students in grades K-6 as authorized in the Charter Contract, this function may include operation of preschool, adult education, GED testing preparation programs, if specified in the School's Charter Contract.
- B. Providing for the safety and welfare of students while at school or at a school-sponsored activity or while enroute to or from school or a school-sponsored activity.
- C. Acquiring, constructing, maintaining, repairing, renovating, disposing of, or conveying school property, facilities, equipment, technology, or furnishings.
- D. In accordance with its Charter Contract: to hire, contract for, schedule, supervise, or terminate employees, independent contractors, and others to carry out School operations. The Board may contract or employ the School Administrator to provide educational, administrative and other services and to exercise certain of said powers. The rights, responsibilities and obligations of the school and the School Administrator are set forth in the agreement between the Board and the School Administrator. The School's policies and procedures are not intended to modify any of the terms of such a contract.

- E. Receiving, accounting for, investing, or expending School money; borrowing money and pledging School funds for repayment; and qualifying for State-School Aid and other public or private money from local, regional, State, or Federal sources.

The School may enter into agreements or cooperative arrangements with other entities, public or private, or join organizations as part of performing the functions of the School.

The School is a body corporate and shall be governed by a board of directors. An act of this Board is not valid unless approved, at a meeting of the Board, by a majority vote of the members present at a meeting at which a quorum is present. (Bylaws, Article V Section 5)

The Board shall adopt Bylaws. These Bylaws may establish or change Board procedures, the number of Board officers, titles and duties of Board officers, and any other matter related to effective and efficient functioning of the Board.

The Board has authority, based on statute, to make decisions regarding the following subjects:

- F. the policyholder of the School's insurance program as stipulated in the Charter Contract.
- G. the starting day for the school year and the amount of student contact time to receive full State school aid
- H. the composition of the School's site-based, decision-making groups or school-improvement committee(s)
- I. contracting with outside parties for noninstructional support services including the procedures for obtaining a contract, the identity of the outside party, and the impact on individual staff members
- J. use of volunteers
- K. decisions regarding the use of experimental or pilot programs including staffing, use of technology, provision of the technology, and the impact on individual staff members
- L. Compensation or reimbursement of a staff member for monetary penalties imposed on the staff member under M.C.L. 423.201, 202, 206, and 215. (If the Board employs staff)
- M. Any decision regarding the placement of teachers, or the impact of that decision on an individual employee.

- N. Decisions about the development, content, standards, procedures, adoption and implementation of a performance evaluation system under M.C.L. 380.1249 for teachers and administrators. (If the Board employs staff.)
- O. Decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such decision. (If the Board employs staff.)
- P. Decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher. (if the Board employs staff.)
- Q. Decisions about the development, content, standards, procedures, adoption and implementation of the method of performance based compensation for teachers and administrators in accordance with M.C.L. 380.1250. (If the Board employs staff.)
- R. Decisions about how performance evaluation is used to determine the performance based compensation for teachers and administrators. (If the Board employs staff.)
- S. Any requirement that would violate section 10(3), M.C.L. 423.210(3), (the requirement not to require union membership or the payment of dues, fees or charitable contributions in lieu of dues).
- T. Decisions about the development, format, content, and procedures of the notification to parents and legal guardians required under M.C.L. 380.1249a (the requirement to make the notifications is effective with the 2015-2016 school year).

Revised 8/13/12; 10/14/13

FUNCTIONS

0131 **Legislative**

0131.1 **Charter Contract Bylaws and Board Operating Policies**

Those policies which are not dictated by the statute or rules of the State Department of Education or ordered by the Superintendent of Public Instruction or a court of competent authority may be adopted, amended, repealed or suspended at any meeting of the Board.

The adoption, modifications, repeal, or suspension of a policy shall be recorded in the minutes of the Board Meeting. All policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in the Charter Contract shall no longer be in force and effect as a policy.

Bylaws and policies shall be adopted, amended, repealed or suspended by a majority vote of the Board.

Periodically, it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include statutory references, scrivener's errors, renumbering that does not change the order of the sections or subsections, grammatical corrections or additions including punctuation or typographical errors, as well as alterations and omissions not affecting the construction or meaning of any sections, subsections, chapters, titles, or policies as a whole. Technical corrections may also include the updating of the named individuals in these policies where the originally named individual no longer works for the Academy or no longer works in the applicable position. Should the Board choose to make such technical corrections, it may be accomplished by resolution without going through the normal policy adoption procedures.

The Board may adopt, amend, or repeal rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting.

MCL 450.2223, 450.2231

0132 **Executive**

0132.1 **Selection of School Administrator**

The Board of Directors shall exercise its executive power in part by the appointment of a School Administrator who shall enforce the statutes of the State of Michigan, rules of the State Board of Education, and the policies of this Board in accordance with the Charter Contract requirements.

0132.2 **Administrative Guidelines**

The Board shall delegate to the School Administrator the function of specifying required actions and designing the detailed arrangements under which the school will be operated. These detailed arrangements shall constitute the administrative guidelines governing the School which are not inconsistent with statutes or regulations of the State Board or the policies of this Board or provisions of the Charter Contract.

Such administrative guidelines shall be binding on the employees and the students of this School when issued.

The School Administrator shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.

0133 **Judicial**

The Board of Directors assumes jurisdiction over any dispute or controversy arising within this School and concerning any matter in which authority has been vested in the Board by statute, rule, a contract, or policy of this Board.

In furtherance of its adjudicatory function, the Board may hold hearings which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

Revised 9/8/14

MEMBERSHIP

0141 **Number**

The members of the Board of Directors shall consist of the number established within the provisions of the Charter Contract.

0142 **Appointment**

0142.1 **Term**

Each Board member shall be appointed for a term, the length of which is set by the Charter Contract. A member may serve additional terms.

0142.2 **Oath**

A promise to faithfully serve on the Board shall be made by each newly appointed or reappointed Board member. Each Board member must file an oath of office within the timelines established in the Charter Contract and state statute.

0142.3 **Vacancies**

The office of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events:

- A. the death of the incumbent or the incumbent's being adjudicated insane or being found to be mentally incompetent by the proper court;
- B. the incumbent's resignation;
- C. the incumbent's removal from office;
- D. the incumbent's conviction of a felony;
- E. the incumbent's election or appointment being declared void by a competent tribunal;
- F. the incumbent's neglect or failure either to take and file the oath of office or to give or renew the official bond required by law;
- G. the incumbent's ceasing to possess the legal qualifications to hold office; or
- H. the incumbent's residence being removed from the state.
- I. Excessive absenteeism at scheduled meetings of the Board.

If less than a majority of the offices of the Board becomes vacant, the remaining members of the Board shall immediately nominate a candidate for the vacancy.

0142.31 Filling a Board Vacancy

(See Provision of the Charter Contract Bylaws.)

0142.4 Orientation

The preparation of each Board member for the performance of Board duties is essential to the effective functioning of the Board. The Board may encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the School, and learn Board procedures. Accordingly, in conjunction with the Authorizer, the Board shall give copies of the following items to new Board members no later than their first regular meeting as a Board members for their use and possession during their term on the Board:

- A. the Charter Contract;
- B. the Board Policies Manual;
- C. the current budget statement, audit report, and related fiscal materials;

Each new Board member shall be invited to meet with the Board President and/or School Administrator to discuss Board functions, policies, procedures, and provisions of the Charter Contract.

The Board shall encourage the attendance of each new Board member at orientation and training meetings.

0143 Authority

MCL 15.261 et seq.

Individual members of the Board do not possess the powers that reside in the Board of Directors. The Board speaks through approval of actions reflected in its minutes, not through its individual members. An act of the Board shall not be valid unless approved by majority vote of the Directors present at a meeting at which a quorum is present. (See Charter Contract Bylaws.)

No member of the Board shall be denied documents or information to which he/she is legally entitled and that are required in the performance of his/her duties as a Board member.

Since the staff of this School are employees of the Board, access to School personnel records, if appropriate, shall be subject to the following rules:

- A. Information obtained from employee personnel records by members of the Board shall be used only to help the members fulfill their legal responsibilities regarding such matters as appointments, assignments, promotions, demotions, remuneration, discipline, and dismissal; develop and implement personnel policies; and carry out other legal responsibilities of the Board. Privacy of employee personnel records will be the responsibility of the School Administrator.
- B. Any examination of School employee personnel records by the Board of Directors shall be conducted in accordance with the Open Meetings Act.
- C. Personnel records, in their entirety, shall be returned to the custody of the School Administrator at the conclusion of the Board meeting.

0143.1 Public Expression of Board Members

The Board President functions as the official spokesperson for the Board. Occasionally, however, individual Board members may make public statements on School matters to local media and to local and/or state officials.

Sometimes such statements imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the Board member and the Board. Therefore, when writing or speaking on School matters to the media, legislators, and other officials, Board members should make it clear that their views do not necessarily reflect the views of the Board or those of their colleagues on the Board.

This policy shall apply to all statements and/or writings by individual Board members that are not explicitly sanctioned by a majority of its members, except as follows:

- A. correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter;
- B. routine (not for publication) correspondence of the School Administrator (employed by the Board) and/or other employees;
- C. routine "thank you" letters of the Board;
- D. statements by Board members on non-school matters (providing the statements do not identify the author as a member of the Board); or
- E. personal statements not intended for publication.

0144 Operations

0144.1 Compensation

Board members shall not receive annual compensation for service as a Board Member.

0144.11 Reimbursement of Expenses

Reference: MCL 380.1254; MCL 388.1764b

The Board shall pay or cause to be paid the actual and necessary expenses of its members and Board employees in the discharge of official duties or in the performance of functions authorized by the Board. The expenditure shall be a public record and shall be made available to a person upon request.

The Board shall approve payment of an expense incurred by a Board member only if either (1) the Board, by a majority vote of its members at an open meeting, approved reimbursement of the specific expense before the expense was incurred, or (2) the expense is consistent with the following policy, and the Board approves the reimbursement before it is actually paid:

The following categories of expenses shall be reimbursable:

- Mileage for Board-related activities and meetings, not to exceed the then-current rate established by the Internal Revenue Service;
- Expenses of attending a Board-approved conference, including fees, parking, mileage, meals and housing
- Expenses related to purchase of printed or other materials relating to Board membership; and
- Expenses of attending a community or School-related event, if the individual attends as the designated representative of the Board.

The following categories of expenses shall not be reimbursable:

- A. Expenses of attending a community or School-related event, if the individual attends as a private citizen;
- B. Entertainment expenses; and
- C. The purchase of alcoholic beverages.

A voucher detailing the amount and nature of each expense must be submitted to the School Board for approval at a Board meeting, prior to reimbursement.

0144.2 Board Member Ethics

Reference: Board of Directors, National School Boards Association

Members of the Board of Directors will strive to improve public education. To that end, Board members will do the following:

- A. attend all regularly scheduled and special Board meetings, insofar as possible, and stay informed concerning the issues to be considered at those meetings;
- B. endeavor to make policy decisions only after full discussion at publicly held Board meetings;
- C. render all decisions based on the available facts and independent judgment, refusing to surrender that judgment to individuals or special interest groups;
- D. encourage the free expression of opinion by all Board members and seek systematic communications among the Board and students, staff, and all elements of the community;
- E. work with the other Board members to establish effective Board policies and delegate authority for the administration of the School;
- F. communicate to other Board members, and the School Administrator (employed by the Board) expressions of public reaction to Board policies and School programs;
- G. inform themselves concerning current educational issues through individual study and participation in programs, which provide relevant information;
- H. support the employment of persons best qualified to serve as staff, and insist on regular and impartial evaluations of all staff;
- I. avoid conflict of interest and refrain from using their Board positions for personal or partisan gain;
- J. take no private action that may compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law;
- K. remember that their first and greatest concern must be for the educational welfare of the students attending the School.

0144.3 Conflict of Interest

MCL 15.32(3); 380.1203, 380.634, 450.2545, 450.2546

Board members shall perform their official duties free from any conflict of interest. To this end, no Board member shall use his/her position as a Board member to benefit either himself/herself or any other individual or agency, apart from the total interest of the School.

When a member of the Board suspects the possibility of a personal interest conflict, he/she should disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board) and thereafter abstain from any participation in both the discussion of the matter and the vote thereon.

If a Board member's financial interest pertains to a proposed contract with the School, the following requirements must be met:

A. The Board member shall disclose the financial interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct financial interest amounts to \$250 or more, or five percent (5%) or more of the contract cost to the School, the Board member shall make the disclosure in one of two (2) ways:

1. In writing, to the Board president (or, if the member is the Board President, to the Board Secretary) at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Board Operating Policy 0165.)
2. By verbal announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken.

The Board member must use this method of disclosure if his/her financial interest amounts to \$5,000 or more.

B. Any contract in which there is a conflict of interest, as defined by this Policy and the related statute (MCL 15.321 et seq.), must be approved by a vote of not less than two-thirds (2/3) of the full Board (excluding the vote of any Board member with a financial interest).

C. A member of the Board is presumed to have a conflict of interest if the member or his/her family member has a financial interest, or a competing financial interest, in the contract or other financial transaction or is an employee of the School.

Having a child in the School does not alone constitute a conflict of interest or financial interest in a contract or other financial transaction of the School.

"Family member" means a person's spouse or spouse's sibling or child; a person's sibling or sibling's spouse or child; a person's child or child's spouse; or a person's parent or parent's spouse, and includes these relationships as created by adoption or marriage.

1. A Board member is not considered to have a financial interest in any of the following instances:

- a. A contract or other financial transaction between the School and any of the following:
 - i. A corporation in which the individual is a stockholder owning 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
 - ii. A corporation in which a trust, if the individual is a beneficiary under the trust, owns 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owns stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
 - iii. A professional limited liability company organized pursuant to the Michigan limited liability company act, if the individual is an employee but not a member of the company.
- b. A contract or other financial transaction between the School and any of the following:
 - i. A corporation in which the individual is not a director, officer, or employee.
 - ii. A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.
 - iii. A corporation or firm that has an indebtedness owed to the individual.

A contract awarded to the lowest qualified bidder, upon receipt of sealed bids pursuant to a published notice for bids if the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This does not apply to any amendments or renegotiations of a contract or to additional payments under the contract that were not authorized by the contract at the time of award.

If the financial interest pertains to a proposed contract with the School, the following requirements must be met:

1. The Board member shall disclose the financial interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct financial interest amounts to \$250 or more or five percent (5%) or more of the contract cost

to the District, the Board member shall make the disclosure in one of two (2) ways:

- a. In writing, to the Board president (or if the member is the Board president, to the Board secretary) at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165.)
 - b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The Board member must use this method of disclosure if his/her financial interest amounts to \$5000 or more.
2. Any contract in which there is a conflict of interest as defined by this bylaw and the related statute (M.C.L. 380.1203) must be approved by a majority vote of the full Board without the vote of any Board member with a financial interest.

However, if a majority of the members of the Board are required to abstain from voting on a contract or other financial transaction due to a financial interest, then for the purposes of that contract or other financial transaction, the members who are not required to abstain constitute a quorum of the board and only a majority of those members eligible to vote is required for approval of the contract or financial transaction.

- D. The official minutes of the Board must disclose the name of each party involved in the contract, the nature of the financial interest, and the terms of the contract, including the duration; financial consideration between the parties; facilities or services of the School included in the contract; and the nature and degree of assignment of school staff needed to fulfill the contract.
- E. A Board member with a conflict of interest in a contract may not participate in the discussion of nor vote on the contract.
- F. Board members shall not accept any money, goods, or services from any person who does business or seeks to do business of any kind with the School.

0144.4 **Indemnification**
MCL 691.1408, 450.2561 – 2569

The Board may hold Directors and Officers harmless and may indemnify, pay, settle, or compromise a judgment against a Board member to the extent allowed under the law. The Board may also purchase Errors and Omissions insurance coverage for the Board of Directors.

0145 **Discriminatory Harassment**
MCL 37.1101 et seq., 37.2101 et seq.

The intent of the Board of Directors is to provide an environment that fosters the respect and dignity of each person. To this end, the Board is committed to the maintenance of an environment free of harassment and intimidation.

Sexual harassment includes all un-welcomed sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature, whenever submission to such conduct is made a condition of employment or a basis for an employment decision. Other prohibited conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive environment on the basis of gender, religion, race, color, national origin or ancestry, age, disability, height, weight, marital status, and/or any other legally protected characteristic.

The harassment of a student, staff member, or third party (e.g., visiting speaker, athletic team member, volunteer, parent, etc.) is strictly forbidden. Any person who violates this policy will be subject to discipline, in accordance with the law.

Adopted 5/7/02
Revised 2/13/06, 10/14/13; 2/10/14

ORGANIZATION

0151 **Annual Meeting**

The Board of Directors shall organize annually at a meeting held for that purpose. The meeting shall be called to order by the ranking officer of the Board, who shall in turn serve until the election of a President.

MCL 450.2401

0152 **Officers**

The Board shall elect a President and Vice-President as well as a Secretary and Treasurer.

Election of officers shall be by a majority vote of the Directors present. Where no such majority exists on the first ballot vote, a second vote shall be cast for the two (2) candidates who received the greatest number of ballot votes.

Except for those appointed to fill a vacancy, officers shall serve for one (1) year and until their respective successors are elected and shall qualify. An officer may be removed whenever in its judgment the best interests of the corporation would be served thereby. The Board shall fill a vacancy in either office within thirty (30) days of the occurrence of the vacancy.

MCL 450.2402

0154 **Motions**

The Board shall, at the organizational meeting:

- A. designate depositories for school funds; MCL 380.1221
- B. designate those persons authorized to sign checks, contracts, agreements, and purchase orders;
- C. designate a day, place, and time for regular meetings which shall be held at least once every month;
- D. designate those persons authorized to use the safe deposit box;
- E. designate assistants as required to assume specified responsibilities in behalf of the Treasurer and the Secretary.
- F. designate the Electronic Transfer Office (ETO) in accordance with

Policy 6144.

0155

Committees

See Charter Contract Bylaws

Adopted 1/12/2004

MEETINGS

0161 **Parliamentary Authority**

The parliamentary authority governing the Board shall be Robert's Rules of Order, Newly Revised in all cases in which it is not inconsistent with statute, administrative code, or these bylaws, or the rules of order of this Board.

0162 **Quorum**

A Majority (A majority) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

0163 **Presiding Officer**

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

0164 **Call**

0164.1 **Regular Meetings**

The Board shall hold a meeting at least once each month on a date and at a time and place determined annually by a resolution of the Board

0164.2 **Special Meetings**

Special meetings of the Board may be called by the President or by any two (2) members of the Board provided there is compliance with the notice provision of these Bylaws.

0164.3 **Emergency Meetings**

In the event of a severe and imminent threat to the health, safety, or welfare of the Academy, its personnel, or students, any member of the Board may call an emergency session provided the majority of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat. Actual notice of any emergency meeting shall be attempted, but not required to other Board members.

0165 **Notice**

0165.1 **Posting Notice of Regular Meetings**

Within ten (10) days after the organizational Board meeting, the Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, a notice listing the date, time, and place of each regularly scheduled meeting of the Board. The notice shall contain the name and address of the Academy and its telephone number.

The notice shall also contain the following statement:

"Upon request to the School Administrator, the Academy shall make reasonable accommodation for a person with disabilities to be able to participate in this meeting."

Upon the written request of an individual, organization, firm, or corporation, and upon the requesting party's payment of a yearly fee of not more than the estimated reasonable cost for printing and postage of each notice as shall be determined annually by the Board, the Academy shall send to the requesting party by first-class mail a copy of any notice required to be posted by these bylaws. The news media shall be entitled to receive, at their request, copies of such notices free of charge.

0165.2 **Change of Regular Meetings**

Reference: M.C.L.A. 15.264, 15.266

Within three (3) days after the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting, the meeting notice shall state the date, time, and place of the rescheduled meeting, as well as the name, address, and telephone number of the Academy. Said notice shall be posted on the front door of the Academy and such other place(s) as the Board may determine. Said notice shall be posted at least eighteen (18) hours before the rescheduled meeting.

0165.3 **Posting Notice of Special Meetings**

Said notice shall state the date, time, and place of such special meeting and the business to be transacted thereat, as well as the name, address, and telephone number of the Academy. A notice of any special meeting shall be posted at least eighteen (18) hours before said special meeting at the Academy office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board.

0165.4 **Posting Notice of Emergency Meetings**

No notice of any emergency meeting shall be required.

0165.5 **Recess**

Reference: MCL 15.265, 380.1201(3)(4)

Any meeting of the Board may be recessed to another time and place. Any meeting which is recessed for more than thirty-six (36) hours shall be reconvened only after a notice stating the date, time, and place of the recessed meeting as well as the name, address, and telephone number of the Academy has been posted on the front door of the Academy and such other place as the Board may determine for at least eighteen (18) hours prior to the time the meeting is to be reconvened.

0166

Agenda

The Board President and Educational Service Provider shall prepare and submit to each Board member a written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting. Individual Board members may include items on the agenda upon the concurrence of the Board President.

The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Educational Service Provider on information relating to the Academy with such recommendations as s/he shall make.

Each agenda shall contain the following statement:

"This meeting is a meeting of the Board in public for the purpose of conducting the Academy's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda item _____."

The agenda for each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than three (3) days prior to the meeting, or delivered so as to provide time for the study of the agenda by the member. The agenda for a special meeting shall be delivered at least twenty-four (24) hours before the meeting, consistent with provisions calling for special meetings.

The Board shall transact business according to the agenda submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any meeting by a majority vote of the members present.

0166.1

Consent Agenda

The Board shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

- A. minutes of prior meetings;
- B. bills for payment;
- C. hiring of personnel, if applicable;
- D. resolutions that require annual adoption, such as bank signatories, Michigan High School Athletic Association membership, etc.; or
- E. resignations and leaves.

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Educational Service Provider or any Board member thinks the item requires further discussion.

0167

Conduct

0167.1

Voting

Reference: MCLA 380.1201

All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members elected or appointed to and serving on the Board and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded therefrom.

Unless specifically authorized by Michigan conflict of interest laws, any Board member's decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. Failure to vote, absent a statutory exception, constitutes a breach of the Board member's duty as a public official. In situations in which a specified number of affirmative votes are required and abstentions have been noted, the motion shall fail if the specified number of affirmative votes have not been cast. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority. 184 Mich App 681, 684 (1990)

All actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member be recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled.

0167.2

Closed Session

The Board may by means of a roll call vote meet in a closed session, one closed to the public, for the following purposes:

- A. to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic evaluation of a public officer, the Educational Service Provider, staff member, or individual agent, if the named person requests a closed hearing (a majority vote is required)
- B. to consider the dismissal, suspension, or disciplining of a student only if the student or student's parents/guardians request a closed hearing (a majority vote is required) (Also see Bylaw 0169, Student Disciplinary Hearings)
- C. to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained (a

two-thirds (2/3's) vote is required)

- D. to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body (a two-thirds (2/3's) vote is required)
- E. to consider material such as written opinions of counsel which are exempt from discussion by State or Federal statute (a two-thirds (2/3's) vote is required)
- F. to consider the selection of a School Administrator, as addressed in the Educational Service Provider Agreement between the Educational Service Provider and Board.

0167.3

Public Participation at Board Meetings

Reference: MCL 15.267, 15.268
MCL 15.263(4)(5)(6), 380.1808

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose the content of discussions that take place during such sessions. The only exceptions will be discussions with the Academy's legal counsel or as directed by an order of a court with proper jurisdiction.

It is expected that Board members shall not record nor communicate by any means, electronic or otherwise, with party or parties outside such meetings regarding the substance of such meetings either during or after the course of such meetings.

The Board recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on Academy matters.

Any person or group wishing to place an item on the agenda shall register their intent with the Board President no later than two (2) days prior to the meeting and include: name and address of participant, group affiliation, if and when appropriate, and topic to be addressed.

Such requests shall be subject to the final approval of the Board President.

Denial of the opportunity to have an item placed on the agenda will not preclude an individual or group from the opportunity to speak during the public participation portion of the meeting.

To permit fair and orderly public expression, the Board shall provide a period for public participation at public meetings of the Board and publish rules to govern such participation in Board meetings and in Board committee meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business.
- B. Anyone with concerns related to the operation of the school or to matters within the authority of the Board may participate during the public portion of a meeting.
- C. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- D. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name; address; and group affiliation, if and when appropriate.
- E. Each statement made by a participant shall be limited to three (3) minutes duration.
- F. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- G. Participants shall direct all comments to the Board and not to staff or other participants.
- H. All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- I. The presiding officer may:
 - 1. prohibit public comments which are frivolous, repetitive, or harassing;
 - 2. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
 - 3. request any individual to leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct of the meeting;
 - 4. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 - 5. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.
- J. The portion of the meeting during which the participation of the public is invited shall be limited to 30 minutes, unless extended by a vote of the Board.

- K. Tape or video recordings are permitted subject to the following conditions:
1. No obstructions are created between the Board and the audience.
 2. No interviews are conducted in the meeting room while the Board is in session.
 3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

The person operating the recorder should contact the School Administrator prior to the Board meeting to review possible placement of the equipment.

0167.4 **Administrative Participation**

The Educational Service Provider and those administrators directed by the Educational Service Provider shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

0167.5 **Use of Electronic Mail**

Since E-mail is a form of communication that could conflict with the Open-Meetings Law, it will be used to conduct business of the Board only for the purposes of communicating:

- A. messages between Board members or between a Board member and the Educational Service Provider which do not involve deliberating or rendering a decision on matters pending before the Board;
- B. possible agenda items between the Educational Service Provider and the Board President;
- C. times, dates, and places of regular or special Board meetings;
- D. meeting agenda or public record information concerning items on the agenda;
- E. requests for public record information from a member of the administration, school staff, or community pertaining to school operations; and
- F. responses to questions posed by members of the public, administrators, or school staff.

Under no circumstances shall Board members use E-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

There should be no expectation of privacy for any messages sent by E-mail. Messages that have been deleted may still be accessible on the hard drive, if the space has not been occupied by other messages. Messages, deleted or otherwise, may be subject to disclosure under the Freedom of Information Act, unless an exemption would apply.

0168 **Minutes**

0168.1 **Open Meeting**

Reference: 15.269, 380.1201

The Secretary, or a temporary secretary appointed by the presiding officer, shall designate a person to keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. These minutes must be approved by the Board and endorsed by the Secretary at the next meeting. The minutes shall include all roll-call votes taken at the meeting. Proposed minutes shall be available for public inspection not later than eight (8) business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved. The minutes shall be available for inspection at the School Administrator 's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

The Board Secretary shall not include in or with its minutes any personally identifiable information on any student of the Academy which if released, would prevent the public body from complying with the Family Educational Rights and Privacy Act of 1974.

The official minutes shall be bound together by years and kept in the office of the Board.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next meeting.

The minutes shall show only action taken.

0168.2 **Closed Meeting**

Reference: 15.267, 15.269, 15.270-71, 15.273

The Board shall designate a person to keep separate minutes of each closed meeting of the Board. These minutes shall be retained by the Secretary of the Board, but shall not be available to the public and shall only be disclosed if required by a civil action filed under MCL 15.270 et seq. These minutes may be destroyed one (1) year and one (1) day after approval of the minutes of the regular meeting at which the closed session was approved.

0168.3 **Committee Meetings**

Any Board committee, whether standing or appointed ad hoc, which exercises governmental or proprietary authority must comply with the Open Meetings provisions in 0168.1 and 0168.2, and Public Participation provisions in 0167.3. Committees that are empowered to take action, make recommendations or otherwise deliberate in place of the Board are subject to this requirement.

0169 **Student Disciplinary Hearings**

0169.1 **Closed Session Requested**

If a parent/guardian or student requests a closed hearing, a vote must be taken. The purpose of the closed session should be announced: "To consider a student disciplinary matter, pursuant to the request of the parent/guardian" (**NOTE: Do not use the name since that could identify the student**). A majority is required to go into a closed session.

Those invited into closed session should include the student, parent/guardian(s) and/or representative(s) and school administrator(s) bringing charges. Others may be admitted at Board discretion, if needed for the proceeding or at the request of student, parents/guardians.

Witnesses should be admitted when needed to testify. They should be asked to leave the closed session after testifying. Witnesses may be required to affirm that they will tell the truth.

The Administration should present a summary of the requested discipline and an overview of the incident(s) supporting discipline. The Administration shall call and question witnesses as it determines appropriate. The administrator may testify as a witness to the results of his/her investigation of the incident and the student's past record.

The student, parent/guardian, or representative should be allowed to ask the witness(es) questions related to issues reasonably related to the discipline. Additional questioning by the Administration, the student/representative and/or the Board may be allowed at the Board's discretion.

The student, parent/guardian, or representative may then present witnesses or statements to the Board. The Administration and/or the Board may ask questions of these individuals. The Board may allow additional questioning at its discretion.

When the presentation of evidence is concluded, the Board will deliberate. It may exclude both the Administration and the student and representative, or allow both sides to remain. If the Board desires clarification of any testimony during its deliberation, it shall assure that both the Administration and the student are present to hear the information.

The Board shall not take any action in the closed session. To act on the discipline the Board must return to open session. This requires a majority

vote.

During the open session the name of the student shall not be used in voting on the discipline, to protect student privacy under the Federal Family Educational Rights and Privacy Act. The student may be referred to by a Code Number or Pseudonym (i.e. Student A). Only the reference code shall be indicated in the Board minutes, NOT the student's actual name. The reference code shall be listed in the student's discipline file.

If, at any time during the hearing, the student, parent/guardian or authorized representative withdraws the request for a closed hearing, the matter shall proceed under the open hearing provisions.

0169.2

Open Hearing

If the student, parent or authorized representative does not request a closed hearing, the Board must still assure that the Family Educational Rights and Privacy Act is not violated.

The parents/guardians (or student if eighteen (18) or older) should sign an authorization to release student record information to allow discussion of the student's information in the public forum (Form 8330 F4). If the parents refuse to sign the authorization or information relating to other students must be presented at the hearing, it should be done anonymously by referring to students by Code Numbers or Pseudonyms. If this is not possible, then the Board may go into closed session to receive student identifiable information pursuant to a two-thirds (2/3's) roll call vote for the announced purpose of "Considering material exempt from discussion or disclosure by State or Federal law."

In all other respects the hearing shall proceed as outlined under the Closed Hearing.

The Board must deliberate and act on the discipline in open session. The student, parents/guardians, administration and public will be allowed to be present. Students, parents/guardians who have not authorized disclosure to the public will not be mentioned by name during deliberations, but only by anonymous reference code. Any action must be by a vote of the Board in open session. If the student/parents have signed an authorization for public disclosure, then the student's name may be used in the motion and recorded in the Board minutes.

Adopted 05/16/03

Revised 08/08/05; 1/9/06; 11/8/10; 8/15/11; 8/7/17

DUTIES

0171 **Officers**

0171.1 **President**

See duties of President contained in the Charter Contract Bylaws.

In Addition, the President shall have the authority to sign, execute and acknowledge, on behalf of the Board, all deeds, mortgages, bonds, contracts, leases, reports, and all other Board approved documents.

0171.2 **Vice-President**

See duties set forth in the Charter Contract Bylaws.

0171.3 **Secretary**

See duties set forth in the Charter Contract Bylaws.

0171.4 **Treasurer**

See duties set forth in the Charter Contract Bylaws.

0172 **Legal Counsel**

The Board of Directors shall employ an independent attorney to represent the School or Board in actions brought for or against the School and to render other legal services for the welfare of the School.

0173 **Independent Auditor**

The independent auditor shall:

- A. examine the balance sheet of the School at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;
- B. conduct such examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;
- C. render an opinion of the financial statements prepared at the close of the fiscal year;
- D. make such recommendations to the Board of Directors concerning its accounting records, procedures, and related activities as may appear necessary or desirable;
- E. perform such other related services as may be requested by the Board.

0175 **Association Memberships**

The Board of Directors may maintain professional association memberships and may take part in the activities of these groups.

The Board may also maintain institutional memberships in other educational organizations which the School Administrator and Board find to be of benefit to members and School personnel.

The materials and other benefits of these memberships will be distributed and used to the best advantage of the Board and staff.

0175.1 **School Board Conferences, Conventions, and Workshops**

The Board of Directors recognizes the value of membership and attendance at conferences and meetings at the local, County, State, and National level.

Attendance at local, County, State, and National workshops and conferences is encouraged.

Each Board member is expected to report back to the Board after attending a conference at School expense.

Travel and personal expenses of spouse, children, or other guest traveling with a Board member shall be the responsibility of the Board member or of the individual. Expenses for convention functions attended as a group will be borne by the School within budgetary limits.

The President of the Board will regularly receive a record of Board member attendance at conferences.

Revised 9/14/09

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	Nondiscrimination and Equal Employment Opportunity	L
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
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

ASSESSMENT OF SCHOOL GOALS

One of the major functions of the Board of Directors is to work with the administration to establish the goals by which the School can accomplish its mission and to provide the resources necessary for their accomplishment. Because of the importance the Board places on accomplishing goals, it has established the following policy for effective assessment of the School's progress toward their realization.

In conjunction with its annual evaluation of the School Administrator, the Board shall also provide the time for both the Board and the administration to assess the progress of the School, during the previous year, toward the achievement of current goals. Both the School Administrator's evaluation and the progress-assessment of goals shall take place at a time of the year when the following conditions are most favorable to assure this policy operates as intended.

- A. Adequate and reliable data on results-to-date of each School goal is available (see AG 1110) so assessment and evaluation can focus on how well the School is accomplishing its goals.
- B. Evaluations or progress assessments of the School's learning programs as well as evaluations of key administrators and other staff have been completed so such data is available for reference by the School Administrator and Board during the assessment of School goals and the evaluation of the School Administrator.
- C. The Board uses this assessment/evaluation time period to assess the effectiveness of the Board as well as each Board member (Form 0134 F1).
- D. Summaries and synthesized data, compiled from the evaluation of the School Administrator, the Board's self-assessment, and the evaluation data on programs and staff, is available to serve as reference information when determining the reasons for progress and/or lack of progress toward accomplishment of School goals.

This annual process of assessing/evaluating the Board, the School Administrator, staff, programs, and resources shall not be considered finished until:

- A. school goals and the strategies and actions being used to accomplish them have been reviewed and reprioritized;
- B. revisions have been made in light of what all of the evaluation data for that year has indicated should be changed and/or should be continued in order to improve the accomplishment of School goals;
- C. the Board develops and implements a plan to improve its own performance as the body charged with the responsibility for the governing of the School.

CONFLICT OF INTEREST

Staff members shall perform their official duties in a manner free from conflict of interest. To this end:

- A. The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by School employees is essential to ensure the proper performance of school business as well as to earn and keep public confidence in the School.

To accomplish this, the Board of Directors has adopted the following guidelines to assure that conflicts of interest do not occur. These are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees.

1. No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system. When a staff member determines that the possibility of a personal interest conflict exists, s/he should, prior to the matter being considered by the Board or administration, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board).
2. No staff member shall use his/her position to benefit either himself/herself or any other individual or agency apart from the total interest of the School.
3. If the pecuniary interest pertains to a proposed contract with the School, the following requirements must be met.

The staff member shall disclose the direct pecuniary interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct pecuniary interest amounts to \$250 or more or five percent (5%) or more of the contract cost to the School, the staff member shall make the disclosure in one of two (2) ways:

- a. In writing, to the Board president at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165.)
- b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member must use this method of disclosure if his/her pecuniary interest amounts to \$5,000 or more.

4. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the School.

Included, by way of illustration rather than limitation are the following:

- a. the provision of any private lessons or services for a fee
- b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to School records
- c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
- d. the requirement of students or clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations

5. Employees shall not make use of materials, equipment, or facilities of the School in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Should exceptions to this policy be necessary in order to provide services to meet educational needs of students or clients of the School, all such exceptions will be made known to and approved by the School Administrator before entering into any private relationship.

Administrators shall not accept any money, goods, or services with a value in excess of the amount established annually by the State Department of Education (\$44 within any one (1) month period as of December 31, 2004) from any person who does business or seeks to do business of any kind with the School.

Adopted 5/7/02
Revised 2/13/06

BOARD - SCHOOL ADMINISTRATOR RELATIONSHIP

The Board of Directors believes that, in general, it is the primary duty of the Board to establish policies and that of the School Administrator to administer such policies. Policy should not be originated or changed without the recommendation of the School Administrator. The School Administrator should be given the latitude to determine the best method of implementing the policies of the Board.

The School Administrator, as the chief administrative officer of the School, is the primary professional advisor to the Board. S/He is responsible for the development, supervision, and operation of the school program and facilities. His/Her methods should be made known to the staff through the administrative guidelines of the School. The Board shall retain oversight supervision of such administrative guidelines.

The School Administrator and those staff members selected by the School Administrator shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

The Board is responsible for determining the success of the School Administrator in meeting the goals established by the Board through annual evaluations of the School Administrator's performance. The Board, in formulating its position with regard to the performance of the School Administrator, shall rely, whenever possible, on the objective outcomes of its evaluations rather than on subjective opinions.

EMPLOYMENT OF THE SCHOOL ADMINISTRATOR

Reference: MCLA 380.1246
1999 PA 212

The Board of Directors vests the primary responsibility for administration of this School in the School Administrator. The appointment of that officer is, therefore, one of the most important functions the Board can perform.

Whenever the position of School Administrator shall be vacant, the Board shall appoint a School Administrator as chief executive officer and fix his/her salary and term of office.

The Board shall actively seek the best qualified and most capable candidate for the position of School Administrator.

It may be aided in this task by:

- A. a committee of Board members;
- B. the services of professional consultants;
- C. the counsel of the out-going School Administrator;
- D. the participation of members of the school community.

Recruitment procedures may be prepared in advance of the search and may include:

- A. preparation of a written job specification for the position of School Administrator;
- B. preparation of written specifications of qualification in addition to proper State certification;
- C. preparation of informative material describing this School and its educational goals;
- D. where feasible, the opportunity for applicants to visit this School;
- E. the requirement that each selected candidate for the position be interviewed by Board members in a format that requires him/her to express his/her educational philosophy; verbally and in writing.
- F. solicitation of applications from a wide geographical area;
- G. consideration of all applicants fairly without discrimination on the basis of race, color, gender, age, religion, national origin or ancestry, marital

status, disability, height, weight, and/or any other legally protected characteristic unrelated to the position of School Administrator.

All interviews of applicants by the Board or a committee of the Board shall be done in open meetings. At the time of application, the Boards shall ensure that each applicant has been informed that Michigan law may not permit the Board to protect his/her application from disclosure, and any interview must be open to the public.

A person who is employed as School Administrator by this Board is not required to have a school administrator's certificate issued by the Department of Education but must confirm that s/he has met or is in the process of fulfilling the educational requirements for school administrators established by the State Board of Education.

Such contract shall include:

- A. the term for which employment is contracted, including beginning and ending dates;
- B. that tenure in a position shall not be granted;
- C. the salary which the School Administrator shall be paid and the intervals at which s/he shall be paid;
- D. the benefits to which s/he is entitled;
- E. such other matters as may be necessary to a full and complete understanding of the employment contract.

The School Administrator so appointed shall devote himself/herself to the duties of his/her office.

Any candidate's intentional misstatement of fact or a deliberate withholding of any information, material to his/her qualification for employment or the determination of his/her salary shall be considered by this Board to constitute grounds for his/her dismissal.

The person selected for the position of School Administrator may be required to undergo a physical examination and a psychiatric examination reasonably related to the duties s/he will be required to perform, the cost of which shall be borne by the School.

RESPONSIBILITIES OF THE SCHOOL ADMINISTRATOR

The School Administrator shall strive to achieve School goals by providing educational direction and supervision to the professional staff and supervision to the support staff and by acting as a proper model for staff and students both in and outside the School.

Duties and Responsibilities

The School Administrator shall be directly responsible to the Board of Directors for the performance of the following assigned duties and responsibilities:

- A. keep the Board informed of school operation by preparing monthly Board agendas, providing oral and written communication, scheduling management team committee meetings, and requesting special Board meetings that become necessary to keep the Board properly informed
- B. ensure that all aspects of School operation comply with State laws and regulations as well as Board contracts and policies
- C. establish and maintain any written educational plan that may be required by law and consistent with the educational goals adopted by the Board
- D. ensure proper implementation of the current School-wide instructional plan
- E. strive to increase the efficient use of School resources in the daily operations of the School
- F. assign staff to achieve the maximum benefit toward the attainment of educational goals
- G. evaluate the progress of the professional and support staff toward the attainment of educational goals
- H. analyze the results of instructional program development as it applies to the Board's educational goals
- I. recommend changes in instructional or staffing patterns based on an analysis of staff and program progress
- J. work with staff to assure that the decision-making process includes participation of the school's staff, parents, students and others associated with the School
- K. work cooperatively with parents and community groups concerned with programs in the schools

- L. develop personal capabilities in personnel strategies and facility management
- M. work cooperatively with the Board and administrative staff
- N. strive toward the highest standards of personal conduct
- O. perform such other duties as the Board may direct

DEVELOPMENT OF ADMINISTRATIVE GUIDELINES

The Board of Directors delegates to the School Administrator the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the School will operate. These administrative guidelines shall not be inconsistent with the policies adopted by the Board.

The Board itself will formulate and adopt administrative guidelines and rules only when required by law, and when the School Administrator recommends Board adoption.

The School Administrator may also issue such administrative and student handbooks as s/he may consider necessary for the effective administration of the schools and distribute them to employees and students and/or their parents.

As long as the provisions of these administrative guidelines and handbooks are not inconsistent with Board policies, or with Federal/State law, they will be considered to be an extension of the policy manual and binding upon all employees and students.

A copy of the School's administrative guidelines manual and a copy of each handbook shall be made a part of the Board's reference materials maintained in the School office.

The School Administrator shall maintain a current organizational chart to which immediate reference can be made by the Board or any employee of the Board.

EVALUATION OF THE EDUCATIONAL SERVICE PROVIDER

The Board of Directors believes it is essential to evaluate the Educational Service Provider's performance periodically to assist both the Board and the Educational Service Provider to properly discharge their responsibilities and to enable the Board to provide the School with the best possible leadership. To carry out this responsibility, the Board will evaluate the Educational Service Provider according to the contract between the Board and the Educational Service Provider and a mutually agreed-upon tool.

Revised 6/19/15

NON-REEMPLOYMENT OF THE SCHOOL ADMINISTRATOR

The Board of Directors has an obligation to the constituents of this School to employ the professional leadership best trained and equipped to meet the educational needs of their children. It shall meet that obligation by retaining only a highly-qualified person as School Administrator for this School.

If the services of the School Administrator are found to be unsatisfactory to the Board, s/he shall be notified by the President and given an opportunity to correct the conditions.

If his/her services continue to be unsatisfactory, the School Administrator shall be notified in writing by the President, as approved by the Board. Notification of its intent not to renew his/her services shall be given by thirty (30) days prior to contract end.

The contract of the School Administrator may be terminated during its term in accordance with its terms.

INCAPACITY OF THE SCHOOL ADMINISTRATOR

It is the legal duty of the Board of Directors to appoint a School Administrator 'pro tempore' by a majority vote of the Board upon determination that the School Administrator is incapacitated in such a manner that s/he is unable to perform the duties of his/her office.

The Board shall fix the compensation of the School Administrator 'pro tempore' who shall serve until the School Administrator's incapacity is removed or until the expiration of the School Administrator's contract or term of office, whichever is sooner. S/He shall perform all of the duties and functions of the School Administrator, and may be removed at any time.

The Board will exercise its authority under law to determine the incapacity of the School Administrator upon certification of School Administrator's physician or at choice of board, a physician selected and compensated by the Board.

If the Board determines that the School Administrator is unable to perform the duties of his/her office, s/he may: at his/her request, be placed on sick leave, with pay, not to exceed the amount of his/her accumulated but unused sick leave and any advancement of such sick leave which may be authorized by Board policy; at the request of the Board be placed on sick leave with such pay to which s/he may be entitled or which may be authorized by Board policy;

The foregoing leave shall not extend beyond the contract or term of office of the School Administrator.

The School Administrator shall, upon request to the President of the Board, be returned to active duty status, unless the Board denies the request within ten (10) days of receipt of the request. The Board may require the School Administrator to establish to its satisfaction that s/he is capable of resuming such duties on a full-time basis.

The Board may demand that the School Administrator return to active service, and upon medical documentation that the School Administrator is able to resume his/her duties, the School Administrator shall return to active service.

The School Administrator may request a hearing before the Board on any action taken under this policy.

JOB DESCRIPTIONS

The Board of Directors authorizes the School Administrator to maintain job descriptions which shall be brief, factual, and, wherever possible, generically descriptive of similar jobs.

The job description for the School Administrator shall be defined as a policy of the Board and approved by Charter School Authorizer.

All other job descriptions shall be defined as administrative guidelines of the School Administrator and each shall contain the following provision:

"The employee shall remain free of any alcohol or nonprescribed controlled substance abuse in the workplace throughout his/her employment in the School."

Revisions to job descriptions shall be reviewed with the employees affected prior to their use.

Each employee will be provided with a copy of his/her job description at the time of employment and any revisions thereto.

Employees will be evaluated, at least in part, against their job descriptions.

Ensure that the Board Policy 3122 and Policy 4122 on non-discrimination is implemented properly and in compliance with Federal and State laws and regulations, particularly Part 104 of Section 504 Rehabilitation Act of 1973 (34 CFR) and the Americans with Disabilities Act (ADA). (See AG 3122C for a comparative analysis of ADA and 504.)

Rev. 04/25/03

SCHOOL ADMINISTRATOR EVALUATION

Reference: MCL 380.1249

The Board of Directors shall conduct an annual evaluation of the School Administrator in accordance with all the requirements of MCL 380.1249(3) and applicable law.

The Educational Service Provider shall conduct an annual evaluation of the School Administrator in accordance with all the requirements of MCL 380.1249(3) and applicable law.

The Educational Service Provider shall conduct annual evaluations of all other school administrators in accordance with MCL 380.1249(3) and applicable law.

Adopted 3/14/11

Revised 8/15/11; 4/20/15; 6/19/15

NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

Reference: M.C.L. 37.2101 et seq., 37.1101 et seq.
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendment Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended
29 C.F.R. Part 1635

The Board of Directors prohibits discrimination on the basis of race, color, national origin, sex, (including sexual orientation or transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, in its programs and activities, including employment opportunities.

School Compliance Officers

The Board designates the following individuals to serve as the School's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs")

[NOTE: Academies are advised to appoint both a male and female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the School's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

School Administrator/Director of Human Resources
3662 Poinsettia Ave. SE
Grand Rapids, MI 49508
(616) 243-6221

The names, titles, and contact information of these individuals will be published annually in the staff handbooks.

The COs are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the School's collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other School official so that the Board may address the conduct. Any administrator, supervisor, or other School official or official who receives such a complaint shall file it with the CO within two (2) school days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School community or a visitor to the School, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the School Administrator or oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the employee within two (2) business days to advise him/her of the Board's intent to investigate the wrongdoing.

Investigation and Complaint Procedure (See Form 1422 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States

Department of Education Office for Civil Rights or Equal Employment Opportunity Commission (“EEOC”).

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop quickly inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Employees who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a School employee or any other adult member of the School community against a student will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: (1) to a building administrator; (2) directly to one of the COs; and/or (3) to the School Administrator or other School official.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School's informal complaint procedure is designed to provide employees who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 1422—Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works.

- C. If both parties agree, the CO may arrange and facilitate a meeting between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy. (See Policy 8310)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a principal, the CO, School Administrator, or other School official. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a principal, School Administrator, or other School official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the School Administrator.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 1422 - Non-Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. Interviews with the Complainant;
- B. Interviews with the Respondent;
- C. Interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. Consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the School Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the School Administrator must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the School Administrator's final decision will be delivered to both the Complainant and the Respondent.

If the School Administrator requests additional investigation, the School Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the School Administrator must issue a final written decision as described above.

If the School Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the School Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the School Administrator's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The Complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the School Administrator shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or School Administrator shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The School Administrator or designee shall provide appropriate information to all members of the School community related to the implementation of this policy and shall provide training for School students and staff where appropriate.

All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Adopted 3/11/13
Revised 9/8/14

NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE

Reference: 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635

The Board of Directors prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of his/her genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Act (GINA), the Board shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, in compliance with this Act, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the School's application process.

The School recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows or the Internet. The School prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information, or accessing sources from which they are likely to acquire genetic information.

"Genetic information," as defined by GINA, means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

If the School either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment or a medical provider it shall be treated as a confidential medical record in accordance with law.

The School Administrator shall appoint a compliance officer who shall be responsible for overseeing the School's compliance with Federal regulations and promptly dealing with any inquiries or complaints. S/He shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all School requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II, including the Board of Directors, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Adopted 4/16/12

PHYSICAL EXAMINATION

Reference: 29 C.F.R. Part 1630
29 C.F.R. Part 1635
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

The Board of Directors or School Administrator reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the School Administrator's guidelines and/or the terms of the negotiated, collectively-bargained agreements.

All such requests for examination shall include the following notice to the examiner:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Reports of all such examinations or evaluations shall be delivered to the School Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act, as amended ("ADA") and the Genetic Information Nondiscrimination Act (GINA).

In the event of a report of a condition that could influence job performance, the School Administrator shall base a non-employment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

Adopted 4/16/12

UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

Reference: Americans with Disabilities Act of 1990, as amended
42 U.S.C. 12101 et seq.
29 C.F.R. Part 1630
29 C.F.R. Part 1635

It is the policy of the Board of Directors to protect students and employees from professional staff members who are unable to perform essential job functions with or without accommodation.

The Board may place a professional staff member on unrequested leave of absence when the staff member is unable to perform assigned duties in conformance with statute and the negotiated, collectively-bargained agreement with or without accommodation.

If the School Administrator believes the staff member is unable to perform essential job functions, the professional staff member will be offered the opportunity for a meeting to discuss these issues.

If a professional staff member refuses to attend the meeting, the Board may order the professional staff member to submit to an appropriate examination by a physician designated and compensated by the Board.

All such requests for examination shall include the following notice to the examiner:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

If, as a result of such examination, the professional staff member is found to be unable to perform assigned duties with or without accommodation, the professional staff member may be placed on leave of absence for a reasonable time to heal or until the staff member is able to perform the essential job function, but only for a period not to exceed one (1) year.

Should a professional staff member refuse to submit to the examination requested by the Board and the professional staff member has exercised his/her rights under the provisions hereinabove set forth, such refusal shall subject the professional staff member to disciplinary action.

Adopted 4/16/12

STUDENT SUPERVISION AND WELFARE

Reference: MCL 722.621 et seq., 750.520b, 750.520c, 750.520d, 750.520e

Administrative staff shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities and are expected to establish and maintain professional staff/student boundaries that are consistent with their legal, professional and ethical duty of care for students.

The School Administrator shall maintain and enforce the following standards:

- A. Administrative staff shall report immediately to the School Administrator any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- B. Each administrator shall immediately report to the School Administrator any knowledge of threats or violence by students.
- C. An administrator shall not send students on any personal errands.
- D. An administrator shall not associate or fraternize with students at any time in a manner that may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity that could be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol or tobacco. Any sexual or other inappropriate conduct with a student by any administrator will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.
- E. If a student approaches an administrator to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the administrator may attempt to assist the student by facilitating contact with certified or licensed individuals in the School or community who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should an administrator attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such administrator inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- F. An administrator shall not transport students in a private vehicle without notice to the School Administrator.
- G. A student shall not be required to perform work or services that may be detrimental to his/her health.

- H. Administrators shall only engage in electronic communication with students via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the School Administrator.
- I. Administrators are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., unless such transmission has been made as part of a pre-approved curricular matter or co-curricular/extracurricular event or activity such as a school-sponsored publication or production in accordance with Policy 5722.

Since most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws, any administrator who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 8462, each administrator shall report to the proper legal authorities, immediately, any sign of suspected child abuse or neglect.

Adopted 8/15/11

PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

Reference: 29 C.F.R. Part 1635
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 1320d-5(a)(1)
45 U.S.C. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)

The Board of Directors provides coverage to eligible employees under self-funded group health plans. The Board has established Prescription Drug Plan self-funded group health plans.

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule, as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Certain health information maintained by these group health plans is afforded significant protection by this Federal law.

The Board hereby appoints the Director of Human Resources to serve as the Privacy Official of the group health plans. The Board delegates authority to the Privacy Official to develop, propose to the Board, and implement policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule is subsequently amended, the Privacy Official is directed to recommend to the Board necessary amendments to the policies and procedures.

The Board also acknowledges that the HIPAA Security Rule requires the group health plan(s) to implement various security measures with respect to electronic Protected Health Information. The Board hereby appoints the Director of Human Resources to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to develop, propose to the Board, and implement policies and procedures for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. In the event that the HIPAA Security Rule is subsequently amended, the Security Official is authorized to recommend to the Board necessary amendments to the policies and procedures.

The Board further delegates authority to the Privacy Official and/or the Security Official to undertake such other actions as provided by the administrative guidelines in effect from time to time. The Privacy Official and/or Security Official shall report his/her progress to the Board upon request. The Board reserves the right to revoke any or all delegations set forth in this policy at any time and for any reason.

Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and the HIPAA Security rule, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official for any CMP imposed upon the Privacy Official or Security Official in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Official or Security Official in the event the CMP was imposed as the result of intentional misconduct or gross negligence by the Privacy Official or Security Official.

Adopted 9/8/14

PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

Reference: 29 C.F.R. Part 1635
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
45 C.F.R. 160.102(a), 164.530(g), 164.530(h), 164.530(j), 164.530(k), 164.404
45 C.F.R. 164.406, 164.408, 164.502, 164.520(a)

The Board of Education provides coverage to eligible employees under fully insured group health plans. The Board has established the following fully insured group health plans:

- A. Medical Plan
- B. Dental Plan
- C. Vision Plan

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic Protected Health Information in accordance with the HIPAA Security Rule.

The Board hereby appoints the Director of Human Resources to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform an information technology risk analysis and to develop risk management procedures, if necessary.

The Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic Protected Health Information. All of the group health plans' functions are carried out by the insurer and the insurer owns and controls all of the equipment and media used to create, maintain, receive, and transmit electronic Protected Health Information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. The Security Official may elect to utilize, as administrative guidelines, the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information, as appropriate.

The fully insured group health plans established by the Board shall:

- A. Refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.

- B. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.
- C. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.
- D. Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

- A. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.
- B. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.
- C. Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.

Adopted 9/8/14

SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

Reference: 29 C.F.R. Part 1630
29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended,
34 C.F.R. Part 104
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

The Board of Directors prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the School's program and/or activities. A reasonable

accommodation is not necessarily required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the School's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "School Compliance Officer(s)").

[NOTE: Academies may want to consider appointing both a male and a female School Compliance Officer in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) School Compliance Officers, there should always be a Compliance Officer available to investigate a claim that pertains to the other Compliance Officer.]

School Administrator
3662 Poinsettia Ave. SE
Grand Rapids, MI 49508
(616) 243-6221

The names, titles, and contact information of this/these individual(s) will be published annually in the staff handbooks.

The School Compliance Officer is responsible for coordinating the School's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the School Compliance Officer(s).

The School Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. (See below.)

Training

The School Compliance Officer(s) will also oversee the training of employees in the School so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the School's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the

School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the School's Compliance Officer(s) will be posted throughout the School, and published in the School's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with a School Compliance Officer within the time limits specified below. The School's Compliance Officer is available to assist individuals in filing a complaint.

Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the School Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the School Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the School Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the School Compliance Officer for good cause.
- C. The School Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all

interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The School Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) work days. If no decision is rendered within ten (10) work days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the School Administrator. The School Compliance Officer shall maintain the School's files and records relating to the complaint.

- D. The School Administrator will, within ten (10) work days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The School Administrator will render his/her decision within ten (10) work days of the hearing.

- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the complainant was subjected to unlawful discrimination, the CO must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or

the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Adopted 4/16/12

Revised 9/8/14

FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")

Reference: 29 U.S.C. 2601 et seq.
29 C.F.R. Part 825
P.L. 110-181, Sec. 585 – National Defense Authorization Act (January 28, 2008)
P.L. 111-84, Sec. 565 – National Defense Authorization Act (October 28, 2009)

In accordance with Federal law, the Board of Directors shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible administrators for the following reasons:

- A-1. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth
- B-1. the placement of a child with the staff member by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival
- C-1. the staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or
- D-1. the staff member's own serious health condition prevents him/her from performing the functions of his/her position

Employee Entitlement to Service Member FMLA

Leave Entitlement

Service member FMLA provides eligible employees unpaid leave for one, or for a combination, of the following reasons:

- A-2. A "qualifying exigency" arising out of a covered family member's (spouse, son, daughter, or parent) covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves. Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (maximum fifteen (15) calendar days); 7) post-deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. (See AG 1630.01C). Covered active duty means deployment with the Armed Forces to a foreign country.
- B-2. To care for a covered family member, including next of kin as provided in the statute, who has incurred an injury or illness or aggravation of a pre-existing illness or injury while in the line of duty while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating. Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves,

provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers.

Duration of Service Member FMLA

- A. When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period. Such leave shall be counted with regular FMLA leave time in calculating the twelve (12) weeks of allowable leave.
- B. When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a one time benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.
- C. Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.

General FMLA Provisions

Administrators are "eligible" if they have worked for the Board for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. Service time may be aggregated when the break in service is less than seven (7) years for military obligation or subject to recall under a collective bargaining agreement. All full-time administrators are deemed to meet the 1,250 hour requirement. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining and employee's eligibility for FMLA leave.

Twelve (12) month period for determining hours worked and use of leave is defined as the twelve (12) month period measured forward from the date the staff member's first FMLA leave begins (i.e., the "leave year" is specific to each individual staff member).

For Service Member FMLA leave, the use of the twenty-six (26) weeks of leave will be measured forward from the first date on which the employee takes leave.

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. inpatient care, including any period of incapacity or any subsequent

treatment in connection with such inpatient care; or

B. continuing treatment by a healthcare provider, including:

1. a period of incapacity of more than three (3) consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either in person treatment two (2) or more times by a healthcare provider within thirty (30) days of the first date of incapacity absent extenuating circumstances beyond the employee's control, or in person treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;

The first visit to the healthcare provider must occur within seven (7) days of the first date of incapacity.

2. any incapacity due to pregnancy or for prenatal care;
3. any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
4. a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
5. any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis);

C. conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the staff member shall provide the School Administrator with thirty (30) days notice. If there is insufficient time to provide such notice because of unforeseeable events, the staff member shall provide such notice as soon as possible and practical, generally not later than the next business day after the employee realizes the need for leave. Failure to follow the leave notice requirements may result in delay of obtaining the leave. Employees will still be required to comply with the absence reporting procedures at their buildings.

When planning medical treatment, the staff member must consult with the School Administrator and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the School, subject to the approval of the healthcare provider.

The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child, or qualifying exigency for a Service Member Family Leave (see A-1, B-1, and A-2 on page one).

The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one and B-2 on page two).

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) or twenty-six (26) week period of FMLA leave, any additional weeks of leave to which the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave for a qualifying leave under this policy, such leave will count towards the maximum allowable leave, the paid leave, and FMLA/Service Member Family leave to which the staff member is entitled will run concurrently.

The School Administrator may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the School Administrator may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- B. transfer temporarily to an available alternative position offered by the School Administrator for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The School Administrator will notify the staff member when the School intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the School Administrator does not have sufficient information about the reason for an employee's use of paid leave, the School

Administrator may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the School Administrator learns that a paid leave is for an FMLA leave-qualifying reason, the School Administrator will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child, or twenty-six (26) weeks of FMLA leave for Service Member Leave.

When FMLA leave is taken for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member). When the staff member requests qualifying Service Member Leave, s/he must provide certification of a qualifying exigency or of the service member's serious illness. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed.

The staff member may either:

- A. submit the completed medical certification to the School Administrator; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the School Administrator, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide medical certification, any leave taken by the employee will not qualify for FMLA Leave/Service Member Family Leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the School Administrator within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

Any dispute over eligibility for FMLA leave shall be discussed between the employee and School Administrator. The School shall be responsible for maintaining a record of those communications.

The Board reserves the right to obtain, at its expense, the opinion of a second healthcare provider and, in the event of conflict, the opinion of a third healthcare provider whose decision shall be binding and final. The staff member may either:

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the School Administrator; or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the School Administrator, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the School Administrator with a statement from his/her healthcare provider that s/he is able to resume work.

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the School Administrator to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave.

If the staff member fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of a serious health condition of the staff member or of the staff member's immediate family member, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The School Administrator shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

In any areas where discretion is allowed in the implementation of this policy or its guidelines for implementation, such discretion shall be exercised in a non-discriminatory manner. Similarly situated persons shall be treated similarly.

The School Administrator shall provide a copy of the policy to all staff members, and retain a record of how and when the policy was distributed. A notice of Rights and Obligations shall also be provided each time an employee requests FMLA leave or the School has sufficient information to believe that the employee may qualify for FMLA leave.

The approval, denial and administration of leave under this policy will be governed by the Family Medical Leave Act of 1993, as amended, and its published regulations, as applied and interpreted by the School Administrator.

Adopted 2/10/14

ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) 29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, M.C.L.A. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L.A. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

General Policy Statement

It is the policy of the Board of Directors to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on School property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School community at school-related events/activities (whether on or off School property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or School employee that:

- A. places a student or School employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of the School.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual

- commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
 - F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
 - G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
 - H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
 - I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
 - J. Inappropriate boundary invasions by an School employee or other adult member of the School community into a student's personal space and personal life.
 - K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Sexual conduct/relationships with students by School employees or any other adult member of the School community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to School employees or other adult members of the School community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other School official who receives such a complaint shall file it with the School's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School community or third parties who believe they have been unlawfully harassed by another member of the School community or a third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the

School Administrator believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the School Administrator will report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the School Administrator shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the School Administrator informed of the status of the 1662 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the School. They are hereinafter referred to as the "Compliance Officers".

[NOTE: Academies are advised to appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. In addition, the Compliance Officers may also serve as the School's Section 504 and Title IX Coordinators.]

School Administrator
(616) 243-4763
3662 Poinsettia Avenue, SE
Grand Rapids, MI 49508

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School community or a visitor to the School, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the School Administrator or will oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or

designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure (See Form 1662 F1)

Any employee or other member of the School community or third party (e.g., visitor to the School) who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School community, or third party who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Employees, other members of the School community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving an School employee, any other adult member of the School community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful

harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to one of the Compliance Officers; and/or (3) to the School Administrator.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School's informal complaint procedure is designed to provide employees, other members of the School community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes she/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, School Administrator, or other School employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process;

however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, School Administrator, or other School employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the School Administrator.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant Administrative Guidelines, including the Board's Anti-Harassment Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the

Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the School Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the School Administrator must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the School Administrator final decision will be delivered to both the Complainant and the Respondent.

If the School Administrator requests additional investigation, the School Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the School Administrator must issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the School Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the date of the School Administrator final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School community or third party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a

harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the *Family Educational Rights and Privacy Act* or under Michigan's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the School Administrator shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the Board and/or School Administrator shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any School teacher or School employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the School Administrator.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The School Administrator or designee shall provide appropriate information to all members of the School community related to the implementation of this policy shall provide training for School students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Adopted 2/10/14

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
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	BP
2413	Health Education Program	BP
2414	Reproductive Health and Family Planning	BP
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
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

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

MISSION OF THE SCHOOL

We will create with our parents an innovative and caring learning community that will enable all children to become independent thinkers, nonviolent problem solvers and responsible citizens ready to contribute in an interdependent world.

In order to carry this mission, New Branches Charter Academy will provide an appropriate educational program and learning environment which will effectively: meet the educational need of its students; help its students accomplish educational goals which are: significant, durable, and transferable.

Explanation of Key Words and Phrases

The following explanations are provided in order to facilitate a common understanding of the Mission Statement:

.....appropriate educational program

The program will encompass those classroom, co-curricular, and extra-curricular activities specially designed for students whose needs are met through: special education, and academic education.

.....appropriate learning environment

Facilities and grounds which are conducive to acquiring knowledge, attitudes, and skills because students and staff are physically and psychologically safe and focussed on accomplishing clearly-defined objectives and goals.

....meet the educational needs

Such needs consist of those learnings that each person must have to function as a responsible, productive member of society and to make it possible for the person to realize personal goals.

....students and citizens

Students are those who are enrolled in a regular program offered by the School.

....goals which are significant, durable, and transferable

A significant educational goal is one in which the knowledge, skills, and/or attitudes that are acquired will affect how a person will live his/her life.

A durable educational goal is one in which the knowledge, skills, and/or

attitudes that are acquired will be useful for much, if not all, of a person's lifetime.

A transferable educational goal is one in which the knowledge, skills, and/or attitudes that are acquired can be applied directly to another educational program, to the world of work, and/or to one's personal life.

STATEMENT OF PHILOSOPHY

The Board of Directors believes that the purpose of education is to facilitate the development of the potential of each student. In a free society, every individual has both the right and responsibility to make choices and decisions for himself/herself and for society. A prerequisite for every member of such a society in meeting those responsibilities is competence in the use of the rational thought processes needed to make intelligent, ethical choices and decisions. If our society, as originally conceived, is to survive and function effectively, its young people need to be prepared to exercise their rights and their responsibilities in ways that benefit them and the society. Likewise, if individuals are to be able to achieve their life goals in a free society, they need to be competent to choose among the myriad alternatives that are and continue to be available to them.

At New Branches Charter Academy we believe:

- A. It is a school's responsibility to address the development of the whole child.
- B. An educational program should be developmentally based and planned to meet the needs of the individual child.
- C. Students should be encouraged to embrace learning through active engagement, artistic expression, exploration and inquiry.
- D. Students should be encouraged to help structure their educational experiences and explore their special interests.
- E. A school must function as a learning community for all participants.
- F. Students of all ages differ greatly across a full spectrum of abilities, talents, inclinations and backgrounds.
- G. It is a school's responsibility to help children become nonviolent problem solvers and critical thinkers.
- H. Students can be empowered to feel that they can make a difference and become contributing members of society.
- I. The development of communication, mathematical and research skills are crucial to students progress toward becoming life long learners.
- J. The learning environment should be structured to foster the development of self worth and risk taking.
- K. We are stewards of the earth.

- L. It is a school's role to encourage a global awareness.

The enculturation process in our society focuses on preparing the young to meet certain expectations and to avail themselves of opportunities to attain personal goals within that society. The School's program should reflect the formal aspect of the enculturation process, and, therefore, needs to focus on both the areas of societal expectations and personal opportunity available in our society.

With regard to societal expectations, people in this society are expected to:

- A. be self-sufficient -- that is, to meet their own needs, to the extent they are able, in their own way and without inhibiting others' opportunity to do the same;
- B. fulfill their responsibilities to contribute to the "common good" by actively participating in affairs affecting all members of society.

Today there is ample evidence that many students are not learning how to make effective, rational, responsible, or ethical choices or decisions in regard to how they treat their minds and bodies, how they plan their futures, how they cope with frustration, or how they solve personal, social, and economic problems.

The Board and staff believe that the thought and action process involved in taking intelligent, ethical action can be learned just as any other set of procedures can be learned, provided students are given consistent, appropriate opportunities to:

- A. see the procedures modeled;
- B. learn what the procedures are;
- C. practice using the procedures and correct ineffective use of them;
- D. apply the procedures to a variety of relevant situations.

The School is committed to ensuring adequate provision for such opportunities and to the applications of these processes to achieving the other educational goals associated with the School's mission.

INSTRUCTIONAL MATERIALS RIGHT TO INSPECT

Reference: 20 USC 1232h

Parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional material means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

The School Administrator shall, in consultation with parents, develop a procedure addressing the rights of parents and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials. See AG 9130A and Form 9130 F3.

This policy shall not supercede any rights under the Family Education Rights and Privacy Act.

Rev. 04/25/03

VALUE STATEMENTS FOR STUDENTS AND STAFF

The Board of Directors believes that good citizenship and ethical behavior are two (2) important manifestations of an effective education. Both are based on values that have been traditionally held by Americans, regardless of background, religious belief, or political persuasion.

The Board adopts the following value statements as guides to ethical behavior and strongly encourages all members of the staff to do likewise, as a means of setting an example for School students. It also recommends that each student be given the opportunity to pledge himself/herself to demonstrating these ethical behaviors.

Statement of Expectations for Board Members and Educators

- A. I will accept responsibility for all my actions.
- B. I will respect the dignity and property of my fellow workers and will never seek to do them harm.
- C. I will keep all the promises I make, fulfilling the trust that other people place in me.
- D. I will complete projects which I have begun.
- E. I will strive for excellence in all my work and will respect achievement in my fellow workers.
- F. I will discipline myself to continue to listen, learn, and study, recognizing that long-run achievement is more important to my happiness than short-run pleasure.
- G. I will not use any substance which will destroy my health and undermine my dignity.
- H. I will respect duly-constituted authority, because that authority is necessary for the welfare of my family, School, and community.
- I. I will train myself to be useful to others.
- J. I will work together with others to improve my School, community, and world.

Statement of Values for Students

- A. I will accept responsibility for all my actions.
- B. I will respect the dignity and property of my fellow students and will never seek to do them harm.
- C. I will keep all the promises I make, fulfilling the trust that other people place in me.
- D. I will complete projects and courses of study which I have begun.
- E. I will strive for excellence in all my work and will respect achievement in my fellow students.
- F. I will discipline myself to listen, learn, and study, recognizing that long-run achievement is more important to my happiness than short-run pleasure.
- G. I will not use any substance which will destroy my health and undermine my dignity.
- H. I will respect the authority of my parents and teachers, because that authority is necessary for the welfare of my family, school, and community.
- I. I will train myself to be useful to others.
- J. I will work together with others to improve my school, community, and world.

PARENT INVOLVEMENT IN THE SCHOOL PROGRAM

Reference: Sec. 1112, 1118 ESEA
MCL 380.1294

The Board of Directors recognizes and values parents and families as children's first teachers and decision-makers in education. The Board believes that student learning is more likely to occur when there is an effective partnership between the school and the student's parents and family. Such a partnership between the home and school and greater involvement of parents in the education of their children generally result in higher academic achievement, improved student behavior, and reduced absenteeism.

The term "families" is used in order to include children's primary caregivers, who are not their biological parents, such as foster caregivers, grandparents, and other family members.

Through this policy, the Board directs the establishment of a Parental Involvement Plan by which a school-partnership can be established and provided to the parent of each child in the School. The plan must encompass parent participation, through meetings and other forms of communication. The Parental Involvement Plan shall reflect the Board's commitment to the following:

A. Relationships with Families

1. cultivating school environments that are welcoming, supportive, and student-centered;
2. providing professional development for school staff that helps build partnerships between families and schools;^{1,2}
3. providing family activities that relate to various cultures, languages, practices, and customs, and bridge economic and cultural barriers;^{1,2}
4. providing coordination, technical support and other support to assist schools in planning and implementing family involvement activities.²

B. Effective Communication

1. providing information to families to support the proper health, safety, and well-being of their children;
2. providing information to families about school policies, procedures, programs, and activities;^{1,2}
3. promoting regular and open communication between school personnel and students' family members;
4. communicating with families in a format and language that is understandable, to the extent practicable;^{1,2}
5. providing information and involving families in monitoring student progress;²

6. providing families with timely and meaningful information regarding Michigan's academic standards, State and local assessments, and pertinent legal provisions; ^{1,2}
7. preparing families to be involved in meaningful discussions and meetings with school staff. ^{1,2}

C. Volunteer Opportunities

1. providing volunteer opportunities for families to support their children's school activities; ²
2. supporting other needs, such as transportation and child care, to enable families to participate in school-sponsored family involvement events. ²

D. Learning at Home

1. offering training and resources to help families learn strategies and skills to support at-home learning and success in school; ^{1,2}
2. working with families to establish learning goals and help their children accomplish these goals;
3. helping families to provide a school and home environment that encourages learning and extends learning at home. ¹

E. Involving Families in Decision Making and Advocacy

1. involving families as partners in the process of school review and continuous improvement planning; ²
2. involving families in the development of its School-wide parent involvement policy and plan, and distributing the policy and plan to families. ^{1,2}

F. Collaborating with the Community

1. building constructive partnerships and connecting families with community-based programs and other community resources; ^{1,2}
2. coordinating and integrating family involvement programs and activities with School initiatives and community-based programs that encourage and support families' participation in their children's education, growth, and development. ^{1,2}

Implementation

The School Administrator will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the School's continuous improvement, and individual school improvement plans. The plan will be distributed to all parents and students through publication in the Student Handbook or other suitable means. The plan will provide for annual evaluation, with the involvement of parents and families, of the plan's effectiveness and identification of barriers to participation by parents and families. Evaluation findings will be used in the annual review of the Parent and Family Involvement policy and to improve the effectiveness of the School plan.

¹Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

²Indicates Title I Section 1118 parent involvement requirements

Adopted 05/07/02

Revised 08/08/05; 4/14/08; 3/14/11

SCHOOL IMPROVEMENT

The Board of Directors supports the concept of school improvement as established by the State Board of Education and will seek to create and/or maintain effective schools as defined by State guidelines.

In addition to adopting a Mission Statement and Educational Philosophy for the School, the Board shall create, as needed, policies which support the School Improvement Process.

The School Administrator shall establish administrative guidelines which will ensure that the following objectives can be achieved:

- A. School improvement plans which are developed and implemented by school-based teams that work collaboratively so that both building level and School level goals for students can be identified and correlated, and then achieved through effective planning, problem-solving, and assessment. Each such team is to include professional and support staff, students, parents, and representatives of the community.
- B. A School-wide, school-improvement plan which provides for building-level decision-making. Each school's improvement plan is to include a mission statement; goals based on academic outcomes; curriculum aligned to the goals; evaluation procedures; staff development; use of community resources and volunteers; decision-making processes; the role of adult and community education, libraries, and community colleges; and other matters as determined by the School Administrator.
- C. Periodic review and approval by the School Administrator and the Board of each school's modification and improvement of its program based on the school's assessment of student accomplishment of performance objectives and program goals.
- D. Collaboration with parents, relevant institutions and groups, especially those in the community, who can support and facilitate school improvement in the School.

Upon approval of a school's initial plan and its later revisions, the Board and School Administrator shall fully support, to the extent that resources allow, the school's educational improvement program.

This improvement program shall include co-curricular activities and/or extra-curricular activities.

EDUCATIONAL OUTCOMES FOR STUDENTS

Since the mission of the School is to provide a quality education for all of the students, the Board of Directors believes the mission is being accomplished when students confirm that they have achieved the following educational goals.

During and upon completion of the educational program of the School, an educated student should progress toward completing the following learning outcomes.

A. **Communication Skills**

The student demonstrates that s/he: is independently efficient in solving life problems which require the use of both oral and written language; can logically examine and subsequently use information from various appropriate resources; understands and responds appropriately to the communication of others and to their feelings and attitudes; is capable of selecting, adopting, and using the most appropriate language forms to achieve his/her communication purpose.

B. **General Education**

The student demonstrates that s/he: is a creative and innovative person capable of obtaining and applying knowledge in diverse situations; has sufficient fundamental knowledge and skills in traditional school subjects (i.e., math, English, science, social studies) to enable him/her to meet his/her responsibilities as a participating member of society; can establish and pursue educational goals of his/her own; understands that the process of learning is a continual life long endeavor.

C. **Pride and Ethics**

The student demonstrates that s/he: has pride in his/her work, based on a realistic assessment of his/her abilities and accomplishments; displays responsible, ethical, and moral behavior reflecting a commitment to use his/her capabilities to achieve and maintain a purposeful and productive life.

D. Interaction and Cooperation

The student demonstrates that s/he: interacts effectively with individuals, treating their ideas and ideals with thoughtfulness and respect; is willing to cooperate with others to accomplish endeavors beneficial to society.

E. Citizenship

The student demonstrates that s/he: understands and is committed to the ideas and ideals upon which our democratic society was founded; considers it a responsibility and a privilege to participate, in appropriate ways, in democratic processes at local, State, National and global levels.

F. Arts and Culture

The student demonstrates that s/he: appreciates and supports artistic endeavors and natural beauty; is cultivating his/her own creative self-expression and talents in one or more art forms.

G. Social Change

The student demonstrates that s/he: is able to adapt to changing roles and situations; is a caring, sensitive and tolerant person who is a contributing member of our diverse global community; is a responsible, resourceful problem solver who seeks harmonious resolutions to personal and world issues.

H. Health

The student demonstrates that s/he: understands and cares about his/her and other peoples physical and mental well-being through selected involvement in personal and public programs which promote acceptable levels of health and safety.

I. Resource Management

The student demonstrates that s/he: effectively manages money, property, and resources to meet his/her needs so as to contribute positively to meeting the economic and environmental needs of society.

J. Career Planning

The student demonstrates that s/he: effectively uses a variety of personal and public resources to further his/her knowledge of career opportunities.

K. Leisure Time

The student demonstrates that s/he: uses leisure time constructively to fully realize his/her physical, intellectual, and/or creative potentials.

The Board believes that all students in this School will be able to demonstrate these applied learnings, at a level that is commensurate with their age and capabilities.

The School Administrator is charged with the responsibility for providing, through the School's curriculum and appropriate administrative guidelines, opportunities for each student to accomplish these goals as well as a valid means for assessing the extent to which each is accomplished.

Student achievement of these educational goals represents the Board's highest priority. It should be the highest priority, as well, for the administration and for all members of the staff.

EDUCATIONAL PROCESS GOALS

In order to achieve educational outcome goals, the Board of Directors will establish policies which will authorize and encourage:

- A. instruction which bears a meaningful relationship to the present and future needs and/or interests of students;
- B. specialized and individualized kinds of educational experiences to meet the needs of each student;
- C. opportunities for professional staff members and students to make recommendations concerning the content and operation of School programs;
- D. an environment in which any interaction among individual students and groups of students helps them learn how and when competition and cooperation are appropriate and productive in accomplishing goals;
- E. efficient and effective use of educational resources;
- F. continued professional growth of staff members;
- G. constructive cooperation with parents and community groups.

CURRICULUM DEVELOPMENT

The Board of Directors recognizes its responsibility for the quality of the educational program of the School. To this end, the curriculum shall be developed, evaluated, and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the Michigan Curriculum Frameworks.

For purposes of this policy and consistent communication throughout the School, curriculum shall be defined as: all the planned activities of the School, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the School.

The Board directs that the curriculum of this School:

- A. provides instruction in courses required by statute and State Department of Education regulations;
- B. ensures, to the extent feasible, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;
- C. be consistent with the School's philosophy and goals and ensure the possibility of their achievement;
- D. incorporate State-recommended performance standards for students as the basis for determining how well each student is achieving the academic outcomes for each area of the School's core curriculum;
- E. allows for the development of individual talents and interests as well as recognizes that learning styles of students may differ;
- F. provides a strategy for continuous and cumulative learning through effective articulation at all levels, particularly of those skills identified as essential and life-role skills;
- G. utilizes a variety of learning resources to accomplish the educational goals;

- H. provides for multi-cultural education by including, at each level, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society, including, but not limited to Euro-Americans, African-Americans, Asian-Americans, Hispanic-Americans, and Native-Americans.

As educational leader of the School, the School Administrator shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

The School Administrator shall make progress reports to the Board periodically.

The School Administrator may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure accomplishment of the School's educational goals and alignment with Michigan Curriculum Frameworks.

The School Administrator shall report each such innovative program to the Board along with its objectives, evaluative criteria, and costs before it is initiated.

Unless the Board disapproves, the School Administrator may proceed to conduct the program.

The Board encourages, where it is feasible and in the best interests of the School, participation in programs of educational research.

The Board directs the School Administrator to pursue actively State and Federal aid in support of the School's innovative activities.

Rev. 9/13/04

ADOPTION OF CURRICULUM

Reference: MCLA 380.502, 380.503, 388.1621

The Board of Directors shall provide a comprehensive instructional program to serve the educational needs of the students of this School. In furtherance of this goal and pursuant to law, the Board shall periodically adopt courses of study. All curriculum of this school shall be compliant with the Michigan Curriculum Frameworks.

No course of study shall be taught in this School unless it has been adopted by the Board. The Board shall determine the instructional program constitute courses of study and are thereby subject to the adoption procedures of the Board.

The School Administrator shall recommend to the Board such courses of study as are deemed to be in the best interests of the students. The School Administrator's recommendation shall include the following information about each course of study:

- A. its applicability to students and an enumeration of those groups of students to be affected by it
- B. the intended learning objective(s), defined in terms of how the learning is applied
- C. its scope and sequence and a statement of the rationale used to determine the amount and type of instructional time needed to accomplish the objectives at each level
- D. its justification in terms of the goals of this School, especially when it is proposed to take the place of an existing course of study
- E. its instructional methods and learning strategy including the manner in which the learning of democratic principles and ethics is provided for, if appropriate to the content of the course
- F. the resources that its implementation will require, including instructional materials, equipment, specially-trained personnel, etc.
- G. the plan for its continuous assessment which includes criteria and standards
- H. its developmental and operational history as well as data on results, where available

The learning that results from each course of study should be durable, significant, and transferable and require a high level of student achievement of clearly-defined, cumulative performance objectives.

The plan for student assessment for each course of study should include the criteria and standards that will be used to determine when students may need to participate in remedial, supplemental, or accelerated activities in order to ensure that each student has been provided the opportunity to achieve at his/her optimum level.

Each course of study is intended to provide a basic framework for instruction and learning. Within this framework, each teacher shall use the course of study in a manner best designed to meet the needs of the students for whom s/he is responsible. Deviation from its content must be approved in accordance with the School Administrator's administrative guidelines.

Since one of the School's goals is to prepare students to enter the world of work, the Board directs that each course of study include as part of its learning accomplishments that students can demonstrate their willingness and ability to be punctual, to be present at the learning site each day unless absent for a legitimate reason, and to complete assignments on time and as directed. The School Administrator's guidelines should include recommendations to staff on how to instruct students in these important work ethics and how to include these learnings in the grades that students receive.

The School Administrator shall develop administrative guidelines which provide for the development of individual learning plans that contain pre and post assessment activities as well as instructional activities for implementing each course of study. Such plans should also provide for proper record-keeping and periodic reporting of student performance. The School Administrator shall ensure that the appropriate amount of instruction time is allocated to each course of study that comprises the program of the School. The allocation of time is to be determined by the School Administrator and appropriate members of the staff and shall be justified in terms of the amount of time needed for students to accomplish the curriculum objectives of the core curriculum as well as the School's educational outcomes.

In keeping with the Board's commitment to the school improvement process, such guidelines shall also provide for the appropriate participation of staff, parents, and students, when appropriate, in the review of the School's courses of study.

The School Administrator shall maintain a current list of all courses of study offered by this School and shall provide each member of the Board with a current list of all courses of study.

The list shall include the data on each furnished with the recommendation for its adoption.

Rev. 9/13/04

MANDATORY COURSES

Reference: MCLA 380.1166, 1169, 1170

Consistent with the Michigan School Code, the Board of Directors directs the School Administrator to prepare, implement, and supervise courses of instruction in the following areas:

- A. the Constitution of the United States and Michigan, and in the history and present form of government of the United States, and Michigan and its political subdivisions
- B. the principal modes by which communicable disease is spread and the best methods for the restriction and prevention of these diseases
- C. instruction in physiology and hygiene with special emphasis on drug abuse prevention

The School Administrator shall prepare appropriate guidelines relative to the planning, teaching, and evaluation of these courses.

STUDENTS WITH LIMITED ENGLISH PROFICIENCY (LEP)

It is the policy of the Board of Directors that all students be provided a meaningful education and access to the programs provided by the School. Limited proficiency in the English language should not be a barrier to equal participation in the instructional or extra-curricular programs of the School. It is, therefore, the policy of this School that those students identified as having limited English proficiency will be provided additional support and instruction to assist them in gaining English proficiency and in accessing the educational and extra-curricular programs offered by the School.

Further, the School will endeavor to assist the student and his/her parents in their access to School programs by sending notices to the parents in a language or format that they are likely to understand (also see Policy 2260).

Adopted 9/13/04

CURRICULUM

The Board of Directors shall adopt a core curriculum which is to be based on the Model Core Curriculum developed by the State Board of Education. The School Administrator shall prepare administrative guidelines which will provide for a description of the core curriculum as well as the sequence, in grade clusters, in which such courses will be taught.

Should the core curriculum vary from the Michigan Curriculum Framework the description of the core curriculum is to be accompanied by an explanation of the School's variations from the model and shall verify that no attitudes, beliefs, or value systems are included in the curriculum that are not essential in the legal, economic, and social structure of our society and to the personal and social responsibility of citizens of our society.

The School Administrator's guidelines shall provide for an explanation of the means by which the core curriculum will be implemented and evaluated based on the K - 12 Program Standards of Quality established by the State Board of Education.

The administrative guidelines shall also assure each student a fair opportunity to achieve the academic outcomes established for the core curriculum. Such guidelines should ensure that instruction in each area of the core curriculum focuses on the learning processes students need to use to achieve the academic outcomes and should provide procedures for special assistance to students who are not achieving the outcomes.

The School Administrator is authorized to maintain a nongraded, continuous-progress program for grades K-6 which best assures that students in these grades are being provided an adequate opportunity to achieve the academic outcomes called for in the core curriculum for these grade levels.

Adopted 05/07/02
Revised 08/08/05

CONTROVERSIAL ISSUES

The Board of Directors believes that the consideration of controversial issues has a legitimate place in the instructional program of the schools.

Properly introduced and conducted, the consideration of such issues can help students learn to identify important issues, explore fully and fairly all sides of an issue, weigh carefully the values and factors involved, and develop techniques for formulating and evaluating positions.

For purposes of this policy, a controversial issue is a topic on which opposing points of view have been promulgated by responsible opinion or is likely to arouse both support and opposition in the community.

The Board will permit the introduction and proper educational use of controversial issues provided that their use in the instructional program:

- A. is related to the instructional goals of the course of study and level of maturity of the students;
- B. does not tend to indoctrinate or persuade students to a particular point of view;
- C. encourages open-mindedness and is conducted in a spirit of scholarly inquiry.

Controversial issues related to the program may be initiated by the students themselves provided they are presented in the ordinary course of classroom instruction and it is not substantially disruptive to the educational setting.

Controversial issues may not be initiated by a source outside the schools unless prior approval has been given by the Curriculum Supervisor.

When controversial issues have not been specified in the course of study, the Board will permit the instructional use of only those issues which have been approved by the School Administrator who shall report periodically such approval to the Board for their review.

In the discussion of any issue, a teacher may express a personal opinion, but shall identify it as such, and must not express such an opinion for the purpose of persuading students to his/her point of view.

The Board recognizes that a course of study or certain instructional materials may contain content and/or activities that some parents find objectionable. If after careful, personal review of the program lessons and/or materials, a parent indicates to the school that either content or activities conflicts with his/her religious beliefs or value system, the school will

honor a written request for his/her child to be excused from particular classes for specified reasons. The student, however, will not be excused from participating in the course or activities mandated by the State and will be provided alternative learning activities during times of parent requested absences.

The School Administrator shall develop administrative guidelines for dealing with controversial issues.

INNOVATIVE PROGRAMS

The Board of Directors wishes to promote the continued improvement of the instructional and curricular program of the School through all appropriate means. The Board will encourage members of the School staff and of the student body who wish to pursue a promising program for School improvement.

An innovative program design shall address the steps below when appropriate to the project:

- A. rationale
- B. specific objectives
- C. supportive research
- D. budgeting
- E. in-service requirements
- F. plans for broader implementation
- G. methods for evaluation

Each innovative program shall be consistent with the School's objectives and long range plans. Programs designed for students with disability must comply with Federal and State guidelines.

NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Reference: MCL 380.1146, 380.1704, 37.1101 et seq., 37.2402, 37.1402, 37.2101-37.2804
Fourteenth Amendment, U.S. Constitution
20 USC Section 1681, Title IX of Education Amendments Act
20 USC Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 USC Section 7905, Boy Scouts of America Equal Access Act
29 USC Section 794, Rehabilitation Act of 1973, as amended
29 CFR Part 1635
42 USC Section 2000d et seq., Civil Rights Act of 1964
42 USC Section 2000ff et seq., The Genetic Information Nondiscrimination Act
42 USC 6101 et seq., Age Discrimination Act of 1975
34 CFR Part 110 (7/27/93)
Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979
42 USC 12101 et seq., The Americans with Disabilities Act of 1990, as amended
Title III of the No Child Left Behind Act of 2001

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth.

As such, the Board of Directors does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry in its educational programs or activities and will not permit discrimination in any of these categories from its Educational Service Provider..

The Board also does not discriminate in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the School, or social or economic background, to learn through the curriculum offered in this School. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the School Administrator shall:

- A. Curriculum Content
review current and proposed courses of study and textbooks to detect any bias based ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;
- B. Staff Training
develop an ongoing program of in-service training for school personnel designed to identify and solve problems in all aspects of the program;
- C. Student Access
review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not

segregated on the basis of any legally protected interest in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;

verify that facilities are made available, in accordance with Board Policy 7510 - Use of District Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

This language does not prohibit the School from establishing and maintaining a single-gender school, class, or program within a school if a comparable school, class, or program is made available to students of each gender.

D. School Support

verify that like aspects of the School program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of Protected Classes.

School Compliance Officers

The Board designates the following individuals to serve as the School's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs")

[NOTE: Academies are advised to appoint both a male and female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the School's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

School Administrator/Director of Human Resources
3662 Poinsettia Ave. SE
Grand Rapids, MI 49508
(616) 243-6221

The names, titles, and contact information of these individuals will be published annually in the staff handbooks.

The School will accommodate the use of certified service animals when there is an established need for such supportive aid in the school environment. Certain restrictions may be applied when necessary due to allergies, health, safety, disability or other issues of those in the classroom or school environment. The goal shall be to provide all students with the same access and participation opportunities provided to other students in school. Confirmation of disability, need for a service animal to access the school programming, and current certification/training of the service animal may be required.

The COs are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The School Administrator shall annually attempt to identify children with disabilities, ages 0-25, who reside in the School but do not receive public education.

In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in School programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the School will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (also see Policy 2225).

Reports and Complaints of Unlawful Discrimination and Retaliation

Students and all other members of the School community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other School official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other School employee or official who receives such a complaint shall file it with the CO within two (2) school days.

Members of the School community, which includes students or third parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one of the COs who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy 2260 investigation and provide him/her with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School community or a visitor to the School, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a CO

will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the School Administrator or oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the student, if age eighteen (18) or older, or the student's parents if the student is under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"). The Cleveland Office of the OCR can be reached at 1350 Euclid Avenue, Suite 325, Cleveland, Ohio 44115; Telephone: (216) 522-4970; Fax: (216) 522-2573; TDD: (216) 522-4944; E-mail: ocr.cleveland@ed.gov; Web: <http://www.ed.gov/ocr>.

Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the parties (the alleged target of the discrimination and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Students who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution

through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a School employee or any other adult member of the School community against a student will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the School Administrator or other School-level employee; and/or (3) directly to one of the COs.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School's informal complaint procedure is designed to provide students who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the student about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 2260 – Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the CO may arrange and facilitate a meeting between the student claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy and/or Student records policy. (See Policy 8310 and Policy 8330)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant") may file a formal complaint, either orally or in writing, with a teacher, Principal, or other employee at the student's school, the CO, School Administrator, or another employee who works at another school or at the School level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a teacher, Principal, or other employee at the student's school, School Administrator, or other employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person alleged to have engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the School Administrator.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent") that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Nondiscrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the School Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the School Administrator must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the School Administrator's final decision will be delivered to both the Complainant and the Respondent.

If the School Administrator requests additional investigation, the School Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the School Administrator shall issue a final written decision as described above.

If the School Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the School Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the School Administrator's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the student alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to have

the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The Complainant may be represented, at his/her own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

All records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the *Family Educational Rights and Privacy Act* or under Michigan's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the School Administrator shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the Board and/or School Administrator shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The School Administrator or designee shall provide appropriate information to all members of the School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

The School will endeavor to assist the student and/or his/her parents in their access to School programs by providing notices to the parents and students in a language and format that they are likely to understand.

Materials approved by the State Department of Education describing the benefits of instruction in Braille reading and writing shall be provided to each blind student's individualized planning committee. The School shall not deny a student the opportunity for instruction in Braille, reading, and writing solely because the student has some remaining vision.

The School Administrator shall develop administrative guidelines as needed for the proper implementation of this policy.

Revised 9/13/04; 4/9/07; 4/14/08; 9/14/09; 11/8/10; 3/14/11; 3/11/13; 9/8/14

SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Reference: 29 USC 794, Section 504 Rehabilitation Act of 1973, as amended
34 C.F.R. Part 104
42 USC 12101 et seq., Americans with Disabilities Act of 1990, as amended

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA") and the implementing regulations (collectively "Section 504"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Directors does not discriminate in admission or access to, or participation in, or treatment in its programs or activities. As such, the Board's policies and practices will not discriminate against students with disabilities and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the School.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aides and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Michigan law to provide educational services to disabled persons; or
- C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the School's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "Compliance Officer(s)").

[NOTE: Academies may want to consider appointing both a male and a female School Compliance Officer in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) School Compliance Officers, there should always be a Compliance Officer available to investigate a claim that pertains to the other Compliance Officer.]

School Administrator
3662 Poinsettia Ave. SE
Grand Rapids, MI 49508
(616) 243-6221

The names, titles, and contact information of this/these individual(s) will be published annually in the staff handbooks.

The Compliance Officer is responsible for coordinating the School's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of the implementing regulations, may be obtained from the Compliance Officer.

The Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. (See below) The Board will further establish and implement a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing. (See AG 2260.01B)

Training

The Compliance Officer will also oversee the training of employees in the School so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Educational Service Provider will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the School's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities.

Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who have a physical or mental impairment that substantially limits one or more major life activities, regardless of the nature or severity of their disabilities.

An appropriate education, may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under the IDEA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the School with persons who are not disabled to the maximum extent appropriate. Generally, the School will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of supplementary aids and services cannot be achieved satisfactorily. If the School places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

The School will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities.

Notice

Notice of the Board's policy on nondiscrimination in education practices and the identity of the Compliance Officer will be posted throughout the School, and published in the School's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), parents and students will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of

Section 504. In addition, students and their parents will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights. Finally, students and parents will be advised of their right to request a due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation or educational placement of persons with disabilities, including the right to participation by the student's parents or guardian and representation of counsel, and their right to examine relevant education records.

Internal complaints and requests for due process hearings must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint or the request for a hearing, and offer possible solutions to the dispute. The complaint or request for due process hearing must be filed with the Compliance Officer within specified time limits. The Compliance Officer is available to assist individuals in filing a complaint or request.

Internal Complaint Procedures

An internal complaint may be filed by a student and/or parent. A student and/or parent may initiate the internal complaint procedure when s/he/they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the following procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as disabled or believed to be disabled pursuant to Section 504, and are not eligible under the IDEA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights or requesting a due process hearing.

Step 1 Investigation by the Compliance Officer: A student or parent may initiate an investigation by filing a written internal complaint with the Compliance Officer. The complaint should fully describe the circumstances giving rise to the dispute and how the child is adversely affected. The complaint must be filed as soon as possible, but not longer than thirty (30) calendar days after disclosure of the facts giving rise to the complaint. The Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Compliance Officer shall permit the complainant to present witnesses and other evidence in support of the complaint. The investigation shall be completed within fifteen (15) school days of the written complaint being filed. The Compliance Officer will notify the complainant in writing of his/her decision.

Step 2 If the complaint is not resolved satisfactorily at Step 1, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

If it is determined that the Complainant was subjected to unlawful discrimination, the Compliance Officer must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if a student or parent believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a

complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Adopted 11/8/10
Revised 3/14/11; 4/16/12; 9/8/14; 6/19/15

TITLE I SERVICES

Reference: 20 USC 6301 et seq., Elementary and Secondary Education Act of 1965
34 CFR Part 200, et seq.

The Board of Education elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments to the Elementary and Secondary School Improvement of 1965.

The School Administrator shall prepare and present to the State Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan.

A. Assessment

The School shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include performance measures mandated by the Department of Education as well as those determined by the School's professional staff, that will assist in the diagnosis, teaching, and learning of the participating students.

B. Scope

Each school shall determine whether the funds will be used to upgrade the educational program of an entire school and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The program, for an entire school and/or a Targeted Assistance School, shall include the components required by law as well as those agreed upon by participating staff and parents.

C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall be in accord with Board Policy 2261.01 and shall meet the requirements of Section 1118 of the Act.

D. Comparability of Services

Title I funds will be used only to augment, not to replace, State and local funds. The School Administrator shall use State and local funds to provide educational services in schools receiving Title I assistance that, taken as a whole, are at least comparable to services being provided in schools that

are not receiving Title I assistance. The determination of the comparability of services may exclude, in accordance with Federal regulations, State and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally-disabled students.

The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

In order to achieve comparability of services, the School Administrator shall assign teachers, administrators, and auxiliary personnel and provide curriculum materials and instructional supplies in such a manner as to ensure equivalence throughout the school.

E. Professional Development

The School Administrator shall develop administrative guidelines whereby members of the professional staff participate in the design and implementation of staff development activities that meet the requirements of Section 1119 of the Act and:

1. involve parents in the training, when appropriate;
2. combine and consolidate other available Federal and school funds;
3. foster cooperative training with institutions of higher learning and other educational organizations including other schools;
4. allocate part of the staff development to the following types of strategies:
 - a. performance-based student assessment
 - b. use of technology
 - c. working effectively with parents
 - d. early childhood education
 - e. meeting children's special needs

f. fostering gender-equitable education

F. Simultaneous Services

In accordance with law, a school offering Title I services may also serve other students with similar needs.

Rev. 04/25/03

PARENT PARTICIPATION IN TITLE I PROGRAMS

Reference: 20 USC 6318, Elementary and Secondary Education Act of 1965
34 CFR Part 200 et seq.

In accordance with the requirement of Section 1118 of Title I, programs supported by Title I funds must be designed and implemented in consultation with parents of the students being served.

The School Administrator shall ensure that the Title I plan contains a written statement of guidelines which has been developed with, approved by, and distributed to parents of participating students. The guidelines shall describe how:

- A. the SCHOOL expects the parents to be involved in the program, including their participation in the development of the plan;
- B. meetings will be conducted with parents including provisions for flexible scheduling and whatever assistance the SCHOOL may be able to provide parents in order to better ensure their attendance at meetings, and for providing information in a language the parents can understand;
- C. meetings will include review and explanation of the curriculum, means of assessment, and the proficiency levels students are expected to achieve and maintain;
- D. opportunities will be provided for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- E. parents will be involved in the planning, review, and improvement of the Title I program;
- F. information concerning school performance profiles and their child's individual performance will be communicated to parents;
- G. parents will be assisted in providing help to their children in achieving the objectives of the program by such means as ensuring regular attendance; monitoring television-watching; providing adequate time and the proper environment for homework; guiding nutritional and health practices; and the like;

- H. timely responses will be given to parental questions, concerns, and recommendations;
- I. the School will provide coordination, technical assistance and other support necessary to assist Title I schools to develop effective parental participation activities to improve academic achievement;
- J. an annual evaluation of the parental involvement plan will be conducted with parents, identifying any barriers to greater parental involvement (such as limited English, limited literacy, economic disadvantage, disability, etc.) and devising strategies to improve parental involvement;
- K. the parental involvement plan will be coordinated with other programs, such as Head Start, Reading First, Even Start, Parents as Teachers, and Home Instruction for Preschool Youngsters;
- L. other activities will be conducted as appropriate to the plan and State or Federal requirements.

The School Administrator shall also assure that each Title I participating school develops a specific plan, with parental involvement, which:

- A. convenes an annual meeting at a convenient time to which parents of participating children are invited to attend to explain the parents rights to be involved and the schools obligations to develop an involvement plan;
- B. will devise a flexible meeting schedule and describe assistance to encourage parental involvement, such as child care, transportation, home visits, or similar aid;
- C. will involve parents in an organized, on-going and timely way in the development, review and improvement of parent involvement activities;
- D. will provide participating students' parents with:
 - 1. timely information about the Title I programs;
 - 2. an explanation of the curriculum, the forms of academic assessment and the proficiency levels expected;
 - 3. regular meetings, upon request, to make suggestions and receive response regarding their student's education;

- E. develops jointly with parents a school-parent compact which outlines the responsibilities of the school staff, the parents and the student for academic improvement, including:
1. the school's responsibility to provide high quality curriculum, and instruction in a supportive, effective learning environment;
 2. parent's responsibility for such things as monitoring attendance, homework, extracurricular activities and excessive television watching; volunteering in the classroom;
 3. the importance of parent teacher communication on an on-going basis through at least annual parent teacher conferences to discuss achievement and the compact; frequent progress reports to the parents; reasonable access to the staff and opportunities to observe and participate in classroom activities.

Rev. 04/25/03

TITLE I - PARENT'S RIGHT TO KNOW

Reference: 20 USC 6311, Elementary and Secondary Education Act of 1965
34 CFR Part 200 et seq.

In accordance with the requirement of Section 1111 of Title I, for each school receiving Title I funds, the School Administrator shall make sure that all parents of students in that school are notified that they may request, and the SCHOOL will provide the following information on the student's classroom teachers:

- A. whether the teacher(s) have met the State qualification and licensing criteria for the grade level and subject areas they are teaching;
- B. whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived;
- C. the undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned;
- D. the qualifications of any paraprofessionals providing services to their child(ren);

In addition, the parents shall be provided:

- E. information on the level of achievement of their child(ren) on the required State academic assessments;
- F. timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

The notices and information shall be provided in an understandable format, and to the extent possible, in a language the parent(s) understand.

Rev. 04/25/03

FEDERAL SCHOOL IMPROVEMENT PLAN

Reference: 20 USC § 6316; 34 CFR § 200.41

If the School is identified as requiring school improvement, in accordance with requirements of the No Child Left Behind Act, it shall adopt policies and practices regarding the Academy's core academic subjects that are most likely to ensure that students will meet the State's proficient level of achievement on the State academic assessment not later than the 2013-2014 school year.

Adopted 4/14/08

RELIGION IN THE CURRICULUM

Reference: U.S. Constitutional Amendment 1
M.C.L. 380.1170

Based on the First Amendment protection against the establishment of religion in the schools, no Board employee will promote religion in the classroom or in the School's curriculum, or compel or pressure any student to participate in devotional exercises. Displays of a religious character must conform with Policy 8800. Instructional activities shall not be permitted to advance or inhibit any particular religion or religion generally.

An understanding of religions and their effects on civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, curriculum may include as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board acknowledges the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the School frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the School. The Board directs that professional staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the School's students, not for its conformity to religious principles. Students should receive unbiased instruction in the School, so they may privately accept or reject the knowledge thus gained, in accordance with their own religious tenets.

Accordingly, no student shall be exempted from attendance in a required course of study on the grounds that the instruction therein interferes with the free exercise of his/her religion. However, if after careful, personal review of the program's lessons and/or materials, a parent indicates to the school that either the content or activities conflict with his/her religious beliefs or value system, the school will honor a written request for his/her child to be excused from particular class periods for specified reasons. The student will be provided with alternate learning activities during the times of such parent requested absence.

No classroom teacher shall be prohibited from providing reasonable periods of time for activities of a moral, philosophical, or patriotic theme. No student shall be required to participate in such activities if they are contrary to the religious convictions of the student or his/her parents or guardians.

The Board acknowledges that it may not adopt any policy or rule respecting or promoting an establishment of religion or prohibiting any student from the free, individual, and voluntary exercise or expression of the student's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when students are free to associate.

Revised 10/14/13

HOMEWORK

The Board of Directors acknowledges the educational validity of out-of-school assignments as adjuncts to and extensions of the instructional program of the School. Homework assigned at New Branches Charter Academy will be meaningful to children's lives and related to areas of study being developed in the classroom.

"Homework" shall refer to those assignments to be prepared outside of the School by the student or independently while in attendance at School.

Examples of homework assignments are:

- A. Finishing an assignment not completed in class.
- B. Searching newspapers or periodicals for articles on specific topics.
- C. Collecting items at home for a class display or individual project.
- D. Reading a book and writing a report.
- E. Practicing spelling or vocabulary words.

The School Administrator shall develop administrative guidelines for the assignment of homework according to these guidelines:

- A. Homework should: help build and maintain a positive home – school connection; encourage positive interactions between parents and their children; reinforce learning as a life skill that occurs everywhere, not just in school.
- B. Homework should be a properly planned part of the curriculum to extend and reinforce the learning experience of the School.
- C. Homework should help students learn by providing practice in the mastery of skills, experience in data gathering, and integration of knowledge, and an opportunity to remediate learning problems.
- D. Homework should help develop the student's sense of responsibility by providing an opportunity for the exercise of independent work and judgment.

- E. The number, frequency, and degree of difficulty of homework assignments should be age-appropriate leisure time and based on the ability and needs of the student and take into account age-appropriate leisure time and other activities which make a legitimate claim on the student's time.
- F. As a valid educational tool, homework should be assigned with clear direction and its product carefully evaluated.
- G. The schools should recognize the role of parents by suggesting ways in which parents can assist the school in helping a student carry out assigned responsibilities.
- H. Homework should always serve a valid learning purpose; it should never be used as a punitive measure.

FIELD AND OTHER SCHOOL-SPONSORED TRIPS

Reference: MCLA 380.502, 380.503

The Board of Directors recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the School. Properly planned and executed field trips should:

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the School;
- B. arouse new interests among students;
- C. help students relate School experiences to the reality of the world outside of School;
- D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;
- E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from School premises, which is under the supervision of a professional staff member and an integral part of a course of study.

Walking trips within the immediate neighborhood of the school and less than one mile shall not be considered a field trip.

Other School-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the School's total educational program.

The Board shall approve those field trips and other School-sponsored trips which are planned to keep students out of the School overnight or longer or out of the State.

The School Administrator shall approve all other such trips.

Students may be charged fees for School-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically.

Students on all School-sponsored trips remain under the supervision of this Board and are subject to the School's administrative guidelines.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the School who takes students on trips not approved by the Board or School Administrator. No staff member may solicit students of this School for such trips within the facilities or on the school grounds of the School without permission from the School Administrator. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the School's Administrative Guidelines for Extended Trips.

The School Administrator shall prepare administrative guidelines for the operation of both field and other School-sponsored trips, including athletic trips, which shall ensure:

- A. the safety and well-being of students;
- B. parental permission is sought and obtained annually before any student leaves the School on a trip; written notice will be provided to parents prior to each trip;
- C. each trip is properly planned, and if a field trip, is integrated with the curriculum, evaluated, and followed up by appropriate activities which enhance its usefulness;
- D. the effectiveness of field trip activities is judged in terms of demonstrated learning outcomes;
- E. each trip is properly monitored;
- F. student behavior while on all field trips complies with the Student Discipline Code and on all other trips complies with an approved code of conduct for the trip;
- G. a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge.
- H. A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

ON-LINE/BLENDED LEARNING PROGRAM

Reference: M.C.L. 388.1621
Michigan Department of Education Guidance on Best Practices as Defined in M.C.L.
388.1622f

The School shall provide eligible students the option of participating in on-line or blended learning courses. The purpose of the program is to make instruction available to eligible students using on-line and distance education technology in both traditional and nontraditional classroom settings. The School must make all eligible students and their parents or guardians aware of this program.

A. Definitions

1. On-Line Learning- Means a course of study that is capable of generating a credit or a grade, that is provided in an interactive internet-connected learning environment, in which students and their teachers are separated by time or location, or both, and in which the teacher is responsible for determining appropriate instructional methods for each student, diagnosing learning needs, assessing student learning, prescribing intervention strategies, reporting outcomes, and evaluating the effects of instruction and support strategies.
2. Blended Learning- A hybrid instructional delivery model where students are provided content, instruction, and assessment in part at the classroom, with a teacher, and in part through internet-connected learning environments with some degree of student control over time, location, and pace of instruction.

B. Program Eligibility

The School shall offer a program for students in K-8.

C. Student Eligibility

1. Students eligible for the School on-line/blended learning program must meet at least one of the following conditions:
 - a. The student has spent the prior school year in attendance at a public school in this State and was enrolled and reported by a public school district.
 - b. The student is a dependent child of a member of the United States Armed Forces who was transferred within the last twelve (12) months to Michigan from another state or foreign country pursuant to the parent's permanent change of station orders.
2. Only students enrolled in grades 6 to 12 are eligible to enroll in an On-Line Learning course. Students in grades K-5 are only eligible to participate in Blended Learning Courses.

D. Course Availability and Access

1. The School shall provide access to enroll and participate in the available courses and shall award credit, as may be appropriate, for successful completion. Access shall be available to eligible students during or after the school day and during summer school enrollment. The School will provide On-Line Learning, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-D.
2. The School shall enroll an eligible student in up to two (2) on-line courses as requested by the student during an academic term, semester, or trimester. Consent from the student's parent or legal guardian must be obtained for students under the age of eighteen (18).
3. The School will provide two or fewer courses per semester in Grades K-5 and one or more courses per semester in Grades 6-12. If students are taking more than two courses per semester, the guidance found in the Pupil Accounting Manual 5-O-B shall be followed and seat time waivers obtained.
4. An eligible student may enroll in an on-line course published in the School on-line course syllabus, as described in section 8 below, or the statewide catalog of on-line courses maintained by the Michigan virtual university.
5. The School may deny a student enrollment in an on-line course if any of the following apply, as determined by the School:
 - a. The student has previously gained the credits provided from the completion of the on-line course.
 - b. The on-line course is not capable of generating academic credit.
 - c. The on-line course is inconsistent with the remaining graduation requirements or career interests of the student.
 - d. The student does not possess the prerequisite knowledge and skills to be successful in the on-line course or has demonstrated failure in previous on-line coursework in the same subject.
 - e. The on-line course is of insufficient quality or rigor. If the School denies a student enrollment for this reason, the School shall make a reasonable effort to assist the student to find an alternative course in the same or a similar subject that is of acceptable rigor and quality.
 - f. If a student is denied enrollment in an on-line course by the School, the student may appeal the denial by submitting a letter to the School Administrator. The appeal must include the reason provided by the School for not enrolling the student and the reason why the student is claiming that the enrollment should be approved.

The School Administrator shall respond to the appeal within five (5) days after it is received. If the School Administrator determines that the denial of enrollment does not meet one (1) or more of the reasons specified in subsection 4(E)i.-vi., the School shall allow the student to enroll in the on-line course.

- g. An on-line learning student shall have the same rights and access to technology in his or her School's facilities as all other students enrolled in that School.
- h. If a student successfully completes an on-line course, as determined by the School, the School shall grant appropriate academic credit for completion of the course and shall count that credit toward completion of graduation and subject area requirements. A student's school record and transcript shall identify the on-line course title as it appears in the on-line course syllabus.
- i. The enrollment of a student in one (1) or more on-line courses shall not result in a student being counted as more than 1.0 full-time equivalent students under this act.

E. Nonresident Applications

1. The School shall determine whether or not it has capacity to accept applications for enrollment from nonresident applications in on-line courses and may use that limit as the reason for refusal to enroll an applicant.
2. If the number of nonresident applicants eligible for acceptance in an on-line course does not exceed the capacity of the School to provide the on-line course, the School shall accept for enrollment all of the nonresident applicants eligible for acceptance.
3. If the number of nonresident applicants exceeds the School's capacity to provide the on-line course, the School shall use a random draw system.

F. Requirements Specific to On-Line Learning Courses

To offer an on-line course, the School must:

1. Provide the Michigan virtual university with the course syllabus in a form and method prescribed by the Michigan virtual university for inclusion in a statewide on-line course catalog.
2. Provide on its publicly accessible website a link to the course syllabi for all of the on-line courses offered by the School, as described in section 8, and a link to the statewide catalog of on-line courses maintained by the Michigan virtual university.
3. Offer the on-line course on an open entry and exit method, or aligned to a semester, trimester, or accelerated academic term format.

G. On-Line Course Syllabus

The School must publish an on-line course syllabus for each on-line course offered. The on-line course syllabus must include:

1. State academic standards addressed in an on-line course.
2. On-line course content outline.
3. On-line course required assessments.
4. On-line course pre-requisites.
5. Expectations for actual teacher contact time with the on-line learning student and other student-to-teacher communications.
6. Academic support available to the on-line learning student.
7. On-line course learning outcomes and objectives.
8. Name of the institution or organization providing the on-line instructor.
9. Number of eligible nonresident students that will be accepted by the School in the on-line course.
10. Results of the on-line course quality review using the guidelines and model review process published by the Michigan virtual university.

The School may offer a full time or part time program for grade 9-12 students enrolled in dropout prevention, academic intervention, core courses to meet graduation requirements, or dual enrollment programs.

Adopted 4/20/15

GUIDANCE AND COUNSELING

The Board of Directors requires that guidance and counseling be an integral part of the educational program of the School. Such a program should:

- A. assist students in achieving their optimum growth;
- B. enable students to draw the greatest benefit from the offerings of the instructional program of the schools;
- C. assist students in career awareness;
- D. help integrate all the student's experience so that s/he can better relate school activity to life outside the school;
- E. help students learn to make their own decisions and solve problems independently.

HOMEBOUND INSTRUCTION PROGRAM

Reference: M.C.L.A. 388.1606, 388.1709

The Board of Directors shall provide, pursuant to requirements of the State Board of Education, individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability.

When in the best interest of the student, the Board of Directors may arrange through the Kent Intermediate School for individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability.

Applications for individual instruction shall be made by a physician licensed to practice in this State, parent, or other care giver. A physician must:

- A. certify the nature and existence of a medical condition;
- B. state the probable duration of the confinement;
- C. request such instruction;
- D. present evidence of the student's ability to participate in an educational program.

Applications must be approved by the School Administrator.

The School will provide homebound instruction only for those confinements expected to last at least five (5) days.

The School shall begin the instruction (or) recommend that the instruction begin within three (3) days from the date of notification for nonspecial-education students. In the case of students under an I.E.P., the instruction is to begin within fifteen (15) days after notification in order to arrange for a meeting of an I.E.P.C., if necessary.

The program of homebound or hospitalized instruction given each student shall be in accordance with regulations of the State Board of Education with such exceptions as may be recommended by the physician. Teachers of homebound special education students shall hold a Michigan teaching certificate appropriate for the level of instruction for which the assignment is made or for the type of instruction called for by an I.E.P.T. Teachers of nondisabled students must hold a valid teaching certificate.

The School reserves the right to withhold (or) withhold recommendation for homebound instruction when:

- A. the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher;
- B. a parent or other adult in authority is not at home with the student during the hours of instruction;
- C. the condition of the student is such as to preclude his/her benefit from such instruction.

The School Administrator shall develop administrative guidelines for implementing the policy.

Adopted 5/7/02
Revised 2/13/06

CRITICAL HEALTH PROBLEMS

Reference: M.C.L.A. 388.381 et seq., 380.1170, 380.1506/1507
A.C. Rule 388.271 et seq.

The Board of Directors, consistent with State law, has adopted a comprehensive program of health education, known as the Michigan Model for Comprehensive School Health Education for grades K through 6 which will prepare students to maintain good health and enable them to adapt to changing health problems of our society.

The Board recognizes that this program, like others the School offers, may contain content and/or activities that some parents find objectionable. The School shall notify the parents, in advance of the instruction and about the content of the instruction and give the parents an opportunity to review the materials to be used.

The School Administrator shall prepare administrative guidelines that will ensure:

- A. the health education program includes appropriate learning experiences related to such topics as use, abuse, and effects of drugs, alcohol, and tobacco; mental, physical, and dental health; disease prevention and control; accident prevention; and related health and safety topics;
- B. periodic evaluation of student understanding;
- C. continual analysis of the effectiveness of the programs and the accuracy, completeness, and relevancy of the information and instructional procedures.

In implementing these programs, the School Administrator may use whatever School and outside resources, including Department of Education and ISD guidelines and consultants, s/he deems appropriate.

REPRODUCTIVE HEALTH AND FAMILY PLANNING

Reference: M.C.L.A. 380.1169
A.C. Rule 388.273 et. seq.

The Board of Directors directs that students receive instruction in reproductive health and family planning. "Reproductive Health" shall be defined as that state of an individual's well-being which involves the reproductive system and its physiological, psychological, and endocrinological functions.

In addition, students are to be provided instruction in the recognition, prevention, and treatment of noncasual-contact communicable diseases such as venereal diseases, HBV, and HIV; and the use of abstinence from sex as a responsible method for restriction and prevention of noncasual-contact communicable disease and as a positive life-style for unmarried young people.

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 Board office.

Each person who teaches K to 12 students 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.

A Sex Education Advisory Board (AG 2414) shall be established, in order to ensure the effective participation of parents and community groups in the design and implementation of this program area.

Teacher consultants to the School will meet preparatory criteria established by the State guidelines before participating in sex education instructional activities.

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

The School Administrator shall prepare regulations to implement these guidelines which are to include at least two (2) public hearings on any revisions to any of the curricula described above. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given and conducted in accordance with the Open Meetings Act.

Adopted 05/07/02
Revised 01/09/06

STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

Reference: 20 USC 1232(a)(b)(g)(h)

The Board of Education respects the privacy rights of parents and their children. No student shall be required as a part of the school program or the School's curriculum, without prior written consent of the student, (if an adult or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- A. political affiliations or beliefs of the student or his/her parents;
- B. mental or psychological problems of the student or his/her family;
- C. sex behavior or attitudes;
- D. illegal, anti-social, self-incriminating or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally-recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations or beliefs of the student or his/her parents;
or
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The School Administrator shall ensure that procedures are established whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building School Administrator.

To ensure the right of parents, the Board directs building and program administrators to:

- A. Notify parents in writing of any surveys, analyses, or evaluations, which may reveal any of the information, as identified in A-H above, in a timely manner, and which allows interested parties to request an opportunity to inspect the survey, analysis, or evaluation; and the administrator to arrange for inspection prior to initiating the activity with students.
- B. Allow the parent the option of excluding their student from the activity.

- C. Report collected data in a summarized fashion which does not permit one to make a connection between the data and individual students or small groups of students.
- D. Treat information as identified in A-H above as any other confidential information in accordance with Policy 8350.

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building School Administrator. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

The School Administrator is directed to provide notice directly to parents of students enrolled in the School of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the School

Administrator is directed to notify parents of students in the School, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled or expected to be scheduled:

- A. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); and
- B. The administration of any survey by a third party that contains one or more of the items described in A through H above.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Adopted 1/12/2004

SCHOOL-SPONSORED CLUBS AND ACTIVITIES

Reference: M.C.L.A. 380.1282
P.L. 98-377

The Board of Directors believes that the goals and objectives of this School are best achieved by a diversity of learning experiences, including those that are not conducted in a regular classroom but are directly related to the curriculum.

The purpose of curricular-related activities shall be to enable students to explore a wider range of individual interests than may be available in the School's courses of study but are still directly related to accomplishing the educational outcomes for students as adopted by the Board in Policy 2131.

For purposes of this policy, curricular-related activities are defined as those activities in which:

- A. the subject matter is actually taught or will be offered;
- B. the subject matter concerns the School's composite curriculum;
- C. participation is required;
- D. participation results in a grade.

No curricular-related activity shall be considered to be under the sponsorship of this Board unless it meets one or more of the criteria stated above and has been approved by the School Administrator.

Such activities, along with extra-curricular activities (not directly related to the curriculum), may be conducted on or off school premises by clubs, associations, and organizations of students sponsored by the Board and directed by a staff advisor.

The Board shall allow nonschool-sponsored, student clubs and activities during noninstructional time, in accordance with the provisions in Policy 5730 -- Equal Access For Nonschool-Sponsored, Student Clubs and Activities.

Noncurricular student activities that are initiated by parents or other members of the community may be allowed under the provisions of Policy 7510 - Use of School Facilities. The Board, however will not:

- A. assume any responsibility for the planning, conducting, or evaluating of such activities;
- B. provide any funds or other resources;

- C. allow any member of the School's staff to assist in the planning, conducting, or evaluating of such an activity during the hours s/he is functioning as a member of the staff.

No nonschool-sponsored organization may use the name of the School or any other name which would associate an activity with the School.

Students shall be fully informed of the curricular-related activities available to them and of the eligibility standards established for participation in these activities. School-sponsored activities shall be available to all students who elect to participate and who meet eligibility standards.

The School Administrator shall prepare administrative guidelines to implement a program of curricular-related clubs and activities. Such guidelines should ensure that the needs and interests of the students are properly assessed and procedures are established for continuing evaluation of each club and activity.

Adopted 05/07/02
Revised 08/08/05

OPERATION OF A CHILD CARE CENTER OR BEFORE-OR AFTER-SCHOOL PROGRAM

Reference: MCL 380.1285a; R 400.5102; R 400.5104a; R 400.5107; R 400.5111b; R 400.5114

If a child care center or before/after-school program is operated by the School, the Board, in consultation with the director of the program and/or the School Leader, shall develop, adopt, and annually review policies concerning the program that, at a minimum, address safety procedures for the program, including first aid, food safety, discipline, dispensing and storage of medication, and access to student emergency information and telephones.

If the School operates a child care center, it shall develop and implement the following written policies:

- a screening policy for all staff and volunteers, including parents, who have contact with children;
- a policy regarding supervision of volunteers, including volunteers who are parents of a child in care;
- an age-appropriate policy regarding the discipline of children, which shall be provided to staff and parents;
- a health care plan that includes health-related resources and health practices and policies including procedures for child and staff hand washing; handling children's bodily fluids; cleaning and sanitizing all equipment, toys and other surfaces; and controlling infection, including universal precautions; and a fee policy

Adopted 4/14/08

3000 **STAFF**

3000 Educational Service Provider Statement

3220 Teacher Evaluation

BP

3419.03 Patient Protection and Affordable Care Act

L

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; 8/15/11; 4/16/12;
3/11/13; 2/10/14; 9/8/14; 4/20/15;1/19/17

CONFLICT OF INTEREST

Reference: MCL 380.634

Staff members shall perform their official duties in a manner free from conflict of interest. To this end:

- A. The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by School employees is essential to ensure the proper performance of school business as well as to earn and keep public confidence in the School.

To accomplish this, the Board of Education has adopted the following guidelines to assure that conflicts of interest do not occur. These are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees.

1. No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities. When a staff member determines that the possibility of a personal interest conflict exists, s/he should, prior to the matter being considered by the Board or administration, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board).
2. No staff member shall use his/her position to benefit either himself/herself or any other individual or agency apart from the total interest of the School.
3. If the pecuniary interest pertains to a proposed contract with the School, the following requirements must be met.

The staff member shall disclose the direct pecuniary interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct pecuniary interest amounts to \$250 or more or five percent (5%) or more of the contract cost to the School, the staff member shall make the disclosure in one of two (2) ways:

- a. In writing, to the Board president at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Bylaw 0165.)
 - b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member must use this method of disclosure if his/her pecuniary interest amounts to \$5,000 or more.
4. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the School.

5. Included, by way of illustration rather than limitation are the following:
 - a. the provision of any private lessons or services for a fee
 - b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to School records
 - c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
 - d. the requirement of students or clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
5. Employees shall not make use of materials, equipment, or facilities of the School in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- B. Should exceptions to this policy be necessary in order to provide services to students or clients of the School, all such exceptions will be made known to the employee's supervisor and will be disclosed to the School Administrator before entering into any private relationship.

Staff shall not accept any money, goods, or services with a value in excess of the amount established annually by the Michigan Department of Education from any person who does business or seeks to do business of any kind with the School.

Adopted 2/13/06
Revised 9/14/09

BOARD-STAFF COMMUNICATIONS

The Board of Directors desires to maintain open channels of communication between itself and the staff. The basic line of communication, will, however, be through the School Administrator.

A. Staff Communications to the Board

All communications from staff members to the Board or its committees shall be submitted through the School Administrator. This procedure is not intended to deny any staff member the right to appeal to the Board on important matters through established procedures.

B. Board Communications to Staff

All official communications, policies, and directives of the Board of staff interest and concern to the staff will be communicated through the School Administrator, who shall also keep staff members fully informed of the Board's problems, concerns, and actions.

C. Social Interaction

Both staff and Board members share a keen interest in the School and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the School. However, since individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action, discussions between staff and Board members of personalities or personnel grievances will be considered to be unethical conduct.

EMPLOYMENT OF STAFF

Reference: MCL 37.2101 et seq., 333.17901, 380.1229, 1230, 1230b, 1231, 1233, 1237, 380.623, 20 USC 6319 & 7801

The Board of Directors recognizes it is vital to the successful operation of the School that the School Administrator fill positions created by the Board with highly-qualified, competent personnel who meet all current state and federal certification, training, and education requirements.

The School Administrator shall provide the Board with a list of the proposed staff that shows all current qualifications and licensing.

For the purposes of this Section, *staff* and *staff member*, shall mean School employees working at the School.

All staff are subject to a criminal history record check. See Policy 3121.

All applications for employment shall be referred to the School Administrator.

Relatives of staff members may be employed by the Board.

The Board will not employ (but may reemploy) the children, siblings, spouse, parents, in-laws, or bona fide dependents (IRS criteria) of a Board member.

Applications for employment will not be accepted from any current School Board member. If a Board member wishes to apply for a position, his/her resignation must be accepted by the Board prior to submitting an application.

A person employed as an administrator is not required to have a School Administrator's certificate, issued by the Department of Education, but must confirm that he/she has met, or is in the process of fulfilling, the educational requirements for School Administrators, established by the Michigan Department of Education.

Staff hired to serve as an athletic trainer must be properly licensed by the state or otherwise legally authorized to engage in the practice of athletic training. Staff is prohibited from engaging in the practice of athletic training unless licensed and shall not offer to provide any service(s) that s/he was not qualified to perform by education, training, or experience or otherwise prohibited by law from performing.

Prior to hiring an applicant, the School Administrator shall obtain from the applicant a signed Consent to Obtain Records (Form 3120-F2 or 3120-F4, as applicable) and shall obtain any records from the applicant's current or immediately-previous employer, including the applicant's personnel file (particularly any records relating to unprofessional conduct in which the applicant may have engaged). Any such records are to be reviewed prior to a recommendation for employment and may be disclosed to those individuals directly involved in evaluating the applicant's qualifications.

Requirements for Title I Teachers

All teachers hired for a Title I supported program must be “highly qualified.” *Highly qualified* means the following:

- A. The candidate has full State certification as a teacher or has passed the State teacher licensing exam and holds a current license to teach. (Certification or license requirements may not be waived on emergency, temporary, or provisional basis.)
- B. The candidate is an elementary teacher, new to the profession, and has the following:
 1. At least a bachelor’s degree and
 2. A passing score on a State test of subject knowledge and teaching skills in reading, writing, math, and other areas of elementary curriculum (State certification test may suffice).
- C. The candidate is a secondary or middle school teacher, new to the profession, and has the following:
 1. At least a bachelor’s degree; and
 2. A passing score on a State test in each of the subject areas he/she will teach (State certification test may suffice); or
 3. For each academic subject to be taught, an academic major; course work equivalent to an undergraduate major; a graduate degree; or advanced certification or credentials.
- D. The candidate has prior experience, seeks an elementary, middle, or secondary school teaching position, and has the following:
 1. At least a bachelor’s degree and
 2. Meets the standards for new teachers (above) or
 3. Demonstrates competence in all academic subjects he/she teaches, based on a uniform State standard of evaluation (standard for academic subject matter and teaching skills set by the State).

Requirements for a Teacher in any School Receiving Title I Funding

By the end of the 2005-2006 school year, all core subject teachers (as defined in the *No Child Left Behind Act*) in a School receiving Title I funds must be “highly qualified,” as described above.

Requirements for Title I Paraprofessionals

All paraprofessionals hired for a program supported by Title I must have a secondary school diploma, or its recognized equivalent, and one of the following:

- A. two (2) years of study at an institution of higher education; or
- B. at least an associate’s degree; or
- C. proof of having met a rigorous standard of quality as demonstrated through formal State or local academic assessment:
 1. knowledge of and the ability to assist in instructing, reading, writing, and mathematics; or
 2. knowledge of and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness.

Exceptions:

The requirements above do not apply to the following:

- A. a paraprofessional who is proficient in English and a second language and serves as a translator, primarily to enhance the participation of children in Title I programs; or
- B. a paraprofessional whose duties consist solely of conducting parental involvement activities.

Paraprofessionals working for a program supported by Title I may be assigned to the following:

- A. provide one-on-one tutoring for eligible students, during times when the teacher would not otherwise be instructing the student;
- B. assist with classroom management, such as organizing instructional and other materials;
- C. provide assistance in a computer laboratory;
- D. provide support in a library or media center;
- E. conduct parental involvement activities;
- F. act as a translator;
- G. provide instructional services to students, if working under the direct supervision of a teacher;
- H. perform limited duties beyond classroom instruction or that may not directly benefit program participants, so long as those duties are also assigned to non-Title I paraprofessionals. Title I paraprofessionals may not be assigned to more of these duties, proportional to their total work time, than the amount assigned to similar non-Title I paraprofessionals in the same school.

The School Administrator shall prepare Administrative Guidelines that comply with all legal requirements for the recruitment and selection of all staff.

Adopted 5/7/02

Revised 2/13/06; 9/11/06; 12/1/08

EMPLOYMENT OF SUBSTITUTES

Reference: M.C.L.A. 380.1229A, 380.1230, 380.1230a, 380.1230g, 380.1233, 380.1531
M.C.L.A. 380.1236, 380.1236a
A.C. Rule 390.1105(1), 390.1141(2)

The Board of Directors recognizes the need to procure the services of substitutes in order to continue the operation of the School as a result of the absence of regular personnel.

Substitute personnel are subject to a criminal history record check. See Policy 3121.

The School Administrator shall employ substitutes for assignment as services are required to replace temporarily-absent regular staff members and fill new positions. Such assignment of substitutes may be terminated when their services are no longer required.

Substitutes must possess a valid Michigan professional certificate and a permit, if substitute teaching in a subject for which s/he is not certified, except under the following circumstance.

- A. The School Administrator may also employ a substitute without a valid teaching certificate if the person has at least ninety (90) semester hours of college credit from a college or university.
- B. The School Administrator may hire an individual who does not hold a valid teaching certificate to serve in a counseling or speech pathologist role provided s/he meets all the requirements established by law. Policy 3120 and Policy 3121 shall apply with respect to that individual in the same manner required for employing a person with a teaching certificate.

In order to retain well-qualified substitutes for service in this School, the Board will offer competitive compensation at a rate set annually by the Board.

A substitute, employed in one (1) specific teaching position, shall, after sixty (60) consecutive days in that assignment, be paid a salary not less than the minimum salary on the current salary schedule and granted the privileges provided regular staff.

The Board may enter into a contract with a person or entity (a partnership, nonprofit or Business Corporation, labor organization, limited liability Company, or any other association, corporation, trust, or other legal entity) to furnish substitute teachers to the district as necessary to carry out the operations of the district. A contract entered into under this section shall include the following provisions:

- A. Assurance that the person or entity will furnish the school with qualified teachers in accordance with the School Code and any implementing rules and regulations.
- B. Assurance that the person or entity will not furnish to the school any teacher who, if employed directly by the school, would be ineligible for employment by the district as a substitute teacher under the School Code.
- C. A description of the level of compensation and fringe benefits to be provided for the employees of the person or entity who are to be assigned to the district as substitute teachers.

- D. A description of the type and amounts of insurance coverage to be secured and maintained by the person or entity and the School.
- E. Assurance that the person or entity, before assigning an individual to serve as a substitute teacher in the district, will comply with and provide to the Board the criminal history record information obtained under section 1230 and with the results of the criminal records check under section 1230a of the School Code.

A school that contracts with a person or entity to furnish substitute teachers under this section may purchase liability insurance to indemnify and protect the school and the person or entity against losses or liabilities incurred by the district and person or entity arising out of any claim for personal injury or property damage caused by the school, its officers, employees, or agents. A school may pay premiums for the insurance out of its operating funds.

Adopted 1/12/04
Revised 9/11/06

EMPLOYMENT OF CASUAL RESOURCE PERSONNEL

It is the purpose of this policy to allow the casual employment of personnel in a consulting capacity for administration, in-service, or instruction.

In the general fund of the Board of Directors, money is appropriated annually for special services. This might include resource persons in specialized fields of education that could offer consulting advice on the administration or instructional processes. The School Administrator shall negotiate a reasonable payment with the resource person.

Specialists from industry, business, agriculture, or health occupation fields may be employed in a consulting capacity to assist with program planning, in-services, or directly in the instructional program. Staff members employed by the School may be used as casual resource personnel, outside of their regular assignment, at the discretion of the School Administrator.

The School Administrator shall prepare administrative guidelines to ensure proper implementation of this policy.

VOLUNTEERS DRIVING OR CHAPERONING

Policy about volunteers driving or chaperoning without a teacher present:

If the crime is sexual misconduct with either adults or minors, no matter when the incident occurred, they cannot be alone with children

If the crime is a traffic related crime and more than five years old, like driving with a suspended license or a traffic offense, that parent can drive as long as they have a current license.

If the crime is drug possession or DUI, that parent cannot drive.

If the crime is unrelated to chaperoning or driving such as larceny or fraud, the parent can drive.

The School Administrator has the right to modify this policy at any time.

Adopted 11/12/07

VOLUNTEERS

The Board of Directors recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The School Administrator shall be responsible for recruiting volunteers, reviewing their capabilities, and making appropriate placements. S/He shall not be obligated to make use of volunteers whose abilities are not in accord with School needs.

Any person who volunteers to work with the School shall be screened through the Internet sites for the Sex Offenders Registry [SOR] list, the Internet Criminal History Access Tool [ICHAT] criminal history records check and the Offender Tracking Information System [OTIS] prior to being allowed to participate in any activity or program.

The School Administrator is to inform each volunteer that s/he:

- A. shall agree to abide by all Board policies and School guidelines while on duty as a volunteer; including signing, if appropriate, the School's Network and Internet Access Agreement Forms;
- B. will be covered under the School's liability policy but the School cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers compensation;
- C. will be asked to sign a form releasing the School of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services.

The School Administrator shall also ensure that each volunteer is properly informed of the School's appreciation for his/her time and efforts in assisting the operation of the School.

Rev. 2/10/03; 4/9/07

JOB SHARING

The Board of Directors recognizes the value to the School to obtain the services of quality staff members who may not be available on a full-time basis but wish to offer their knowledge and skills part-time through a job-sharing process.

The School will consider job share requests only if the cost (including benefits) of employing two (2) staff members on a half-time basis does not exceed the cost of employing one full-time staff member.

Half-time positions may be approved in which two (2) currently employed staff members will be allowed to share one (1) full-time position. Each staff member will be given credit for one (1) full year of seniority for this half-time job assignment.

The Board authorizes the School Administrator to create a job-sharing program provided it does not impact adversely on the School, its students or any current staff member.

CRIMINAL HISTORY RECORD CHECK

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

Before the School 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 School 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 pupils 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 in 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 or contract a person to maintain continuity of the program prior to receipt of the criminal history report, the School Administrator 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 act on behalf of the Academy, work on a regular or continuous basis in the Academy, are involved in the hiring process of Academy employees, and have successfully undergone a fingerprint-based criminal history record check by the Academy, may continue to submit and receive such criminal history record checks on behalf of the Academy, regardless of their status as employees, contractors, vendors or similar classification.

For substitute teachers or substitute bus drivers currently working in another School/Academy, public school academy or non-public school in the State, the School Administrator 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.

Individuals working in multiple Schools/Academies may authorize the release of a prior criminal history records check with another 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/Academy, 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 School in lieu of submitting to a new criminal background check. If this method is used, the School Administrator 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/Academy, 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 School from another proper source will be maintained in the individual's personnel record.

When the School receives a report that shows an individual has been convicted of a listed offense under State statutes or any felony, the School Administrator 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 School Administrator 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 School Administrator 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 Administrator and the Board provide written approval.

The School Administrator 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 Board of Directors with regard to such conviction. Such report shall be filed within sixty (60) days of receipt of the original report of the conviction.

All those employed by the School, either directly or under contract to regularly and continuously work in the schools prior to January 1, 2006, must undergo a criminal history records check, regardless of whether they have previously had such a check prior to 2006. The School Administrator shall determine a schedule to assure that all such required checks are completed prior to July 1, 2008. Alternatively, substitute teachers within this category

may authorize release to the School of a valid criminal history check conducted by another School/Academy after January 1, 2006, or the School Administrator may confirm with the Department of Education from results it maintains that the current substitute teacher does not have a criminal history.

The School Administrator 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 Administrator shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must submit, at no expense to the School, 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.

Any employee on staff must provide, at the School'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 are to be considered confidential and shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications. 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 School employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first 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 Freedom of Information Act 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/Academy, 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. Staff must notify the School upon conviction of any felony or misdemeanor.

If the School Administrator is notified by a prosecuting attorney or court (or learns through an authoritative source) that an employee of the School who holds a teaching certificate has been convicted of a felony or misdemeanor, the School Administrator shall notify the Michigan Department of Education, (Office of Professional Preparation and Services, P.O. Box 30008, Lansing, Michigan 48909, 517-335-1167) of that conviction within fifteen (15) days after learning of the conviction.

Adopted 5/7/02
Revised 2/13/06; 4/9/07; 8/13/07; 9/8/14

CRIMINAL CONVICTION REVIEW

Reference: M.C.L.A. 28.722, 380.1230 et seq., 308.1535a, 38.74

In an effort to maintain a safe environment for students, staff and visitors, the School will review the criminal records of those individuals who apply to or work for the School or are contracted to work on a regular and continuous basis in the schools.

Individuals convicted of crimes listed in Section 2 of the Sex Offender Registry Act, M.C.L.A. 28.722, shall not be allowed to work in the School.

Individuals convicted of a felony not listed in the Sex Offender Registry Act may not continue to work in the School, unless or until they have received written approval from both the School Administrator and the Board of Directors. Pending such approval employees shall be placed on administrative leave. Such leave shall be without pay, subject to Board discretion to award pay with reinstatement.

Individuals convicted of a misdemeanor related to sexual abuse, child abuse or controlled substances shall require the written approval of the School Administrator and the Board to continue employment.

All other criminal convictions shall require the written approval from the School Administrator to obtain or maintain employment in the School.

Except for felony convictions, the School Administrator shall determine whether the individual will be allowed to work pending review of the criminal convictions and a determination of whether the individual should be allowed to work in the School.

The School Administrator shall suspend consideration of any applicant and shall determine whether an employee or person contracted to work in the School will be allowed to work while felony charges are pending against the individual.

In making the determination regarding whether to hire an applicant or allow an individual to continue working with pending felony charges or after a conviction, the School Administrator and the Board will consider the following factors:

- A. the nature of the offense does relate or is related to children, sex, drugs, or violence, etc.
- B. how long ago did the incident occur
- C. were there repeated incidents
- D. nature of assignment in the School (access to children, role model, etc.)
- E. whether any treatment or other rehabilitation has occurred

- F. the nature of the employee's work record since offense (likelihood of repeated misbehavior)

Neither the Board nor the School Administrator shall consider criminal charges that did not result in conviction, or pending misdemeanor charges in determining whether to hire or continue the employment of any individual.

In making recommendations to the Board on whether to allow individuals with convictions or pending felony charges to work in the School, the School Administrator shall provide written reasons supporting the recommendation.

The Board shall provide written reasons supporting its determination on whether to allow an individual with a conviction to work in the School.

The School Administrator shall be responsible for processing the necessary review of criminal convictions, and providing the Board timely notice of its need to act in accordance with this policy.

Adopted 9/11/06

ANTI-DISCRIMINATION

Reference: M.C.L. 37.2101 et seq., 37.1101 et seq.
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendment Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended
29 C.F.R. Part 1635

The School shall not discriminate in its policies, practices, procedures, or activities on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability/handicap, age, religion, marital/parental/ family status, military status, ancestry, or genetic information and shall comply with all applicable law with respect to equitable treatment of students, employees, and applicants for employment opportunities.

School Compliance Officers

The Board designates the following individuals to serve as the School's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs")

[NOTE: Academies are advised to appoint both a male and female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the School's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

School Administrator/Director of Human Resources
3662 Poinsettia Ave. SE
Grand Rapids, MI 49508
(616) 243-6221

The names, titles, and contact information of these individuals will be published annually in the staff handbooks.

The COs are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II, of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, and Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members, and the general public. Any sections of the School's collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other School Official so that the Board may address the conduct. Any administrator, supervisor, or other School employee or official who receives such a complaint shall file it with the CO within two (2) school days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School community or a visitor to the School, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the School Administrator or oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the employee within two (2) business days to advise him/her of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 3122 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Employees who believe that they have been unlawfully discriminated/ retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a School employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful misconduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: (1) to a building administrator; (2) directly to one of the COs; and/or (3) to the School Administrator or other School employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School's informal complaint procedure is designed to provide employees who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate his/her concern to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 3122 – Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works.
- C. If both parties agree, the CO may arrange and facilitate a meeting between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy. (See Policy 8310)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a Principal, the CO, School Administrator, or other School employee. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a Principal, School Administrator, or other School employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deem appropriate in consultation with the School Administrator.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 3122 - Non-Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the School Administrator that summarizes the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the School Administrator must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the School Administrator's final decision will be delivered to both the Complainant and the Respondent.

If the School Administrator requests additional investigation, the School Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the School Administrator must issue a final written decision as described above.

If the School Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, she/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the School Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the School Administrator's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the misconduct pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the School Administrator shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or School Administrator shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The School Administrator or designee shall provide appropriate information to all members of the School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Adopted 1/12/2004

Revised 4/14/08; 9/14/09; 3/14/11; 3/11/13; 9/8/14

DRUG-FREE WORKPLACE

The Board of Directors believes that quality education is not possible in an environment affected by drugs. It will seek, therefore, to establish and maintain an educational setting which is not tainted by the use or evidence of use of any controlled substance.

The Board shall not permit the manufacture, possession, use, distribution, or dispensing of any controlled substance, alcohol, and any drug paraphernalia, by any member of the School's staff at any time while on School property or while involved in any School-related activity or event. Any staff member who violates this policy shall be subject to disciplinary action in accordance with School Policies.

The School Administrator shall establish guidelines that ensure compliance with this policy and that each staff member is given a copy of the standards regarding unlawful possession, use, or distribution of illicit drugs and alcohol by staff and informed that compliance with this requirement is mandatory. Such guidelines shall provide for appropriate disciplinary actions.

P.L. 101-126
Drug-Free Workplace Act of 1988, 41 U.S.C. 701, et seq.
20 U.S.C. 3224A

NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE

Reference: 29 C.F.R. Part 1635
42 USC 2000ff et seq., The Genetic Information Nondiscrimination Act

The Board of Directors prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of his/her genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Act (GINA), the Board shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, in compliance with this Act, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the School's application process.

The School recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows or the Internet. The School prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information, or accessing sources from which they are likely to acquire genetic information.

"Genetic information," as defined by GINA, means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

If the School either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment or a medical provider it shall be treated as a confidential medical record in accordance with law.

The School Administrator shall appoint a compliance officer who shall be responsible for overseeing the School's compliance with Federal regulations and promptly dealing with any inquiries or complaints. S/He shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all School requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II, including the Board of Directors, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Revised 11/8/10; 4/16/12

NON-DISCRIMINATION AGAINST STATE UNIVERSITIES IN STUDENT TEACHING, HIRING, AND COUNSELOR RECOMMENDATIONS

Reference: MCL 388.1764d

The School shall not adopt or implement a policy or practice, or to make or issue any public statement or directive, that has the effect of any of the following:

- A. Denies to a student of a particular state university access to the School for student teaching purposes solely because the student is enrolled in that state university.
- B. Prevents the hiring of a graduate of a particular state university solely because the individual graduated from that state university.
- C. Discourages or prohibits a counselor employed by the School from recommending a particular state university to a pupil of the School for reasons other than the suitability of the state university's educational offerings for the particular pupil.

Adopted 4/14/08
Revised 11/8/10

EMPLOYEE HANDBOOK AND TREATMENT OF SALARIED AND NON-SALARIED EMPLOYEES

Reference: 29 CFR §§ 541.602, 541.603 [Unpaid disciplinary suspensions must be based on a written policy applicable to all employees. Employers must clearly communicated policy regarding deductions from salary. The best evidence of a clearly communicated policy is a written policy that is distributed to employees at the time of hire, by publishing in an employee handbook, or by publishing on the employer's intranet.]

The School administration shall develop an employee handbook for both salaried and non-salaried employees, and shall submit the handbook for approval by the School Board.

The handbook shall address disciplinary actions that may be taken against employees, including processes for imposing unpaid disciplinary suspensions and terminations, and policies regarding deductions from salary or pay.

The employee handbook shall be distributed to all employees at time of hire.

Adopted 4/14/08

SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

Reference: 29 C.F.R. Part 1630
29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended,
34 C.F.R. Part 104
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

The Board of Directors prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the School's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the School's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "School Compliance Officer(s)").

[NOTE: Academies may want to consider appointing both a male and a female School Compliance Officer in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) School Compliance Officers, there should always be a Compliance Officer available to investigate a claim that pertains to the other Compliance Officer.]

School Administrator
3662 Poinsettia Ave. SE
Grand Rapids, MI 49508
(616) 243-6221

The names, titles, and contact information of this/these individual(s) will be published annually in the staff handbooks.

The School Compliance Officer is responsible for coordinating the School's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the School Compliance Officer(s).

The School Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

Training

The School Compliance Officer(s) will also oversee the training of employees in the School so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the School's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the School's Compliance Officer will be posted throughout the School, and published in the School's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with a School Compliance Officer within the time limits specified below. The School's Compliance Officer is available to assist individuals in filing a complaint.

Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the School Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the School Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the School Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the School Compliance Officer for good cause.
- C. The School Compliance Officer will conduct an independent investigation of

the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The School Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) work days. If no decision is rendered within ten (10) work days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the School Administrator. The School Compliance Officer shall maintain the School's files and records relating to the complaint.

- D. The School Administrator will, within ten (10) work days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The School Administrator will render his/her decision within ten (10) work days of the hearing.

- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the complainant was subjected to unlawful discrimination, the CO must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Adopted 4/16/12
Revised 9/8/14

STAFF DISCIPLINE

Whenever it becomes necessary to discipline a member of the staff, the Board of Directors directs the School Administrator to utilize due-process procedures, to conduct an investigation, as appropriate to the situation, including providing the employee with reasonable notice and the opportunity to respond. If it appears that disciplinary action beyond verbal reprimand may be necessary, s/he should determine the disciplinary action that should be taken and so inform the Board President who shall determine whether or not a report should be made to the Board in open session, unless a closed session is requested by the staff member.

A suspension without pay may be invoked. The length of the suspension will be at the discretion of the School Administrator according to the severity of the violation. The Board strongly recommends that before such suspension is invoked the School Administrator contact the school attorney.

The Board requires that all disciplinary actions involving loss of pay and/or suspension be submitted to the Board for review as soon as possible after the action has been taken.

The School Administrator should ascertain whether or not the staff member wishes such a report to be made in a closed session of the Board.

TERMINATION AND RESIGNATION

Reference: M.C.L.A. 28.722, 38.74, 380.1230 et seq., 380.1535a

TERMINATION

Employment contracts may be suspended or terminated upon a majority vote of the Board of Directors. In such cases, the Board shall abide by due process and such terms set forth in the School's personnel policy.

Employees and those under individual contract to work regularly and continuously in the schools, whether part-time or full-time, may not continue employment with the Board if a criminal history records check or other authoritative source reveals a conviction of a "listed" offense under M.C.L.A. 28.722.

Individuals convicted of a non-listed felony may not continue to work unless both the School Administrator and the Board give written approval. Such conviction(s) may subject staff to discharge or demotion. The State Board of Education will be notified of the report of conviction(s) as required by law.

RESIGNATION

A staff member may resign his/her employment. A resignation, once accepted, may not then be rescinded. The School Administrator may act for the Board in the acceptance of a resignation.

Adopted 5/7/02
Revised 9/11/06

PHYSICAL EXAMINATION

Reference : 29 C.F.R. Part 1630
29 C.F.R. Part 1635
42 USC 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 USC 2000ff et seq., The Genetic Information Nondiscrimination Act

The Board of Directors or School Administrator reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the School Administrator's guidelines and/or the terms of the agreements.

All such requests for examination shall include the following notice to the examiner:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Reports of all such examinations or evaluations shall be delivered to the School Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act and the Genetic Information Discrimination Act (GINA).

In the event of a report of a condition that could influence job performance, the School Administrator shall base a non-employment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

Revised 11/8/10; 4/16/12

INVOLUNTARY LEAVE OF ABSENCE/FITNESS FOR DUTY

Reference: Americans with Disabilities Act of 1990, as amended
42 USC 12101 et seq.
29 CFR Part 1630
29 C.F.R. Part 1635

It is the policy of the Board of Directors to protect students and employees from staff members who are unable to perform essential job functions with or without accommodation.

The Board may place a staff member on unrequested leave of absence when the staff member is unable to perform assigned duties in conformance with statute and any currently valid contract with or without accommodation.

If the School Administrator believes the staff member is unable to perform essential job functions, the staff member will be offered the opportunity for a meeting to discuss these issues.

If a staff member refuses to attend the meeting, the Board may order the staff member to submit to an appropriate examination by a physician designated and compensated by the Board.

All such requests for examination shall include the following notice to the examiner:

"The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. 'Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

If, as a result of such examination, the staff member is found to be unable to perform assigned duties with or without accommodation, the staff member may be placed on leave of absence for a reasonable time to heal or until the staff member is able to perform the essential job function, but only for a period not to exceed one (1) year.

Should a staff member refuse to submit to the examination requested by the Board and the staff member has exercised his/her rights under the provisions hereinabove set forth, such refusal shall subject the staff member to disciplinary action.

Revised 4/16/12

SUBSTANCE ABUSE

The Board of Directors recognizes alcoholism and drug abuse as treatable illnesses. When such illnesses impair the performance of staff members, the Board recognizes the responsibility to assist in a manner recommended by appropriate specialists in the treatment of those illnesses.

A staff member having an illness or other problem relating to the use of alcohol or other drugs will receive the same careful consideration and offer of assistance that is presently extended to staff members having any other illness.

The responsibility to correct unsatisfactory job performance or behavior resulting from a suspected health problem rests with the staff member. Failure to do so will result in appropriate corrective or disciplinary action as determined by the Board.

No staff member will have his/her job security or promotion opportunities jeopardized by his/her request for counseling or referral assistance.

Staff members who suspect they may have an alcohol or other drug abuse problem are encouraged to seek counseling and information on a confidential basis by contacting resources available for such service.

STAFF ETHICS

Reference: M.C.L.A. 750.520b, 750.520c, 750.520d, 750.520e

An effective educational program requires the services of men and women of integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Directors expects all staff members to maintain high standards in their working relationships, and in the performance of their professional duties, to:

- A. recognize basic dignities of all individuals with whom they interact in the performance of duties;
- B. represent accurately their qualifications;
- C. exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;
- D. seek and apply the knowledge and skills appropriate to assigned responsibilities;
- E. keep in confidence legally-confidential information as they may secure;
- F. ensure that their actions or those of another on their behalf are not made with specific intent of advancing private economic interests;
- G. avoid accepting anything of value offered by another for the purpose of influencing judgment;
- H. refrain from using position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. This will in no way limit constitutionally or legally protected rights as a citizen.

In keeping with the ethical responsibilities of the staff, the Board of Directors requires that staff not engage in any romantic or sexual relationship of any kind with students of this School, regardless of their age, unless the staff member and student are legally married to each other. Staff should not provide alcohol, drugs, cigarettes, or any other contraband to a student.

Revised 9/13/04

STUDENT SUPERVISION AND WELFARE

Reference: MCL 722.621 et seq., 750.520b, 750.520c, 750.520d, 750.520e

Staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the School and personal liability to the staff member. It is the intent of the Board of Directors to direct the preparation of guidelines that would minimize that possibility.

The School Administrator shall maintain and enforce the following standards:

- A. Each staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. A staff member should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. A staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- D. Each staff member shall immediately report to the Curriculum Supervisor any accident or safety hazard s/he detects.
- E. Each staff member shall immediately report knowledge of threats of violence by students to the School Administrator.
- F. A staff member shall not send students on any personal errands.
- G. A staff member shall not associate or fraternize with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol, or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.

This provision should not be construed as precluding a staff member from associating with students in private for legitimate or proper reasons. However, dating, romantic and/or sexual relationships with students, regardless of their age and regardless of consent are absolutely prohibited, unless the staff member and student are legally married to each other.

- H. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the Academy or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- I. A staff member shall not transport students in a private vehicle without the approval of the School Administration during school-sanctioned activities.
- J. A student shall not be required to perform work or services that may be detrimental to his/her health.
- K. Staff members shall only engage in electronic communication with students via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the School Administrator.
- L. Staff members are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., unless such transmission has been made as part of a pre-approved curricular matter or co-curricular/extracurricular event or activity such as an Academy-sponsored publication or production in accordance with Policy 5722.

Most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 8462, each staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse or neglect.

Revised 9/13/04; 8/15/11

STAFF GIFTS

The Board of Directors considers the presentation of gifts to staff members by students and their parents an undesirable practice because it tends to embarrass students with limited means and gives the appearance of currying favor.

Based on the foregoing premise, it is the policy of the Board that: staff members may accept gifts of nominal value from students or parents.

Individual gifts from the staff member to each student are strongly discouraged. It is suggested that if a staff member wishes to give a gift, s/he may do so as a gift to the classroom, for example, library books or other educational resources for the class.

The School Administrator may approve acts of generosity to individual staff members in unusual situations.

Upon the recommendation of the School Administrator, the Board shall consider, as appropriate, the presentation of token gifts to retiring members of the staff who have rendered service for a period of time.

USE OF TOBACCO BY STAFF

Reference: MCL 333.12601 et seq.

The Board of Directors recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco on school premises, and in school vehicles.

The Board prohibits the use of tobacco product by staff members in school buildings, on school property (owned or leased), on school buses, and at any school-related event.

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
- B. "use of a tobacco product" means any of the following:
 - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
 - 2. the inhaling or chewing of a tobacco product
 - 3. the placing of a tobacco product within a person's mouth
 - 4. and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

Revised 3/14/11; 8/15/11

WEAPONS

The Board of Education prohibits staff members from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the School for the purpose of school activities approved and authorized by the School including, but not limited to, property leased, owned, or contracted for by the School, a school-sponsored event, or in a School vehicle without the permission of the School Administrator.

The term “weapon” means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapon, ammunition, and explosives.

The School Administrator shall refer a staff member who violates this policy to law enforcement officials. The staff member will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy and the terms of existing collective bargaining agreements.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel;
- B. items approved by a School Administrator as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved; (Working firearms and ammunition shall never be approved.)
- C. theatrical props used in appropriate settings;
- D. starter pistols used in appropriate sporting events.

Staff members shall report knowledge of dangerous weapons and/or threats of violence by students, staff members, or visitors to the School Administrator. Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

Revised 04/25/03

STAFF EVALUATION

Reference: MCL 380.1249

The Board of Directors through the powers derived from the School Code, including Section 1249 of the Michigan Revised School Code, MCL 380.1249 and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, it delegates to the School Administrator the function of establishing and implementing a rigorous, transparent, and fair performance evaluation system that does all of the following:

- A. Evaluates the employee's job performance at least annually while providing timely and constructive feedback

Teachers rated highly effective on three (3) consecutive year-end evaluations may be evaluated every other year, at the School's discretion;

- B. Establishes clear approaches to measuring student growth and provides staff with relevant data on student growth

Commencing with the 2015-16 school year, the year-end evaluation of student growth shall be based on the most recent three (3) consecutive school years of student growth data, or all available student growth data if less than three (3) years is available;

- C. Evaluates an employee's job performance, multiple rating categories of highly effective, effective, minimally effective and ineffective, ~~that~~ which take into account data on student growth as a significant factor in the evaluation in accordance with State law (recommend that it be no less than twenty-five percent (25%)). Beginning the 2015-2016 school year, at least fifty percent (50%) of the annual year-end evaluation shall be based on student growth and assessment.

For these purposes, student growth shall be measured by national, State, or local assessments and other objective criteria. Student growth shall be measured using the State and alternative assessments as prescribed by the Section 1249 (MCL 380.1249); and

- D. uses the evaluations, at a minimum, to inform decisions regarding all of the following:
 - 1. the effectiveness of employees, so that they are given ample opportunities for improvement
 - 2. promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development

- E. For a teacher who received a rating of minimally effective or ineffective in his or her most recent annual year-end evaluation, the School Administrator or designee shall develop, in consultation with the teacher, an individualized development plan that includes goals and training and is designed to assist the teacher to improve his or her effectiveness. The

Administrator has the option to develop an individualized development plan for teachers who are in the first year of a probationary period as defined by the School.

- F. Provides a mid-year progress report for every certificated teacher who has received a rating of minimally effective or ineffective on the last year-end evaluation. The Administrator has the option to conduct a mid-year progress report for a teacher who is in the first year of a probationary period as defined by the School.

This mid-year report shall not replace the annual year-end evaluation. This mid-year report shall:

1. be based, at least in part, on student achievement;
 2. be aligned with the teacher's individualized development plan; and
 3. include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.
- G. includes classroom observations in accordance with the following:
1. must include review of the lesson plan, state curriculum standards being taught and student engagement in the lesson;
 2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) year-end evaluations; and
 3. observations need not be for an entire class period.

The staff evaluation program shall aim at the early identification of specific areas in which the individual staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. A teacher rated as "ineffective" on three (3) consecutive year-end evaluations, using the same performance evaluation system, must be dismissed from employment as a teacher with the School. The School retains the discretion to dismiss an ineffective teacher regardless of whether the teacher is rated ineffective on three (3) consecutive year-end evaluations. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted as stipulated in the revised School Code, the employment contract, the Administrative Procedures and as directed by the Michigan Department of Education. An administrator shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

This policy shall not deprive a professional staff member of any rights provided by State law or contractual rights consistent with State law.

Revised 3/14/11; 8/15/11; 4/20/15

OUTSIDE ACTIVITIES OF STAFF

Reference: M.C.L.A. 15.321et seq., 380.1805 (1)

It is the policy of the Board of Directors that staff members avoid situations in which their personal interests, activities, and associations may conflict with the interests of the School. If such situations occur, the School Administrator shall evaluate the impact of such activity or association upon the staff member's responsibilities and take appropriate action as necessary.

- A. Staff members should not give work time to an outside interest, activity, or association without valid reason to be excused from assigned duties.
- B. Staff members shall not use School property or School time to solicit or accept customers for private enterprises without written administrative permission.
- C. Staff members shall not engage in business transactions on behalf of personal or private enterprise in which s/he may profit by virtue of his/her official position or authority or benefit financially from confidential information which the employee has obtained or may obtain by reason of his/her position or authority.
- D. Staff members shall not campaign on School property during duty hours on behalf of any political issue or candidate for local, State, or National office.
- E. Staff members may not accept fees for tutoring when such tutoring is conducted during the normal work day.
- F. Staff members may not accept fees for tutoring, private lessons, or other activities related to their professional duties for students currently enrolled in one (1) or more of their classes or on their case load without prior written administrative permission.

Research and Publishing

- A. Staff members are encouraged to contribute articles to professional publications and to engage in approved professional research.
- B. Materials and writing which might be considered for publication and/or production, which identify the School in any manner, shall be cleared with the School Administrator prior to publication and/or production.

C. Publications and productions shall be subject to the following copyright provisions:

1. Rights to copyrights or patents of books, materials, devices, etc. developed by staff members on their own time will be relinquished by the Board upon request of the staff member provided that:
 - a. the books, materials, devices, etc. were prepared without the use of School data, facilities, and/or equipment;
 - b. the School is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
 - c. the staff member does not become involved in any way in the selling of the product to the School.

The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the School Administrator, who shall submit such decisions to the Board.

Staff members who desire to publish or produce materials on their own time should make such action known to the School Administrator prior to the time such work is started in order that proper procedures can be established to assure that School interests and the interests of the staff member are protected.

2. All books, materials, devices, or products which result from the paid work time and/or prescribed duties of staff members shall remain the property of the School. The School shall retain all rights and privileges pertaining to the ownership thereof.

In the event that any of these products have commercial possibilities, the School Administrator is authorized to secure copyrights, patents, etc. which will ensure the ownership of the product by the School.

The School Administrator is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including sharing of royalties, for the staff member(s) who developed the products.

Adopted 5/7/02
Revised 2/13/06

PROFESSIONAL MEETINGS

The Board of Directors encourages opportunities for professional staff members to develop increased competence beyond that which they may attain through the performance of their assigned duties through attendance at professional meetings.

For purposes of this policy, a professional meeting shall be defined as: any meeting that is related to the activities, duties, or responsibilities of professional staff members as determined by the School Administrator or a meeting through which direct value can be derived for the person in attendance for later use in the performance of School duties.

The School Administrator shall prepare administrative guidelines to implement this policy.

FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS

The Board of Directors acknowledges the right of its staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the School, however, the staff member's expression must be balanced against the interests of this School.

The following guidelines are adopted by the Board to help clarify and, therefore, avoid situations in which the staff member's expression could conflict with the School's interests. In such situations, s/he should:

- A. state clearly that his/her expression represents personal views and not necessarily those of the School;
- B. refrain from expressions that would disrupt harmony among co-workers or interfere with the maintenance of discipline by School officials;
- C. not make threats or abusive or personally-defamatory comments about co-workers, administrators, or officials of the School;
- D. refrain from making public expressions which s/he knows to be false or are made without regard for truth or accuracy.

ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
20 U.S.C. 1400 ET SEQ., The Individuals with Disabilities Education improvement Act of 2004 (IDEIA)
29 USC 621 et seq., Age Discrimination in Employment Act of 1967
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 USC 2000e et seq.
42 USC 1983
42 USC 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 USC 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, MCL 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

General Policy Statement

It is the policy of the Board of Directors to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School operations, programs, and activities. All students, administrators, teachers, staff, and all other School personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on School property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on school property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School community at school-related events/activities (whether on or off school property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or School employee that:

- A. places a student or School employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of the School.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity;
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual;
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- J. Inappropriate boundary invasions by a school employee or other adult member of the School community into a student's personal space and personal life.
- K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

[NOTE: Sexual conduct/relationships with students by school employees or any other adult member of the School community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to school employees or other adult members of the School community.]

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School community, which include all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other School official who receives such a complaint shall file it with the School's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School community or third parties who believe they have been unlawfully harassed by another member of the School community or a third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the School Administrator believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the School Administrator will report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the School Administrator shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the School Administrator informed of the status of the 3362 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the School. They are hereinafter referred to as the "Compliance Officers".

[NOTE: Academies are advised to appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. In addition, the Compliance Officers may also serve as the School's Section 504 and Title IX Coordinators.]

School Administrator
(616) 243-4763
3662 Poinsettia Avenue, SE
Grand Rapids, MI 49508

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School community or a visitor to the School, or receive complaints that are initially filed with an School building administrator. Upon receipt of a complaint either directly or through an School building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the School or will oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days.

Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure (See Form 3362 F1)

Any employee or other member of the School community or third party (e.g., visitor to the School) who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School community, or third party who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Employees, other members of the School community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving an School employee, any other adult member of the School community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so.

An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to one of the Compliance Officers; and/or (3) to the School Administrator.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School's informal complaint procedure is designed to provide employees, other members of the School community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer,

School Administrator, or other School employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, School Administrator, or other School employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the School Administrator.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The School Administrator will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant Administrative Guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the School Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the School Administrator must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the School Administrator final decision will be delivered to both the Complainant and the Respondent.

If the School Administrator requests additional investigation, the School Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the School Administrator must issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the School Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the School Administrator final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School community or third party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

All records generated under the terms of this policy and its related Administrative Procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the *Family Educational Rights and Privacy Act* or under Michigan's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the School Administrator shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any School teacher or School employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency.

If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment.

While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the School Administrator.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Board or its designee shall provide appropriate information to all members of the School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Revised 8/13/07; 11/8/10; 2/10/14

THREATENING BEHAVIOR TOWARD STAFF MEMBERS

The Board of Directors believes that a staff member should be able to work in an environment free of threatening speech or actions.

Threatening behavior consisting of any words or deeds that intimidate a staff member or cause anxiety concerning his/her physical and/or psychological well-being is strictly forbidden. Any student, parent, visitor, staff member, or agent of this Board who is found to have threatened a member of the staff will be subject to discipline or reported to the authorities.

The School Administrator shall implement guidelines whereby students and employees understand this policy and appropriate procedures are established for prompt and effective action on any reported incidents.

WORK PLACE SAFETY

All members of the staff are responsible for maintaining a safe work environment and participating in investigations as necessary. Reasonable action will be taken to ensure that persons involved in an investigation, or in providing information during an investigation do not suffer any form of retaliation, because of their good faith participation. Steps to avoid retaliation may include placing a party to the investigation on administrative leave or other reasonable action. Additional steps may be taken to address workplace safety issues.

It is the Board's desire to create and maintain an environment free from disruptive, threatening, and violent behavior. The Board will not tolerate inappropriate or intimidating behavior within the workplace (see examples below).

PROCEDURE

The Board will respond appropriately to every reported incident of disruptive, threatening, or violent behavior.

A. **Definitions:**

Examples of inappropriate behavior by staff members include but are not limited to:

1. Behavior that distracts, interferes with, or prevents normal work functions or activities. This behavior includes but is not limited to yelling, using profanity or vulgarity, verbally abusing others, making inappropriate demands for time and attention; making unreasonable demands for action (demanding an immediate appointment or a response to a complaint on the spot) or refusing a reasonable request for identification.
2. Behavior that includes physical actions short of actual contact/injury (e.g., moving closer aggressively), oral or written threats to a person or property, whether in person, over the telephone or through other means of communication.
3. Behavior that includes physical assault, with or without weapons behavior that a reasonable person would interpret as being violent, (e.g., throwing things, pounding on a desk or door, or destroying property), and specific threats to inflict physical harm.
4. Behavior(s), which create incidents that, are stressful or traumatic that interferes with an individual's or group of individual's ability to effectively function in his/her educational or work environment.

B. Reporting:

When appropriate, complaints under this policy may be reported to the local law enforcement agencies, by the Board's administrative representatives. All reports or complaints under this policy will be investigated and include confidentiality where appropriate. Once an investigation is complete, a recommendation on how to handle the complaint will be submitted to the School Administrator for disposition. Some behaviors may also be prohibited under criminal law, and where appropriate, the School Administrator will report such cases to the proper authorities and shall inform the Board or such report(s).

Counseling for staff may be available through the EAP for both the victim and any others within the School affected by a violent traumatic incident.

C. Protective Orders:

Members of the staff who have obtained a protective order should supply a copy of the order to the School Administrator. Other parties may also be informed when deemed necessary for the safety of the School personnel.

D. Discipline/Corrective Steps:

Staff who violate this policy may be subject to discipline up to and including discharge.

Revised 04/25/03

GROUP HEALTH PLANS

The Board of Directors shall have discretion to establish and maintain group health plans for the benefit of eligible employees. These group health plans may provide health benefits through insurance or otherwise as permitted by law.

Adopted 9/13/04

PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

Reference: 29 C.F.R. Part 1635
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 1320d-5(a)(1)
45 U.S.C. 160.102(a), 164.308(a)(2), 164.530(a), 164.530(i)

The Board of Directors provides coverage to eligible employees under self-funded group health plans. The Board has established a Prescription Drug Plan self-funded group health plans:

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Certain health information maintained by these group health plans is afforded significant protection by this Federal law.

The Board hereby appoints the School Administrator to serve as the Privacy Official of the group health plans. The Board delegates authority to the Privacy Official to develop, propose to the Board, and implement policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule is subsequently amended, the Privacy Official is directed to recommend to the Board necessary amendments to the policies and procedures.

The Board also acknowledges that the HIPAA Security Rule requires the group health plan(s) to implement various security measures with respect to electronic Protected Health Information. The Board hereby appoints the Director of Human Resources to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to develop, propose to the Board, and implement policies and procedures for the group health plan(s) relating to the security of electronic Protected Health Information, if applicable. In the event that the HIPAA Security Rule is subsequently amended, the Security Official is authorized to recommend to the Board necessary amendments to the policies and procedures.

The Board further delegates authority to the Privacy Official and/or the Security Official to undertake such other actions as provided by the Administrative Guidelines in effect from time to time. The Privacy Official and/or Security Official shall report his/her progress to the Board upon request. The Board reserves the right to revoke any or all delegations set forth in this policy at any time and for any reason.

Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and the HIPAA Security rule, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official for any CMP imposed upon the Privacy Official or Security Official in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Official or Security Official in the event the CMP was imposed as the result of intention misconduct or gross negligence by the Privacy Official or Security Official.

Adopted 11/8/10
Revised 9/8/14

PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

Reference: 29 C.F.R. Part 1635
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
45 C.F.R. 160.102(a), 164.530(g), 164.530(h), 164.530(j), 164.530(k), 164.404
45 C.F.R. 164.406, 164.408, 164.502, 164.520(a)

The Board of Directions provides coverage to eligible employees under fully insured group health plans. The Board has established the following fully insured group health plans:

- A. Medical Plan
- B. Dental Plan
- C. Vision Plan

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic Protected Health Information in accordance with the HIPAA Security Rule.

The Board hereby appoints the Director of Human Resources to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform an information technology risk analysis and to develop risk management procedures, if necessary.

The Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic Protected Health Information. All of the group health plans' functions are carried out by the insurer and the insurer owns and controls all of the equipment and media used to create, maintain, receive, and transmit electronic Protected Health Information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. The Security Official may elect to utilize, as administrative guidelines, the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information, as appropriate.

The fully insured group health plans established by the Board shall:

- A. Refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by

the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.

- B. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.
- C. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.
- D. Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

- A. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.
- B. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.
- C. Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.

Adopted 9/13/04
Revised 11/8/10; 9/8/14

HEALTH INSURANCE BENEFIT

The Board of Directors shall provide health insurance to all full-time staff members in accordance with the plan described in the School's Personnel Policies.

Those employees who have coverage through the employer of a working spouse may waive the School's health insurance coverage. Those staff members who waive the insurance may be paid additional compensation at a rate approved by the Board, with the understanding that this additional compensation is subject to FICA and Federal, State, and local income tax. The waiver must be in writing and be accompanied by evidence of other health insurance coverage.

Staff members may either waive insurance coverage or revoke a previous waiver on an annual basis and in accordance with the procedure described in the plan.

LEAVES OF ABSENCE

The Board of Directors may grant a leave of absence of up to one (1) year's time. Any request for a leave of absence of one (1) year or more shall be submitted to the School Administrator for approval by the Board.

Any staff member granted a leave of absence shall be considered to have terminated all work with the School until completion of the leave. Exceptions may be made by the School Administrator in cases where the best interests of the School might be served.

The School Administrator shall prepare appropriate administrative guidelines for this policy.

FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")

Reference: 29 USC 2601 et seq.
29 C.F.R. Part 825
P.L. 110-181, Sec. 585 – National Defense Authorization Act (January 28, 2008)
P.L. 111-84, Sec. 565 – National Defense Authorization Act (October 28, 2009)

In accordance with Federal law, the Board of Directors shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible staff members for the following reasons:

- A-1. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth
- B-1. the placement of a child with the staff member by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival
- C-1. the staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or
- D-1. the staff member's own serious health condition prevents him/her from performing the functions of his/her position

Employee Entitlement to Service Member FMLA

Leave Entitlement

Service member FMLA provides eligible employees unpaid leave for one, or for a combination, of the following reasons:

- A-2. A "qualifying exigency" arising out of a covered family member's (spouse, son, daughter, or parent) covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves. Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (maximum fifteen (15) calendar days); 7) post-deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. (See AG 3430.01C). Covered active duty means deployment with the Armed Forces to a foreign country.
- B-2. To care for a covered family member, including next of kin as provided in the statute, who has incurred an injury or illness or aggravation of a pre-existing illness or injury while in the line of duty while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating. Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the

United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers.

Duration of Service Member FMLA

- A. When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period. Such leave shall be counted with regular FMLA leave time in calculating the twelve (12) weeks of allowable leave.
- B. When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a one time benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.
- C. Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.

General FMLA Provisions

Staff members are "eligible" if they have worked for the Board for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. Service time may be aggregated when the break in service is less than seven (7) years for military obligation or subject to recall under a collective bargaining agreement. All full-time staff members are deemed to meet the 1,250 hour requirement. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining an employee's eligibility for FMLA leave.

Twelve (12) month period for determining hours worked and use of leave is defined as a rolling twelve (12) month period measured backward from the date the staff member uses FMLA leave (i.e. the "leave year" is specific to each individual staff member).

For Service Member FMLA leave, the use of the twenty-six (26) weeks of leave will be measured forward from the first date on which the employee takes leave.

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- B. continuing treatment by a healthcare provider, including:
 - 1. a period of incapacity of more than three (3) consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either in person treatment two (2) or more times by a healthcare provider within thirty (30) days of the first date of incapacity absent extenuating circumstances beyond the employee's control, or in person treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;

The first visit to the health care provider must occur within seven (7) days of the first date of incapacity.
 - 2. any incapacity due to pregnancy or for prenatal care;
 - 3. any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 - 4. a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
 - 5. any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis);
- C. conditions for which cosmetic treatment are administered are not "serious health conditions" unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the staff member shall provide the School Administrator with thirty (30) day's notice. If there is insufficient time to provide such notice because of unforeseeable events, the staff member shall provide such notice as possible and practical, generally not later than the next business day after the employee realizes the need for leave. Failure to follow the leave notice requirements may result in delay of obtaining the leave. Employees will still be required to comply with the absence reporting procedures at their buildings.

When planning medical treatment, the staff member must consult with the School Administrator and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the School, subject to the approval of the healthcare provider.

The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child, or qualifying exigency for a Service Member Family Leave (see A-1, B-1, and A-2 on page one).

The Board shall require the staff member to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one and B-2 on page two).

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) or twenty-six (26) week period of FMLA leave any additional weeks of leave to obtain the twelve (12) weeks of FMLA leave or twenty-six (26) weeks of Service Member Family Leave, the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for unpaid FMLA or twenty-six (26) week maximum leave allowance provided by this policy, as the paid leave and FMLA leave will run concurrently.

The School Administrator may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the School Administrator may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- B. transfer temporarily to an available alternative position offered by the School Administrator for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The School Administrator will notify the staff member when the School intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the School Administrator does not have sufficient information about the reason for an employee's use of paid leave, the School Administrator may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the School Administrator learns that a paid leave is for an FMLA leave-qualifying reason, the School Administrator will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child, or twenty-six (26) weeks of FMLA leave for Service Member Leave.

When FMLA leave is taken for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member. When the staff member requests qualifying Service Member Leave, s/he must provide certification of a qualifying exigency or of the service member's serious illness. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed.

The staff member may either:

- A. submit the completed medical certification to the School Administrator; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the School Administrator, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide medical certification, any leave taken by the employee will not qualify for FMLA Leave/Service Member Family Leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the School Administrator within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

Any dispute over eligibility for FMLA leave shall be discussed between the employee and School Administrator. The School shall be responsible for maintaining a record of those communications.

The Board reserves the right to obtain, at its expense, the opinion of a second healthcare provider and, in the event of conflict, the opinion of a third healthcare provider whose decision shall be binding and final. The staff member may either:

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the School Administrator or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the School Administrator, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the School Administrator with a statement from his/her healthcare provider that s/he is able to resume work.

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the School Administrator to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave.

If the staff member fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of a serious health condition of the staff member or of the staff member's immediate family member, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The School Administrator shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

In any areas where discretion is allowed in the implementation of this policy or its guidelines for implementation, such discretion shall be exercised in a non-discriminatory manner. Similarly situated persons shall be treated similarly.

The School Administrator shall provide a copy of the policy to all staff members, and retain a record of how and when the policy was distributed. A notice of Rights and Obligations shall also be provided each time an employee requests FMLA leave or the School has sufficient information to believe that the employee may qualify for FMLA leave.

The approval, denial and administration of leave under this policy will be governed by the Family Medical Leave Act of 1993, as amended, and its published regulations, as applied and interpreted by the School Administrator.

Adopted 05/07/02

Revised 08/08/05; 4/14/08; 9/14/09; 11/8/10; 2/10/14

MILITARY LEAVE

Reference: 38 U.S.C. 4301-4333
MCL 32.271

The Board of Directors provides military leave, reemployment, and other rights as established by the Federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and State law. To qualify:

- A. the employee (or an appropriate officer in the uniformed service in which the employee's military service is performed) gave advance written or verbal notice of his/her military duty unless excused;
- B. the cumulative length of all periods of military service with the employer do not exceed five (5) years; except as provided under State statute;
- C. the employee timely reports to work after the period of military service ends;
- D. the employee has not separated from service with a disqualifying or other than honorable conditions.

The School Administrator shall post notices of employees' right under USERRA at conspicuous locations within the School.

Employees may contact the U.S. Department of Labor or the Michigan Department of Military and Veteran's Affairs to obtain more information regarding their rights under these statutes.

This policy is intended to comply with and explain the service person's rights under USERRA. To the extent there is any conflict, the USERRA and State law regulations prevail.

Adopted 2/13/06
Revised 9/14/09

JOB-RELATED EXPENSES

The Board of Directors may provide for the payment of the actual and necessary expenses, including traveling expenses, of any staff member of the School incurred in the course of performing services for the School, whether within or outside the School, under the direction of the Board and in accordance with the School Administrator's administrative guidelines.

The validity of payments for job-related expenses shall be determined by the School Administrator.

The Board shall pay the expenses of staff members when they attend professional meetings approved in accordance with the policy of this Board and in accordance with the administrative guidelines of the School Administrator.

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

ADMISSION OF STUDENTS

The Board of Directors will allow students who reside in Michigan to enroll in the School in accordance with the maximum school enrollment per Charter Contract.

Because space is limited, each student must enroll each year. Preferences will be given to:

- A. currently-enrolled students
- B. siblings of enrolled students

When maximum enrollment for a classroom has been reached, applicants shall be placed on a waiting list and admitted on the basis of a lottery system developed by the School Administrator and in accordance with Charter Contract.

The Board authorizes the School Administrator to deny admission to any student who has a record of behavior the s/he believes would constitute a threat to the safety and well-being of fellow students and staff.

Any pupil enrolled in a school identified as a Persistently Dangerous School shall be allowed to attend a safe school within the local school district in which a public school academy is located. The Board of Directors does not discriminate on the basis of race, color, religion, national origin, sex, disability, age, height, weight, marital status, sexual orientation or any other legally protected characteristic, in its programs and activities, including employment opportunities.

The board maintains a parent participation requirement. Admission and re-admission to the school is contingent upon signing a parent participation agreement and adherence to the terms of this agreement.

The School Administrator shall develop administrative guidelines for the proper implementation of this policy.

Adopted 1/12/2004

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.

- A. If the homeless student continues to live in the Academy, where the school of origin is located, transportation will be provided or arranged for the student's transportation to or from the school of origin.
- B. If the homeless student moves to an area served by another Academy, though continuing his/her education at the school of origin (which is in the Academy), the Academy and the Academy 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 cannot agree upon such a method, the responsibility and costs will be shared equally.
- C. 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

EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

Reference: Interstate Compact on Educational Opportunity for Military Children
MCL 3.1041

Children of an active duty member of the United States armed services shall be entitled to all of the rights and protections afforded under the Interstate Compact on Educational Opportunity for Military Children (Compact).

The intent of this policy is to minimize the potential challenges to educational success for children of military families because of frequent moves and deployment of their parents by:

- A. facilitating the timely enrollment and placement of children of military families in educational and other school programs and activities;
- B. facilitating the on-time graduation of children of military families; and
- C. providing for the uniform collection and sharing of information between and among schools and military families.

The School Administrator shall maintain guidelines for implementation of this policy which are consistent with the Compact and State law.

The guidelines shall apply to children of military families within the state as well as between member states.

Adopted 3/14/11

CHILDREN AND YOUTH IN FOSTER CARE

References: 45 C.F.R. 1355.20

The Board of Directors recognizes the importance of educational stability for children and youth in foster care. Further, the Board recognizes these children and youth as a vulnerable subgroup of students in need of safeguards and supports in order to facilitate a successful transition through elementary and secondary education and into college and/or careers. To that end, the Academy will collaborate with the Michigan Department of Education (MDE), other Academy's, and the appropriate child welfare agencies to provide educational stability for children and youth in foster care.

Definitions

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

Consistent with the Fostering Connections Act, "foster care" means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in:

- A. foster family homes;
- B. foster homes of relatives;
- C. group homes;
- D. emergency shelters;
- E. residential facilities;
- F. child care institutions; and
- G. preadoptive homes.

A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (45 C.F.R. 1355.20 (a)).

Academy Stability

The Academy shall remove barriers to the enrollment and retention of children and youth in foster care in the Academy. Foster care students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, academy records, and other documentation.

The Academy shall meet the Title I requirements for educational stability for children and youth in foster care, including those awaiting foster care placement. The Academy shall identify which students are in foster care and shall collaborate with State and tribal child welfare agencies to provide educational stability for these children and youth. Academy staff will work closely with child welfare agency personnel to develop and implement processes and procedures that include these enrollment safeguards:

- A. a child/youth in foster care shall remain in his/her academy of origin, unless it is determined that remaining in the academy of origin is not in that child's best interest;
- B. if it is not in the child's best interest to stay in his/her academy of origin, the child shall be immediately enrolled in the determined new academy even if the child is unable to produce records normally required for enrollment; and
- C. the new (enrolling) academy shall immediately contact the academy of origin to obtain relevant academic and other records, including the student's Individualized Education Program (IEP) if applicable. (ESEA Section 1111(g)(1)(E)(i)-(iii)).

Academy of Origin

The Academy of origin is the academy in which a student is enrolled at the time of placement in foster care. If a student's foster care placement changes, the academy of origin would then be considered the academy in which the child is enrolled at the time of the placement change. A student in foster care shall remain in his/her academy of origin, if it is determined to be in the student's best interest, for the duration of the student's placement in foster care.

When a student exits foster care, the Academy will continue to prioritize the student's educational stability in determining placement, supports, and services deemed to be in the child's best interests.

A student who has exited foster care shall be permitted to remain in the academy of origin until the end of the academy year.

Best Interest Determination

In making the best interest determination, the Academy will follow the guidelines established by MDE and the State or tribal custodial agencies. The Academy shall utilize the prescribed process in conjunction with local custodial agencies in making best interest determinations, and shall make such determination within five (5) academy days of the child's placement in foster care or change in child's living arrangement. Once a determination is made the Academy shall provide the decision in writing to all relevant parties, in collaboration with the

appropriate custodial agency. When making decisions regarding educational placement of students with disabilities under IDEA and Section 504, the Academy shall provide all required special educational and related services and supports provided in the least restrictive placement where the child's unique needs, as described in the student's IEP or Section 504 plan, can be met.

If there is a dispute regarding whether the educational placement of a child in foster care is in the best interest of that child, the dispute resolution process established by the Michigan Department of Education (MDE) shall be used.

The Academy's representatives shall collaborate fully in this process, considering relevant information regarding academic programming and related service needs of the child, and advocating for what the Academy believes is in the best interest of the child.

To the extent feasible and appropriate, the child will remain in his/her academy of origin while disputes are being resolved in order to minimize disruption and reduce the possible number of moves between academies. (ESEA Section 1111(g)(1)(E)(i)).

Since the custodial agency holds ultimate legal responsibility for making the best interest determination for the foster child in their care, if the dispute cannot be resolved, the custodial agency will make the final determination. Such final determination will be made within five (5) academy days of the child's placement in foster care or change in the child's living arrangement.

All notifications and reports regarding foster care placement, changes in academy enrollment, transportation services, and changes in the child's living arrangements shall be provided to the affected parties, in writing, in accordance with the forms, procedures, and requirements of the MDE and the State or tribal custodial agencies.

Local Point of Contact

The Educational Service Provider shall designate and make public a local point of contact who will perform the duties as assigned by the Educational Service Provider. The point of contact shall serve as a liaison to coordinate with child protection agencies, lead the development of a process for making the best determination for a student, facilitate the transfer of records, and oversee the enrollment and regular academy attendance of students in foster care.

Records

The Academy shall provide privacy protections for children and families and shall facilitate appropriate data-sharing pertaining to children in foster care between child welfare and educational agencies, in accordance with the Family Educational Rights and Privacy Act (FERPA) and Policy 8330 – Student Records.

Services to Children and Youth in Foster Care

Foster care children and their families shall be provided equal access to the educational services for which they are eligible comparable to other students in the Academy including:

- A. educational services for which the student in foster care meets eligibility

criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;

- B. preschool programs;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students;
- E. academy nutrition programs; and
- F. before - and after-academy programs.

Transportation Services

The Academy must ensure that transportation is provided for children in foster care consistent with the procedures developed by the Academy in collaboration with the State or local child welfare agency. These requirements apply whether or not the LEA already provides transportation for children who are not in foster care.

In order for a student in foster care in his/her academy of origin, when in his/her best interest, transportation services shall be provided, arranged, and funded for the duration of the child's placement in foster care. The Academy's transportation services will provide that:

- A. Children in foster care needing transportation to their academies of origin will promptly receive that transportation in a cost effective manner and in accordance with Section 475(4)(A) of the Social Security Act; and
- B. If there are additional costs incurred in providing transportation to the academy of origin, the Academy shall provide such transportation if 1) the local child welfare agency agrees to reimburse the Academy for the cost of such transportation; 2) the Academy agrees to pay for the cost; or 3) the Academy and the local child welfare agency agree to share the cost. (ESEA 1112(c)(5)(B)).

Additional costs incurred in providing transportation to the academy of origin should reflect the difference between what the Academy would otherwise spend to transport a student to his/her assigned academy and the cost of transporting the foster care student to the academy of origin. The Academy will collaborate with the State Education Agency (SEA), other LEAs, and child welfare agencies to pursue possible funding sources and arrangements to deal with transportation costs.

Since foster care placements may occur across Academy, county, or State boundary lines, coordination among multiple agencies may be necessary. The Academy will work with appropriate State and local agencies to address such placement and transportation issues that arise. The Academy shall provide or arrange for adequate and appropriate transportation to and from the academy of origin while any disputes are being resolved.

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or academy success of children and youth in foster care.

Adopted 8/7/17

ENTRANCE AGE

Reference: M.C.L. 380.1147, 380.1561, 388.1606
IDEA, Part B; 34 CFR Part 300
Dear Colleague Letter, Feb. 29, 2012, U.S.D.O.E., Office of Special Education
and Rehabilitative Services
A.C. Rule 340.1754

The Board shall establish student entrance age requirements which are consistent with Michigan Law and sound educational practices which ensure equitable treatment.

A child who turns six (6) years of age before December 1st must be enrolled on the first school day of the school year in which the child's sixth birthday occurs, and a child who turns six (6) years of age on or after December 1st must be enrolled on the first school day of the school year following the school year in which the child's sixth birthday occurs.

A. Kindergarten

A child who is at least five (5) years of age on or before September 1 of the school year of enrollment thereafter is eligible for entrance to the kindergarten program for that school year. The child may not be placed in an alternative program without permission of the parent.

B. Early Entrance

A child who is a resident but is not yet five (5) years of age on or before September 1st for the applicable school year will be admitted to kindergarten under the following circumstances:

1. the child will have attained the age of five (5) by December 1st of the school year of enrollment;
2. the parent or guardian provides written notice to the School of intent to enroll the child for that school year.

The School may make a recommendation to the parent or guardian that the child is not ready to start kindergarten due to age or other factors, but the decision whether to enroll the child will remain with the parent or guardian.

The School must allow early entry by nonresident Schools of Choice students, provided the parent/guardian notifies the School by the applicable notification date above (C. 2. or 3.) of the intent to participate in the early enrollment option and timely applies for and is selected under the School's Schools of Choice program.

The School shall notify the Department of Education by December 31st of each school year of the number of students enrolled under the Early Entrance exception for that school year.

C. Preschool Children with Disabilities

Compensatory education programs may be provided for children with disabilities of preschool age, if they have been certified in accordance with the rules of the State and are not part of the School's special education program.

All such programs must comply with any applicable State and Federal requirements, such as least restrictive environment.

Adopted 2/10/14
Revised 9/8/14; 6/19/15

SCHOOL CHOICE OPTIONS PROVIDED BY THE NO CHILD LEFT BEHIND ACT

The Board of Directors acknowledges that the Federal *No Child Left Behind Act of 2001* ("NCLBA") provides that the parents/guardians of students enrolled in a Title I school that has been listed for "School Improvement" for two (2) or more years, have the right to transfer their children to another school in the Local Educational Agency (LEA), provided there is a school that provides instruction at the students' grade level(s) and such school has not been identified as being in the process of school improvement, corrective action, or restructuring. If there is not a qualifying school in the Local Educational Agency (LEA), the School Administrator shall contact neighboring Local Educational Agencies (LEA) and request that they permit students to transfer to a school in one of those Local Educational Agencies (LEA) if the parent/guardian requests a transfer. The School Administrator shall also offer Supplemental Educational Services (SES) if a transfer within the Local Educational Agency (LEA) is not possible.

Students attending a "persistently dangerous" school, as defined by State law have the right to transfer to another "safe" school in the Local Educational Agency (LEA). If there is not another "safe" school in the Local Educational Agency (LEA) providing instruction at the students' grade level(s), the School Administrator shall contact neighboring Local Educational Agencies (LEA) and request that they permit students to transfer to a school in one of those Local Educational Agencies (LEA) if the parent/guardian requests a transfer.

Furthermore, a student who is a victim of a "violent crime" on school property also has the right to transfer to another school. If there is not another school in the providing instruction at the student's grade level, the School Administrator shall contact neighboring Local Educational Agencies (LEA) and request that they permit that student to transfer to a school in one of those Local Educational Agencies (LEA) providing instruction at the student's grade level if the parent/guardian requests a transfer.

The Board of Directors authorizes such transfers in accordance with AG 5113.02.

Children who transfer within the in accordance with this policy will be permitted to remain at the school of transfer until completing the highest grade at the school.

Title I, Section 1116(b)(1)(E) of the No Child Left Behind Act of 2001

Title I, Section 1116(e) of the No Child Left Behind Act of 2001

Title IX, Section 9532 of the No Child Left Behind Act of 2001

Adopted 08/08/05

WIRELESS COMMUNICATION DEVICES

Reference: MCL 380.1303

As used in this policy, the term "electronic communication device" or "ECDs" shall include, but not limited to, cellular telephones, pocket pagers, and/or other personal communication devices and "electronic storage devices" or "ESDs" shall include, but not limited to, mp3 players, iPods, and flash drives not issued by the School for instructional purposes.

A student may possess an ECD/ESD in the School, on School property, at after-school activities and at School-related functions provided that the ECD/ESD remains off during instructional hours and while in School vehicles.

"Sexting" is prohibited at any time on school property or at school functions. Sexting is the electronic transmission of sexual messages or pictures, usually through cell phone text messaging. Such conduct not only is potentially dangerous for the involved students, but can lead to unwanted exposure of the messages and images to others, and could result in criminal violations related to the transmission or possession of child pornography. Such conduct will be subject to discipline and possible confiscation of the WCD.

Also, during School activities ECDs/ESDs shall be turned off and stored out of sight unless authorized.

The use of ECDs/ESDs in locker rooms and rest rooms is prohibited.

Possession of an ECD/ESD by a student is a privilege that may be forfeited by any student who fails to abide by the terms of this policy or otherwise engages in misuse of this privilege.

Violations of this policy may result in disciplinary action against the student. Such disciplinary action may result in the confiscation of the ECD/ESD.

A student who possesses an ECD/ESD shall assume responsibility for its care. At no time shall the School be responsible for preventing theft, loss or damage to ECDs/ESDs brought onto its property.

Adopted 9/13/04
Revised 4/14/08; 11/8/10

ATTENDANCE

Reference: M.C.L.A. 380.1561, 380.1561(3a-3c), 380.1586(3)

The Board of Directors shall enforce the regular attendance of students. The Board recognizes that the presence in the classroom enables the student to participate in instruction, class discussions, and other related activities. As such, regular attendance and classroom participation are integral to instilling incentives for the student to excel.

Attendance shall be required of all School students during the days and hours that the School is in session.

The School Administrator shall require, from the parent of each student who has been absent for any reason, a written statement and/or verbal confirmation of the cause for such absence. The School Administrator is authorized to verify such statements and to investigate the cause of each absence.

The School Administrator shall develop procedures for the attendance of students which:

- A. ensure a School session which is in conformity with the requirements of the law;
- B. ensure that students absent for any excusable reason have an opportunity to make up work they missed;
- C. ensure the student is not given a failing grade or his/her credit is not unconditionally revoked where lack of attendance is the sole or primary determining factor, but which allow reduction in grade or denial of credit, if the student does not make appropriate use of make-up sessions provided by the instructor or administrator;
- D. govern the keeping of attendance records in accordance with the rules of the State Board and the Michigan Department of Education Pupil Accounting Manual, including a written electronic attendance procedure, if applicable;
- E. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- F. ensure that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the School's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

Such guidelines should provide that a student's academic evaluation in any course is based on his/her performance in the instructional setting and is not reduced for reasons of conduct. If a student violates the attendance or other rules of the School, s/he should be disciplined appropriately for the misconduct, but his/her academic evaluation should be based upon what the student can demonstrate s/he has learned.

Adopted 05/07/02

Revised 08/08/05

ABSENCES FOR RELIGIOUS INSTRUCTION

Reference: M.C.L.A. 380.1561(3c)
A.C. Rule R340.71, R340.74

The Board of Directors desires to cooperate with those parents who wish to provide for religious instruction for the children but also recognizes its responsibility to enforce the attendance requirements of the State.

Upon the signed request of a student's parent, the Board will allow exceptions to the student's continuous attendance at School:

- A. for religious instruction outside the School building for no more than two (2) class hours per week;
- B. for attendance at confirmation classes provided the child is twelve (12) or thirteen (13) years of age and the instructional period is no longer than five (5) months in either of those years.

A student must be properly registered and a copy of such registration must be filed with the Curriculum Supervisor.

The time for release for religious instruction or education shall be arranged by the School Administrator in keeping with the regulations of the State Board of Education. S/He will also assure the appropriate continuance of the instructional program in the public school during such release times.

No solicitation for attendance at religious instruction shall be permitted on School premises. No member of the staff shall encourage nor discourage participation in any religious instruction program.

LATE ARRIVAL AND EARLY DISMISSAL

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the School.

The Board of Directors recognizes, however, that from time-to-time compelling circumstances require that a student be late to School or dismissed before the end of the school day.

As agent responsible for the education of the children of this School, the Board shall require that the School be notified in advance of such absences by written, personal, and/or phone call request of the student's parent, which shall state the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the School Administrator.

If one parent has been awarded custody of the student by the courts, the parent of custody shall provide the School with a copy of the custody order and inform the School in writing of any limitations certified in the rights of the noncustodial parent. Absent such notice, the School will presume that the student may be released into the care of either parent.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her.

No student shall be released to anyone who is not authorized such custody by the parents.

HEALTH SERVICES

Reference: 20 U.S.C. 1232(h)

In compliance with law, the Board of Education may require students to submit to periodic health examinations to:

- A. protect the school community from the spread of communicable disease;
- B. determine that each student's participation in health, safety, and physical education courses meets his/her individual needs;
- C. determine that the learning potential of each child is not lessened by a remediable, physical disability.

The School shall specify the need for services which may include, but not be limited to:

- A. student physical examinations;
- B. athlete physical examinations;
- C. dental examinations;
- D. tests for communicable disease;
- E. vision screening;
- F. audiometric screening;
- G. scoliosis test;

Any health services program should also include instruction to staff members on the observance of students for conditions that indicate physical defect or disability.

Revised 04/25/03

IMMUNIZATION

Reference: MCL 333.9201 et seq., 380.1177, 380.1177a
AC 325.176

The Board believes that immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the Board requires that all students be properly immunized at the time of registration or not later than the first day of school pursuant to the provisions of the Department of Health and Human Services (DHHS) of Community Health regulations.

Students who do not meet the immunization requirements shall be admitted by the School Administrator in accordance with School administrative procedures. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

- A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify the contraindication on Form 5320 F2.
- B. The parent(s)/guardian(s) hold religious or philosophical beliefs against receiving a vaccination. Any parent or guardian who wants to claim a nonmedical waiver must receive education regarding the benefits of vaccination and the risks of disease from a county health department before obtaining the certified nonmedical waiver form through the Local Health Department, and present same to the appropriate School personnel.
- C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet.

When the School provides information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of pupils in at least grades 6, 9, and 12, then with that information the Board is required to include information about meningococcal meningitis and the vaccine for meningococcal meningitis as well as about the human papillomavirus and the vaccine for human papillomavirus. The information shall include at least the causes and symptoms of meningococcal meningitis, how it is spread, and the risks associated with human papillomavirus. In addition, the information shall include sources where parents and guardians may obtain additional information about both diseases and where they may obtain the associated vaccinations.

Revised 4/9/07; 9/14/09; 6/19/15

USE OF MEDICATIONS

Reference: MCL 380.1178, 380.1178a, 380.1179

The Board of Directors shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during School hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend School if the medication or treatment were not made available during School hours, or the child is disabled and requires medication to benefit from his/her educational program.

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies, and performance-enhancing drugs as defined in AG 2431C. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

Before any prescribed medication or treatment may be administered to any student during school hours, the Board shall require the written prescription as indicated on original container from the child's physician accompanied by the written authorization of the parent. Both must also authorize any self-medication by the student.

Before any nonprescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent who must also authorize any self-medication by his/her child. Medications will be administered by the School in accordance with the School Administrator's guidelines.

Only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be administered. Parents, or students authorized in writing by their physician and parents, may administer medication or treatment.

Staff members are to administer medication or treatment only in the presence of another adult, except in the case of an emergency that threatens the life or health of the student. Staff licensed as professional registered nurses are exempt from this requirement.

All staff authorized to administer medication or treatment will receive instruction on this policy and the School Administrator's guidelines, as well as appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with both knowledge of the School's policy and procedures and the administration of medications or treatment.

All medication shall be kept in a locked storage case in the School office.

Students may possess and self-administer a metered dose or dry powder inhaler for relief of asthma (or before exercise to prevent onset of asthma symptoms), while at school, on school-sponsored transportation, or at any school-sponsored activity in accord with the School Administrator's guidelines, if all of the following conditions are met:

- A. There is written approval from the student's physician or other health care provider and the student's parent/guardian (if student is under eighteen (18) to possess and use the inhaler (Form 5330 F1c)

and

- B. The building administrator has received a copy of the written approvals from the physician and the parent/guardian.

and

- C. There is on file at the student's school a written emergency care plan prepared by a licensed physician in collaboration with the student and his/her parent/legal guardian. The plan shall contain specific instructions on the student's needs including what to do in the event of an emergency.

Students with a need for emergency medication may also be allowed to self possess and self administer such medication, provided that they meet the same conditions established above. Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self possess and administer the medication if they meet the conditions stated above.

This policy and the Administrative Guidelines developed to establish appropriate procedures shall be implemented in such a manner to comply with School's obligations and the student's needs under any Individualized Education Plan, Section 504 Plan, or other legally required accommodation for individuals with disabilities.

The School Administrator shall prepare administrative guidelines to ensure the proper implementation of this policy.

Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School, Policy on Management of Asthma in Schools

Adopted 1/12/04
Revised 9/11/06; 4/9/07

EPINEPHRINE AUTO-INJECTORS

Reference: M.C.L. 380.1178, 380.1179, 380.1179A
Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School

Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self-possess and self-administer the medication if they meet the conditions as stated in Policy 5330.

Commencing with the 2014-15 school year, the Academy shall have at least two (2) epinephrine auto-injectors (Epi-Pens) available at the school site. It shall be the responsibility of the School Administrator to be sure that the supply of Epi-Pens is maintained at the appropriate level and they have not expired. The School Administrator shall also be responsible for coordinating the training of employees to administer Epi-Pen injections and to maintain the list of employees authorized to administer such injections.

Individuals Qualified to Administer

Only a licensed, registered professional nurse employed or contracted by the Academy or a school employee who has successfully passed the required training shall be allowed to possess and administer Epi-Pen injections to students. The persons authorized to use the Academy maintained Epi-Pens will be maintained in each school by the Principal, and shall be available on an electronically accessible site for employees' reference.

Each school shall have at least one person trained in the appropriate use and administration of an Epi-Pen injection. In each school with ten (10) or more combined instructional and administrative staff, at least two (2) employees at that site shall be appropriately trained in the use of an Epi-Pen.

Training of employees on the appropriate use and administration of an Epi-Pen injection shall be done in accordance with any guidelines provided by the Michigan Department of Education, and shall be conducted under the supervision of a licensed registered professional nurse. The training shall include an evaluation by the nurse of the employees' understanding of the protocols for administering an Epi-Pen injection.

Students to Whom Injections May Be Administered

A licensed, registered, professional nurse or trained and authorized employees under this policy may administer Epi-Pen injections to 1) any student who has a prescription on file with the Academy, in accordance with the directives in such prescription, and 2) any individual on school grounds who is believed to be having an anaphylactic reaction.

Reporting of Injections

Any person who administers an Epi-Pen injection to a student shall promptly notify the student's parent/guardian, and call 911, who shall be responsible for promptly notifying the student's parent/guardian that an injection has been administered.

All Epi-Pen injections by employees to students shall be reported in writing to School Administrator. The report shall include whether the school's or student's Epi-Pen was used, and whether the student was previously known to be subject to severe allergic reaction (anaphylaxis).

The School Administrator shall at least annually report to the Department of Education, in the form and manner determined by the Department, information on the number of injections provided to students, the number of injections with Academy Epi-Pens and the number of incidents where students were not known to be subject to severe allergic reactions.

Adopted 9/8/14

STUDENTS WITH SPECIAL HEALTH CARE NEEDS

Accommodating Students with Special Dietary Needs

The Board of Directors believes all students, through necessary accommodations where required, shall have the opportunity to participate fully in all school programs and activities.

In some cases, a student's disability may prevent him/her from eating meals prepared for the general school population.

Substitutions to the regular meal will be made for students who are unable to eat school meals because of their disabilities, when that need is certified in writing by a physician. Meal service shall be provided in the most integrated setting appropriate to the needs of the student with this disability.

The licensed physician's statement shall specifically describe:

- A. the nature of the student's disability;
- B. the reason the disability prevents the student from eating the regular school meals;
- C. foods to be omitted from the student's diet;
- D. the specific diet prescription along with the substitution(s) needed.

The School, in compliance with USDA Child Nutrition Division guidelines, will provide substitute meals to food-allergic students based upon the physician's signed statement.

The Board recognizes that students with documented life-threatening food allergies are considered disabled and are covered by The Disabilities Act and Public Law 93-112 and Section 504 of The Rehabilitation Act of 1973. A clearly-defined "504 Accommodation Plan" shall be developed and implemented for all such identified students in which necessary accommodations are made to ensure full participation of identified student in student activities. Such plan shall be signed by the appropriate staff, the parent/guardian of the student and the student's physician.

The School Administrator shall prepare administrative guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, staff development, strategies for identifying students at risk for life-threatening allergic reactions, means to manage the student's allergy including avoidance measures, designation of typical symptoms and dosing instructions for medications.

STUDENT ACCIDENTS

The Board of Directors believes that School personnel have certain responsibilities in case of accidents which occur in School. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration personnel, notification of parents, and the filing of accident reports.

Employees should administer first aid within the limits of their knowledge of recommended practices. All employees should make an effort to increase their understanding of the proper steps to be taken in the event of an accident.

The Staff Member in charge must submit an accident report to the School Administrator on all accidents.

CONCUSSIONS AND ATHLETIC ACTIVITIES

Reference: M.C.L. 333.9155 – 333.9156

To provide for the safety of student athletes, all athletic programs of the School shall comply either with the concussion protocols of the Michigan High School Athletic Association, or the protocols set forth in AG 5340.01, which shall meet all the requirements of state law and Department of Community Health guidelines regarding concussion awareness training and protection for youth athletes. The School shall comply with whichever standards are more protective.

Adopted 10/14/13

EMERGENCY MEDICAL AUTHORIZATION

The School will distribute annually to parents or guardians of all students the Emergency Medical Authorization Form. In the event emergency medical treatment for a student is necessary, the School will adhere to the instructions on the authorization form.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in the School during the school year.

Any time a student or a group of students is taken out of the School to participate in a School event, the staff in charge of the event must take the Emergency Medical Forms for those students.

RESPONSE TO STUDENT DEPRESSION

The Board of Directors recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the School, and a student who has attempted self-destruction poses a danger both to himself/herself and to other students.

All School personnel should be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

The School Administrator may develop and implement administrative guidelines and require professional staff attendance at information sessions whereby said staff gain knowledge on how to use intervention procedures which include the following.

Step 1 - Stabilization

Step 2 - Assessment of the Risk

Step 3 - Use of Appropriate Risk Procedure

Step 4 - Communication with Appropriate Parties

Step 5 - Follow-up

Throughout any intervention, it is essential that Board policies and School guidelines regarding confidentiality be observed at all times.

Kelson v City of Springfield, 767 F2d 651 (9th Cir. 1985)

PLACEMENT

The Board of Directors recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the Board that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

A student will be promoted to the succeeding level when s/he has:

- A. in the opinion of the professional staff, achieved the instructional objectives set for the present level;
- B. demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience at the next level.

The School Administrator shall develop administrative guidelines for placement of students which:

- A. ensure students who are falling seriously behind their peers receive the special assistance they may need to achieve the academic outcomes of the School's core curriculum;
- B. require the recommendation of the relevant staff members for placement;
- C. require that parents are informed in advance of the expected placement for the coming year;
- D. assure that efforts are made to remediate the student's difficulties.
- E. assign to the School Administrator the final responsibility for determining the placement of each student.

REPORTING STUDENT PROGRESS

The Board of Directors believes that the cooperation of School and home is a vital ingredient to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of student welfare and progress in School.

The Board directs the establishment of a system of reporting student progress which shall include written reports, parent conferences with teachers, and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The School Administrator, in conjunction with appropriate staff members, shall develop procedures for reporting student progress to parents which:

- A. ensure that both student and parent receive ongoing communication of a student's progress;
- B. enable the scheduling of parent-teacher conferences at such times and in such places as will ensure the greatest degree of participation by parents;
- C. specify the issuance of progress reports three (3) times per school year.

STUDENT EVALUATION

The Board of Directors recognizes its responsibility for providing a system of measuring student achievement that can help the student, teachers, and parents judge properly how well the student is achieving the goals of the School's program.

The Board believes that the School's evaluation system should be a reliable system and one that ensures each student's evaluation signify accurately his/her degree of accomplishment of those expected learning outcomes which are to be stated for each program at every level.

The Board directs the School Administrator to develop procedures for student evaluation which:

- A. develop clear, consistent criteria and standards particularly when evaluations are based on subjective assessment;
- B. help each student understand in each course or program what behavior and/or achievement is expected for a positive evaluation;
- C. provide frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs;
- D. provide students the opportunity to assess both their own achievements and their areas of difficulty.

The evaluation system should reinforce the professional staff members responsibility of learning the strengths and weaknesses of each student on an individual basis.

The evaluation system should be subject to continual review by staff, students, and parents. Revisions shall be made only when such changes will assure a clearer, more valid, or more reliable system of evaluation.

The teacher responsible for a student's instruction in a particular course or program shall evaluate the student's performance. That evaluation may not be changed without the permission of the School Administrator.

STUDENT RECOGNITION

The Board of Directors values excellence and wishes to instill in students the desire to do their personal best in all things. It shall be the policy of this Board, therefore, to recognize outstanding accomplishment.

The Board authorizes the School Administrator to develop a plan for recognition of outstanding student achievement based on well-defined, consistent criteria and standards.

CREDITS FROM NONPUBLIC SCHOOLS

In recognizing its responsibility to uphold the minimum educational standards of the State of Michigan, the Board of Directors establishes the following policy and criteria regarding the acceptance of credits from nonpublic schools whether they are State-approved, non-approved, or home schools.

For credit or course-work to be accepted for courses taken in such schools, assurance of compliance with minimum requirements established by the State must be provided.

Recognition of credits or course-work shall be granted when the proper assurance and the student's transcript has been received. The Schools reserves the right to assess such transfer students in order to determine proper placement and to be assured the student can demonstrate the learnings which are prerequisite to a placement.

Although credits from nonpublic schools may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking. Only grades awarded for courses taken at the School or at a school approved by a State education agency shall be considered in class ranking and for entering on the transcript.

Adopted 9/11/06

STUDENT CONDUCT

Reference: M.C.L.A. 380.1311, 380.1312

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to School rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the School community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in this School.

The School Administrator shall establish procedures to carry out Board policy and philosophy, and shall hold all School personnel, students, and parents responsible for the conduct of students in School, on School vehicles, and at School-related events.

Student conduct shall be governed by the rules and provisions of the Student Discipline Code. This Discipline Code shall be reviewed periodically.

STUDENTS – SEX OFFENDER REGISTRY; CRIMINAL CONVICTIONS

Reference: MCL 28.721 et al.

Students who are convicted of criminal conduct which requires their listing on the State's Sexual Offender Registry, shall be prohibited from participating in:

- A. all extracurricular activities;
- B. all in-school activities which deal with younger students, such as tutoring, classroom assistance, coaching, etc.;
- C. after school social activities, such as attendance at school-sponsored clubs, dances, athletic events, musical or theatrical performances, or outside clubs or activities, which meet on school property, such as Girl or Boy Scouts, non-school athletics and/or religious or political groups.
- D. activities as designated in writing by the School Administrator.

Any exceptions to the above exclusions must be approved by the School Administrator.

Any exceptions must be confirmed in writing by the authorizing individual, and must specifically state any requirements for participation, such as parental or adult supervision. The writing shall be provided to the parent and student. Exceptions may be revoked at any time, with cause.

The School Administrator may also adjust the student's classes and schedule to provide for adequate supervision and student safety during the school day.

Additional restrictions on in-school activity and student contacts may be implemented by the School Administrator with approval from the School Administrator. Such restrictions shall be based on student/school safety and/or maintaining an appropriate educational environment. Restrictions will be in writing and provided to the student, parents/guardian and those staff with a need to know.

Such students shall only be on school premises as necessary for normal instructional purposes, or as permitted under any exceptions granted by the School. Students shall not arrive earlier than necessary and shall leave promptly upon completion of their approved attendance.

Students who have been convicted of a crime shall be reviewed by the School administration for possible limitation of school related activities consistent with the nature of the crime and the interest of the School in maintaining school safety.

Adopted 9/14/09

Revised 8/15/11; 8/13/12

USE OF TOBACCO BY STUDENTS

Reference: MCL 333.12601 et seq.
MCL 750.473

The Board of Directors recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco on school premises, in school vehicles, and in all school buildings owned and/or operated by the School.

The Board prohibits the use or possession of tobacco products by students in school buildings, on school property (owned or leased), on school buses, and at any school-related event.

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
- B. "use of a tobacco product" means any of the following:
 - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
 - 2. the inhaling or chewing of a tobacco product
 - 3. the placing of a tobacco product within a person's mouth
 - 4. and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

Adopted 3/14/11
Revised 8/15/11

Reference: M.C.L.A. 600.2913

CARE OF SCHOOL PROPERTY

Basic to the philosophy of the Board of Directors is a respect for the rights of others. Students are urged to exercise this respect in regard to the belongings of others, including School property. Each student should realize that vandalism to School property is costly to repair and is directly related to increased School taxes.

Attempts should be made to teach students respect for property which can be done in connection with the care of textbooks and the use of School materials and equipment.

In accordance with law, students who cause damage to School property shall be subject to disciplinary measures, and their parents shall be financially liable for such damage to the extent of the law.

The Board authorizes the imposition of fines for the loss, damage, or destruction of School equipment, apparatus, musical instruments, library materials, textbooks, and for damage to School buildings.

The School Administrator may report to the appropriate authorities any student whose damage of School property has been serious or chronic in nature.

The School Administrator shall develop administrative guidelines to implement this policy.

STUDENT USE OF BICYCLES

The Board of Directors regards the use of bicycles for travel to and from School by students as an assumption of responsibility on the part of those students, a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The Board will permit the use of bicycles by students in accordance with the rules of the School.

STUDENT HAZING

The Board of Directors believes that hazing activities of any type are inconsistent with the educational process and prohibits all such activities at any time in School facilities, on School property, and at any School-sponsored event.

Hazing shall be defined for purposes of this policy as performing any act or coercing another, including the victim, to perform any act of initiation into any class, group, or organization that causes or creates a risk of causing mental, emotional, or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Hazing involves conduct such as but not limited to:

- A. illegal activity, such as drinking or drugs;
- B. physical punishment or infliction of pain;
- C. intentional humiliation or embarrassment;
- D. dangerous activity;
- E. activity likely to cause mental or psychological stress;
- F. forced detention or kidnapping;
- G. undressing or otherwise exposing initiates.

[NOTE: If the school club or organization does not have an official and approved initiation procedure, and if no school staff is involved in the activity, there is a significant likelihood that the activity may result in violation of this policy. Michigan law also makes hazing a crime, punishable by fine and/or imprisonment.]

Administrators, faculty members, and other employees of the School shall be alert particularly to possible situations, circumstances, or events which might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the School Administrator. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil or criminal penalties.

The School Administrator shall incorporate and distribute this policy via appropriate staff, parent and student handbooks. It may also be the subject of discussion at employee staff meetings or in-service programs.

Adopted 05/07/02
Revised 08/08/05

ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 USC 2000d et seq.
20 U.S.C. 1400 ET SEQ., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
29 U.S.C. 6101, the Age Discrimination Act of 1975
42 U.S.C. 2000d et seq.
42 USC 2000e et seq.
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 USC 1983
42 USC 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 USC 1681 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC 794
The Americans with Disabilities Act of 1990, 42 USC 12101 et seq.
The Handicappers' Civil Rights Act, MCL 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

General Policy Statement

It is the policy of the Board of Directors to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School community at school-related events/activities (whether on or off School property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or School employee that:

- A. places a student or School employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of the School.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity;
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual;
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or

- innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
 - F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
 - G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
 - H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
 - I. Inappropriate boundary invasions by a employee or other adult member of the School community into a student's personal space and personal life.
 - J. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. ~~Conduct~~ Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

[NOTE: Sexual conduct/relationships with students by school employees or any other adult member of the School community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to school employees or other adult members of the School community.]

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Students and other members of the School community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, an administrator, supervisor or other School official so that the conduct may be addressed before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other School employee or official who receives such a complaint shall file it with the School's Anti-Harassment Compliance Officer.

Members of the School community, which includes students, or third parties who believe they have been unlawfully harassed are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the School Administrator believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the School Administrator will report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the School Administrator shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the School Administrator informed of the status of the 3362 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the School. They are hereinafter referred to as the "Compliance Officers".

[NOTE: Academies are advised to appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. In addition, the Compliance Officers may also serve as the School's Section 504 and Title IX Coordinators.]

School Administrator
(616) 243 – 4763
3662 Poinsettia Avenue, SE
Grand Rapids, MI 49508

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the School community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student, other member of the School community or third party in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School community or a visitor to the School, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the School Administrator or will oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

School personnel who directly observe unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any School employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances

make such an intervention dangerous, in which case the staff member should immediately notify other School employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

Students who believe that they have been unlawfully harassed or retaliated may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving an School employee or any other adult member of the School community against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The

Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the School Administrator and/or (3) directly to one of the Compliance Officers.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the student about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the student claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student records policy. (See Policy 8310 and Policy 8330)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in

writing, with a teacher, principal, or other School employee at the student's school, the Compliance Officer, School Administrator, or another School employee who works at another school. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, School Administrator, or other School employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the School Administrator.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The School Administrator will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to

have any information relevant to the allegations;

- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the School Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the School Administrator must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the School Administrator final decision will be delivered to both the Complainant and the Respondent.

If the School Administrator requests additional investigation, the School Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the School Administrator shall issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the School Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the School Administrator final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the student alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related Administrative Procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the School Administrator shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the Board and/or School Administrator shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any School teacher or School employee who knows or suspects that a student with a disability who is twenty-six (26) years or younger or a student under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the School Administrator.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The School Administrator, or designee shall provide appropriate information to all members of the School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Adopted 05/07/02

Revised 08/08/05; 8/13/07; 11/8/10; 2/10/14; 9/8/14

BULLYING

Reference: The Matt Epling Safe School Law, Public Act 241 of 2011, as amended by Public Act 478 of 2014 (MCL § 380.1310b).

The Board believes that a safe and nurturing educational environment in school is necessary for students to learn and achieve high academic standards. Therefore, it is the policy of the Academy to provide a safe and nurturing environment for all of its students. Appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of students, as well as administrators, faculty, staff, visitors, and volunteers.

Bullying and Cyberbullying are Prohibited

Bullying and cyberbullying of a student, whether by other students, staff, visitors, Board members, parents, guests, contractors, vendors and volunteers, is prohibited. All pupils are protected under this policy, and bullying and cyberbullying are prohibited without regard to its subject matter or motivating animus.

Definition of Bullying

“Bullying” means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

- A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.
- B. Adversely affecting the ability of a pupil to participate in or benefit from the school district’s or public school’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- C. Having an actual and substantial detrimental effect on a pupil’s physical or mental health.
- D. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

“Cyberbullying” means any electronic communication that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

- A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.
- B. Adversely affecting the ability of a pupil to participate in or benefit from the school district’s or public school’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- C. Having an actual and substantial detrimental effect on a pupil’s physical or mental health.

- D. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Since “bullying” also includes “cyberbullying,” any reference in this policy to “bullying” shall also be deemed to refer to “cyberbullying.”

Bullying and cyberbullying are prohibited at school. “At school” is defined as on school premises, at school-sponsored activities or events, in a school-related vehicle, or using telecommunications access device or a telecommunications service provider if the telecommunications access device or telecommunications service provider is owned by or under the control of the school district. “Telecommunications access device” and “telecommunications service provider” mean those terms as defined in Section 219a of the Michigan Penal Code (MCL § 750.219a).

Bullying and cyberbullying that does not occur “at school,” as defined above, but that causes a substantial disruption to the educational environment may be subject to disciplinary action in accordance with this policy and applicable law.

Reporting and Investigating Reports of Bullying

Every student is encouraged to report any situation that he or she believes to be bullying behavior directed toward a student to a teacher, a counselor, administrator, or other staff member. Staff members shall report any reports made by students or situations that they believe to be bullying behavior directed toward a student to the ESP. Complaints against the ESP shall be reported to the Board.

Under state law, a school employee, school volunteer, student, or parent or guardian who promptly reports in good faith an act of bullying to the appropriate school official designated in this policy and who makes this report in compliance with the procedures set forth in this policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. This immunity does not apply to a school official responsible for implementing this policy or for remedying the bullying, when acting in that capacity.

Retaliation or false accusation against a target of bullying, a witness, or another person with information about an act of bullying is prohibited. Suspected retaliation should be reported in the same manner as suspected bullying behavior. Making intentionally false accusations of bullying is likewise prohibited. Retaliation and making intentionally false accusations of bullying may result in disciplinary action up to and including expulsion.

All complaints about bullying that may violate this policy shall be promptly investigated and documented. The ESP or designee is responsible for the investigation. If the investigation results in a finding that bullying has occurred, it shall result in prompt and appropriate disciplinary action, up to and including expulsion for students, up to and including discharge for employees, and up to and including exclusion from school property for parents, guests, volunteers, and contractors. Individuals may also be referred to law enforcement officials.

The Board may utilize restorative practices that emphasize repairing the harm to the victim and school community in the correction of bullying behavior, which may include victim-offender conferences that:

- A. Are initiated by the victim;
- B. Are approved by the victim's parent or legal guardian or, if the victim is at least 15, by the victim;
- C. Are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team"); and
- D. Would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these. The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Where the investigation results in a finding that bullying has occurred, both the parent or legal guardian of a victim of bullying and the parent or legal guardian of a perpetrator of the bullying shall be notified promptly in writing. In addition, administrators investigating alleged bullying may notify parents of the victim or perpetrator of bullying sooner than the conclusion of the investigation if circumstances dictate such earlier notification.

The Academy shall document any prohibited incident that is reported and shall document all verified incidents of bullying and the resulting consequences, including the required notification of parents or guardians and any discipline and referrals.

The School Leader is the school official responsible for ensuring that this policy is implemented.

Confidentiality

The Academy will comply with all applicable laws regarding confidentiality of personally identifiable information within education records. In addition, the identity of an individual who reports an act of bullying or cyberbullying shall be and remain confidential. The School Leader, or the School Leader's designee, shall ensure that the name of an individual who reports an act of bullying or cyberbullying is withheld from the alleged perpetrator and the perpetrator's parent(s), legal guardian(s) and representative(s), and is redacted from any report of bullying or cyberbullying that is publically disclosed.

Notification

This policy will be annually circulated to parents and students, and shall be posted on the Academy website.

Reporting

As required by state statute, the Academy shall provide a report of all verified incidents of bullying and other required information to the Michigan Department of Education on an annual basis, according to the form and procedures established by the Department.

As required by state statute, the Academy's procedures with respect to bullying are contained within this policy, and thus no administrative guidelines accompany this policy.

Revised 6/29/15; 8/7/17

DISORDERLY CONDUCT

It is the purpose of the Board of Directors, acting within the intent and letter of the laws of this State, to provide instruction for students at public expense. Any act of any person(s) to interfere with or to thwart that purpose is unlawful or is in violation of Board policy. Therefore, actions by a student(s) to interfere materially or substantially with the operations of the school by defacing or destroying school property by rioting, breaking-in, sitting-in, lying-in, smashing in, or picketing to force students not to cross picket lines are illegal. Students who engage in such activities may be punished to the full extent of the law and Board policies and School administrative guidelines promulgated thereunder.

For the purposes of this policy, the term “disorderly conduct” shall mean any unlawful student assemblage; or group act of violence, disruption, vandalism, or building seizure; or interference with the functioning of school personnel or any student or group of students.

DRUG PREVENTION

Reference: MCL 333.26301 et seq., 333.7410, 333.7410a
AC Rule R388.271 et seq.
Senate Bill 350, 1990
Drug-Free Schools and Communities Act of 1986, 20 USC 3171 et seq.
20 USC 3224A

The Board of Directors recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire School community.

As an educational institution in this community, the School should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Michigan statute;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in School has been granted pursuant to Board policy;
- E. "look-alikes";
- F. performance-enhancing drugs as determined annually by the Department of Community Health;
- G. any other illegal substances so designated and prohibited by law.

In accordance with Federal and State law, the Board hereby establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on School property, within the Drug-Free School Zone, or at any School-related event. Furthermore, the School Administrator shall take the necessary steps to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

Note: In order to make this policy operational it must be transmitted to local authorities in order to establish this zone.

The School Administrator shall prepare guidelines for the identification, amelioration, and regulation of drug use in the School. Such guidelines shall:

- A. emphasize the prevention of drug use;
- B. provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
 - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
 - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
 - 3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
 - 4. promotes positive emotional health, self-esteem, and respect for one's body;
 - 5. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State's Department of Education;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on School premises or as a part of any School activity;
- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the School standards of conduct and a description of those sanctions;

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

- F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;
- I. provide a biennial review of the School's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;
- J. establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in School and ensure that the School's policy and administrative guidelines on Search and Seizure (Policy 5771) and Suspension and Expulsion (Policy 5610) are complied with fully.

The School Administrator shall establish administrative guidelines necessary to implement this policy.

Revised 4/9/07

PERFORMANCE-ENHANCING DRUGS/COMPOUNDS

Reference: MCL 333.26301 et seq., 380.1318

The Board of Directors recognizes that the use of dietary supplements that contain performance-enhancing compounds and/or performance-enhancing drugs poses a serious health risk to students.

Accordingly, no staff member, volunteer, or contractor shall knowingly sell, market, distribute, or promote the use of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug (e.g., anabolic steroids) to a student with whom the staff member, volunteer, or contractor has contact as a part of his/her duties. Furthermore, the staff member, volunteer, or contractor shall not endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug by a student with whom s/he has contact as part of his/her duties.

Use of a performance-enhancing substance regardless of source by a student is a violation that will affect a pupil's athletic eligibility and extra-curricular participation, as determined by the Board. A list of performance-enhancing substances developed by the State Department of Community Health shall be updated annually and included in AG 2431. This notice and list shall also be published in the Parent/Student Handbook provided annually.

Revised 4/9/07

INTERROGATION OF STUDENTS

Reference: MCL 722.627
Attorney General's Opinion No 6869, September 6, 1995

The Board of Directors is committed to protect students from individuals not associated with the School but also recognizes its responsibility to cooperate with law enforcement agencies and the Department of Human Services (DHS), formerly known as Family Independence Agency (FIA).

When such agencies request permission to interrogate a student at School, the School Administrator shall attempt to inform the student's parents, when appropriate or when allowed by the investigator.

Whenever it has been determined that an agency has a legitimate purpose and it is necessary to interrogate a student within the confines of the School, the School Administrator or representative shall attempt to be present throughout the proceedings, except under the Child Protection Law (Act No. 238, Public Acts of 1975 as amended, being Sections 722.621-772.638, Michigan Compiled Laws). If the investigator refuses to allow a School representative to be present and the School Administrator believes there are compelling reasons to be present, s/he may request the investigator, other than one operating under the Child Protection Act, to obtain a court order to permit the interrogation without the presence of a School representative. S/He should also verify that the student(s) has been informed of his/her rights to refuse to answer questions, to be informed that anything s/he says may be used against him/her in court, and to consult with and be advised by legal counsel.

When police or other authorities arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the building administrator indicating the nature of their investigation and their desire to question a student or students.

Before the student(s) is (are) questioned as a witness to or suspect in an alleged violation of law, the building administrator shall attempt to contact the parent prior to questioning and shall request to remain in the room during the questioning.

In those circumstances when an interrogation may expose a student to criminal charges, the building principal should also verify that the student(s) has been informed of his/her right to refuse to answer questions, to be informed that anything s/he says may be used against him/her in court, and to consult with and be advised by legal counsel.

If the student is the subject of a child abuse/neglect investigation, the building administrator shall attempt to contact the parent prior to questioning, and s/he or a designated guidance counselor will make every effort to remain in the room during questioning. If an agency investigating child abuse/neglect indicates that the parent or a family member is believed to be the perpetrator, the building administrator will not contact either parent prior to the interview if so requested by the investigator.

All attempts to notify the parents should be documented.

When an authorized law enforcement officer or child protection agency removes a student, the building administrator shall record the name of the investigator, the public agency involved and the destination of the student if possible. S/he shall also notify the parent and the School Administrator.

No school official may release personally identifiable student information in education records to the police or children's services agency without prior written permission of the parent, a lawfully-issued subpoena, or a court order, unless it is an emergency situation involving the health or safety of the involved student or other students. Proper directory information may be disclosed upon request. (See Board Policy 8330).

Revised 4/9/07

STUDENT DISCIPLINE

The Board of Directors acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly School environment, which is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

The Board shall require each student of this School to adhere to the Discipline Code promulgated by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The School Administrator shall promulgate administrative guidelines for student conduct which carry out the purposes of this policy and:

- A. are not arbitrary but bear a reasonable relationship to the need to maintain a School environment conducive to learning;
- B. do not discriminate among students;
- C. do not demean students;

The School Administrator shall designate sanctions, excluding corporal punishment, for the infractions of rules, which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;

- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

The School Administrator shall publish to school staff, students and their parents the rules of this School regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Discipline Code.

The School Administrator shall have the authority to assign discipline to students, subject to School administrative guidelines and the student's due process right to notice, hearing, and appeal.

Teachers and other employees of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board, and/or when such conduct interferes with the educational program of the School or threatens the health and safety of others.

EMERGENCY REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS

Reference: MCL 380.1309; MCL 380.1312(8)&(9); MCL 37.1402; 20 USC §§ 5812, 5964, 5965, 7114, 7115, 7151; 42 USC § 290hh; State Board of Education, Resolution to Address School Discipline Issues Impacting Student Outcomes, Adopted June 12, 2012 [Note: MCL 380.1311a was held to be unconstitutionally overbroad in *Smith ex rel. Smith v Mount Pleasant Public Academy*, 285 F Supp 2d 987 (ED Mich, 2003).]

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to Academy rules as well as general provisions of law. Respect for the rights of others, consideration of their privileges, and cooperative citizenship also shall be expected of all members of the Academy community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the Academy.

The Educational Service Provider shall establish Administrative Procedures to carry out Board policy and philosophy, and shall hold all school personnel, students, and parents responsible for the conduct of students at the school, on school provided transportation, and at school-related events.

This Policy shall be included in the code of student conduct, which shall be reviewed periodically. This Policy shall comply with all applicable law. Any conflict between this Policy and applicable law shall be resolved in favor of applicable law.

The Board acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment which is, in part, reflected in the behavior of students.

The Board requires each student of the Academy to adhere to the Code of Conduct established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others; and
- E. obey authority and respond to those who hold authority.

The School Administrator shall develop procedures for student conduct that carry out the purposes of this policy and respect the individual rights constitutionally guaranteed to students.

Academy administration shall designate sanctions, excluding corporal punishment, for the infraction of rules which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions; and
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

Factors to be Considered Before Suspending or Expelling a Student

Except as otherwise noted below with respect to possession of a firearm in a weapon free school zone, if suspension or expulsion is considered, the Educational Service Provider shall consider the following factors:

- A. the student's age
- B. the student's disciplinary history
- C. whether the student has a disability
- D. the seriousness of the violation or behavior
- E. whether the violation or behavior committed by the student threatened the safety of any student or staff member
- F. whether restorative practices will be used to address the violation or behavior
- G. whether a lesser intervention would properly address the violation or behavior

The Educational Service Provider will exercise discretion over whether or not to suspend or expel a student. In exercising that discretion for a suspension of more than ten (10) days or expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the Educational Service Provider can demonstrate that it considered each of the factors listed above. For a suspension of ten (10) days or fewer, there is no rebuttable presumption, but the Educational Service Provider will still consider the factors.

Restorative Practices

If the Academy determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will engage in restorative practices which emphasize repairing the harm to the victim and school community caused by the student's misconduct.

Restorative practices may include victim-offender conferences that:

- A. are initiated by the victim;
- B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;

- C. are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team");
- D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these.

The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Persistent Disobedience or Gross Misconduct

A student may be removed from the classroom, suspended or expelled for persistent disobedience or gross misconduct. A student may not be expelled or excluded from the regular school program based on pregnancy status.

The Board recognizes exclusion from the educational programs of the Academy, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without due process, since exclusion deprives a child of the right to an education. The Board also recognizes that it may be necessary for a teacher to remove a student from class for conduct disruptive to the learning environment, and that such removals are not subject to a prior hearing, provided the removal is for a period of less than twenty-four (24) hours. However, if an emergency removal may result in a suspension, then due process must be ensured.

For purposes of this policy, suspension shall be either short-term (not more than ten (10) days) or long-term (for more than ten (10) days but less than permanent expulsion) removal of a student from a regular Academy program. The School Administrator may suspend a student for a period not to exceed ten (10) school days.

For purposes of this policy, unless otherwise defined in Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the Academy. Students who are expelled may petition for reinstatement as provided below.

No student, otherwise eligible for attendance, shall be excluded from an Academy program, unless that student has substantially interfered with the maintenance of good order or unless it is necessary to protect that student's or other students' physical or emotional safety and well-being.

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct, or s/he may be given a short-term suspension by the School Administrator. A student so removed may be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions. The Board designates the School Administrator as its representative at any hearings regarding the appeal of a suspension.

The Board may either suspend a student for a period longer than ten (10) days or expel him/her.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed.

The Educational Service Provider, shall develop procedures to implement this policy that shall include the following:

- A. strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the Academy's core curriculum;
- B. standards of behavior for all students in accordance with Academy Board policy on student discipline;
- C. procedures that ensure due process; and
- D. provision for make-up work at home, when appropriate.

Possible Permanent Expulsion

The Board will not tolerate behavior that creates an unsafe environment, a threat to safety, or undue disruption of the educational environment.

Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under federal law.

Physical and Verbal Assault

Unless a different determination is made after consideration of the factors identified above, the Board shall permanently expel a student in grade six or above if that student commits physical assault at the Academy against a staff member, a volunteer, or a contractor.

Unless a different determination is made after consideration of the factors identified above, the Board shall suspend or expel a student in grade six or above for up to one hundred eighty (180) school days if the student commits physical assault at the Academy against another student.

Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."

Unless a different determination is made after consideration of the factors identified above, the Board shall suspend or expel a student in grade six or above and may discipline, suspend or expel at student in grade five and below for a period of time as determined at the Board's discretion if the student commits verbal assault at school against a Academy employee, volunteer, or contractor or makes a bomb threat or similar threat directed at school building, property, or at a school-related activity.

Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

"At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

Weapons, Arson, Criminal Sexual Conduct

In compliance with state and federal law, and unless a different determination is made after consideration of the factors identified above, the Board shall expel any student (unless as noted below) who possesses a dangerous weapon, other than a firearm, in the Academy's weapon-free school zone or commits either arson or criminal sexual conduct in a school building or on school property, including school buses and other Academy transportation.

In compliance with state and federal law, the Academy shall expel any student who possesses a firearm in the Academy's weapon-free school zone in violation of State law, unless the student can establish mitigating factors as explained below, by clear and convincing evidence.

For purposes of this policy, a "dangerous weapon" is defined by law as a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles. This definition also includes other devices designed to (or likely to) inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame, or the bearer of any such weapon, as well as a firearm muffler, firearm silencer, or any such destructive device.

The Board need not expel a student for possession of a dangerous weapon, including a firearm, if the student can establish in a clear and convincing manner the following to the satisfaction of the Board:

- A. the object or instrument was not possessed for use as a weapon, or for direct (or indirect) delivery to another person for use as a weapon;
- B. the weapon was not knowingly possessed;
- C. the student did not know (or have reason to know) that the object or instrument in his/her possession constituted a dangerous weapon; or
- D. the weapon was possessed at the suggestion, request, direction of, or with the express permission of the School Administrator or the police.

There is a rebuttable presumption that expulsion for possessing the weapon is not justified if the Educational Service Provider determines in writing that the student has established that he or she fits under one of the exceptions above by clear and convincing evidence, and that the student has no previous history of suspension or expulsion.

The above exceptions will not apply to student misconduct involving sexual conduct or arson.

For expulsions for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor, the School Administrator shall provide that the expulsion is duly noted in the student's record, the student is referred to the Department of Human Services or Department of Community Health within three (3) school days after the expulsion, and the parents are informed of the referral. Furthermore, if a student who is expelled is below the age of sixteen (16), the School Administrator shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with federal law, the School Administrator shall also refer any student (regardless of age)

expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the Academy. In addition, the School Administrator shall send a copy of this policy to the State Department of Education and shall include a description of the circumstances surrounding the expulsion of the student for possessing a firearm or weapon in the Academy's weapon-free school zone, together with the name of the Academy, the number of students so expelled, and the types of firearms or weapons brought into the weapon-free school zone.

A student expelled under this policy for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may apply for reinstatement in accordance with the following guidelines:

- A. If the student is in grade five (5) or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.
- B. If the student is in grade five (5) or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.
- C. If the student is in grade six (6) or above at the time of the expulsion, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the School Administrator.
- E. Within ten (10) school days, the School Administrator shall submit the request, together with any other information s/he deems pertinent, to a Board appointed committee consisting of two (2) Board members, a school administrator, a teacher, and a school-parent representative.
- F. Within ten (10) school days after being appointed, the committee shall review all pertinent information and submit its recommendation to the Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of the following:
 1. The extent to which reinstatement would create a risk of harm to students or school staff;
 2. The extent to which reinstatement would create a risk of school or individual liability for the Board or school staff;
 3. The age and maturity of the student;

4. The student's school record before the expulsion incident;
5. The student's attitude concerning the expulsion incident;
6. The student's behavior since the expulsion and the prospects for remediation;
7. The degree of cooperation and support the parent has provided and will provide if the student is reinstated (if the request was filed by a parent), including, but not limited to the parent's receptiveness toward any conditions placed on the reinstatement. Such conditions, for example, might include a written agreement by the student and/or a parent who filed the reinstatement request to accomplish the following:
 - a. abide by a behavior contract involving the student, his/her parents, and an outside agency;
 - b. participate in an anger management program or other counseling activities;
 - c. cooperate in processing and discussing periodic progress reviews;
 - d. meet other conditions deemed appropriate by the committee;
 - e. accept the consequences for not fulfilling the agreed upon conditions.
8. The committee may also allow the parent, adult student, or emancipated minor to propose conditions as part of the request for reinstatement.

The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Board's decision shall be final and is not subject to appeal.

In the event a student who has been permanently expelled from another school requests admission to the Academy, in making its decision, the Board shall follow the same procedure it has established in paragraphs A-F, above, for the reinstatement of a student.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition upon any standards and with any procedures it determines appropriate under the circumstances.

The School Administrator shall ensure Board policies and procedures regarding a student's rights to due process are followed when dealing with a possible suspension or expulsion under this policy.

In-School Discipline

The purpose of this policy is to provide an alternative to out of school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board to support such a program.

In-school discipline will only be offered at the discretion of the School Administrator for offenses found in the Student Code of Conduct.

The School Administrator is to establish procedures for the proper operation of such a program and to ensure appropriate due-process procedures are followed as applicable. (See BP 5630.01)

Due Process Rights

The Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Academy's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following:

Students subject to short-term suspension:

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The School Administrator or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the School Administrator whose decision will be final.

Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and must also be given an opportunity to appear before the Board with a representative to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and the hearing procedure, a list of the witnesses who will provide testimony to the Board, and a summary of the facts to which the witnesses will testify. At the student/parent's request, the hearing shall be held in closed session, but the Board must act publicly. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another school.

The School Administrator shall develop procedures to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

Corporal Punishment

While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or Academy through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

- A. restrain or remove a student who refuses to comply with a request to behave or report to the office;
- B. quell a disturbance threatening physical injury to self or others;
- C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or
- D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the Academy contracts for services.

The School Administrator shall provide guidelines, including a list of alternatives to corporal punishment.

Removal, Suspension and Expulsion of Students with Disabilities

The Academy shall abide by federal and state laws in matters relating to discipline, suspension, and expulsion of disabled students.

Revised 9/14/09, 10/14/13; 8/7/17

STUDENT SECLUSION AND RESTRAINT

This policy is intended to provide the framework for organizational supports that result in effective interventions based on team-based leadership, data-based decision-making, continuous monitoring of student behavior, regular universal screening and effective on-going professional development. The School is committed to investing in prevention efforts and to teach, practice and reinforce behaviors that result in positive academic and social outcomes for students.

In the event that staff members need to restrain and/or seclude students, it must be done in accordance with this policy, which is intended to:

- A. promote the care, safety, welfare and security of the school community and the dignity of each student;
- B. encourage the use of proactive, effective, evidence and research based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all students; and
- C. ensure that seclusion and restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation and reporting by trained personnel.

In furtherance of these objectives, the School will utilize Positive Behavioral Interventions and Supports (PBIS) to enhance academic and social behavior outcomes for all students. PBIS implemented by the School will include socially valued and measurable outcomes, empirically validated and practical practices, systems that efficiently and effectively support implementation of these practices, and continuous collection and use of data for decision-making.

EMERGENCY SECLUSION

A. Prohibited Practices and Limitations on Use

The following practices are prohibited under all circumstances, including emergency situations:

1. confinement of students who are severely self-injurious or suicidal
2. corporal punishment, as defined in M.C.L. 380.1312(1) of the revised school code, 1976 PA 451
3. the deprivation of basic needs
4. anything constituting child abuse
5. seclusion of pre-school children
6. seclusion that is used for the convenience of school personnel
7. seclusion as a substitute for an educational program

8. seclusion as a form of discipline or punishment
9. seclusion as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

B. Definition of Emergency Seclusion

Seclusion means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of students.

Emergency seclusion is a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the student to regain self-control while maintaining the safety of the student and others.

To qualify as emergency seclusion, there must be continuous observation by school personnel of the student and the room or area used for confinement:

1. must not be locked
2. must not prevent the student from exiting the area should staff become incapacitated or leave that area
3. must provide for adequate space, lighting, ventilation, viewing, and the safety of the student
4. must comply with State and local fire and building codes

C. Time and Duration Emergency seclusion should not be used any longer than necessary, based on research and evidence, to allow a student to regain control of his/her behavior to the point that the emergency situation necessitating the use of emergency seclusion is ended, but generally no longer than:

1. fifteen (15) minutes for an elementary school student;
2. twenty (20) minutes for a middle school or high school student

If an emergency seclusion lasts longer than the suggested maximum times above, the following are required:

- a. additional support (which may include change of staff, introducing a nurse or specialist, or additional key identified personnel)

- b. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

A. Prohibited Practices

The following procedures are prohibited under all circumstances, including emergency situations:

1. mechanical restraint
2. chemical restraint
3. corporal punishment as defined in 380.1312(1) of the revised school code, 1976 PA 451, otherwise known as the Corporal Punishment Act
4. the deprivation of basic needs
5. anything constituting child abuse
6. restraint that is used for the convenience of school personnel
7. restraint as a substitute for an educational program
8. restraint as a form of discipline or punishment
9. restraint as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition
11. any restraint that negatively impacts breathing, including any positions, whether on the floor, facedown, seated or kneeling, in which the student's physical position (e.g., bent over) is such that it is difficult to breathe, including situations that involve sitting or lying across an individual's back or stomach
12. prone restraint (the restraint of a person face down)

NOTE: School personnel who find themselves involved in the use of a prone restraint as the result of responding to an emergency must take immediate steps to end the prone restraint.

13. the intentional application of any noxious substance(s) or stimuli that results in physical pain or extreme discomfort

A noxious substance or stimuli can either be generally acknowledged or specific to the student.

14. physical restraint, other than emergency physical restraint
15. any other type of restraint not expressly allowed

B. Definition of Restraint

Restraint means an action that prevents or significantly restricts a student's movement. Physical restraint is intended for the purposes of emergency situations only, in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

Emergency physical restraint is a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provide an opportunity for the student to retain self-control while maintaining the safety of the student and others. An emergency situation requires an immediate intervention. Emergency physical restraint may not be used in place of appropriate less restrictive interventions.

There are three (3) types of restraint: physical, chemical, and mechanical.

1. Physical restraint involves direct physical contact.

Restraint does not include actions undertaken for the following reasons:

- a. to break up a fight
 - b. to take a weapon away from a student
 - c. to briefly hold the student (by an adult) in order to calm or comfort him/her
 - d. to have the minimum contact necessary to physically escort a student from one area to another
 - e. to assist a student in completing a task/response if the student does not resist or if resistance is minimal in intensity or duration
 - f. to hold a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car)
 - g. to stop a physical assault as defined in M.C.L. 380.1310
 - h. actions that are an integral part of a sporting event, such as a referee pulling football players off from a pile or similar action
2. Chemical Restraint is the administration of medication for the purpose of restraint.

Restraint does not include administration of medication prescribed by and administered in accordance with the directions of a physician.

3. Mechanical Restraint means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

Restraint does not include the following:

- a. an adaptive or protective device recommended by a physician or therapist (when it is used as recommended)
- b. safety equipment used by the general student population as intended (e.g., seat belts, safety harness on school transportation)

C. Time and Duration

Restraint should not be used:

1. any longer than necessary, based on research and evidence, to allow students to regain control of their behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended; and
2. generally no longer than ten (10) minutes.

If an emergency restraint lasts longer than ten (10) minutes, all of the following are required:

1. additional support, which may include a change of staff, or introducing a nurse, specialist, or additional key identified personnel
2. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

USE OF EMERGENCY SECLUSION/RESTRAINT

A. When to Use Emergency Seclusion/Restraint

Seclusion/restraint must be used only under emergency situations and if essential. Emergency situation means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

B. General Procedures for Emergency Seclusion/Restraint:

1. An emergency seclusion/restraint may not be used in place of appropriate, less restrictive interventions.

2. Emergency seclusion/restraint shall be performed in a manner that is:
 - a. safe;
 - b. appropriate; and
 - c. proportionate to and sensitive to the student's:
 - 1) severity of behavior;
 - 2) chronological and developmental age;
 - 3) physical size;
 - 4) gender;
 - 5) physical condition;
 - 6) medical condition;
 - 7) psychiatric condition; and
 - 8) personal history, including any history of physical or sexual abuse or other trauma.
3. School personnel shall call key identified personnel for help from within the school building either immediately at the onset of an emergency situation or, if it is reasonable under the particular circumstances for school personnel to believe that diverting their attention to calling for help would increase the risk to the safety of the student or to the safety of others, as soon as possible once the circumstances no longer support such a belief.
4. While using emergency seclusion/restraint, staff must do all of the following:
 - a. involve key identified personnel to protect the care, welfare, dignity, and safety of the student
 - b. continually observe the student in emergency seclusion for indications of physical distress and seek medical assistance if there is a concern
 - c. document observations
 - d. ensure to the extent practicable, in light of the ongoing emergency situation, that the emergency seclusion/restraint does not interfere with the student's ability to communicate using the student's primary mode of communication
 - e. ensure that at all times during the use of emergency seclusion/restraint there are school personnel present who

can communicate with the student using the student's primary mode of communication

5. Each use of an emergency seclusion/restraint and the reason for each use shall be documented and reported according to the following procedures:
 - a. document in writing and report in writing or orally to the building administration immediately
 - b. report in writing or orally to the parent or guardian immediately
 - c. a report shall be written for each use of seclusion/restraint (including multiple uses within a given day) and the written report(s) provided to the parent or guardian within the earlier of one (1) school day or seven (7) calendar days
6. After any use of an emergency seclusion/restraint, staff must make reasonable efforts to debrief and consult with the parent or guardian, or the parent or guardian and the student (as appropriate) regarding the determination of future actions.

C. Students Exhibiting a Pattern of Behavior

1. If a student exhibits a pattern of behavior that poses a substantial risk of creating an emergency situation in the future that could result in the use of emergency seclusion/restraint, school personnel should do the following:
 - a. conduct a functional behavioral assessment
 - b. develop or revise a PBIS plan to facilitate the reduction or elimination of the use of seclusion/restraint
 - c. develop an assessment and planning process conducted by a team knowledgeable about the student, including at least:
 - 1) the parent or guardian
 - 2) the student (if appropriate)
 - 3) people who are responsible for implementation of the PBIS plan
 - 4) people who are knowledgeable in PBIS
 - d. develop a written emergency intervention plan ("EIP") to protect the health, safety, and dignity of the student. An EIP may not expand the legally permissible use of emergency seclusion/restraint.

The EIP should be developed by a team in partnership with the parent or guardian. The team shall include:

- 1) a teacher;
- 2) an individual knowledgeable about legally permissible use of seclusion/restraint; and
- 3) an individual knowledgeable about the use of PBIS to eliminate the use of seclusion/restraint.

The EIP should be developed and implemented by taking all of the following documented steps:

- a. describe in detail the emergency intervention procedures
- b. describe in detail the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses
- c. inquire of the student's medical personnel (with parent or guardian consent) regarding any known medical or health contraindications for the use of seclusion/restraint
- d. conduct a peer review by knowledgeable staff
- e. provide the parent or guardian with all of the following, in writing and orally:
 - 1) A detailed explanation of the PBIS strategies that will reduce the risk of the student's behavior creating an emergency situation.
 - 2) An explanation of what constitutes an emergency, including examples of situations that would fall within and outside of the definition.
 - 3) A detailed explanation of the intervention procedures to be followed in an emergency situation, including the potential use of emergency seclusion/restraint.
 - 4) A description of possible discomforts or risks.
 - 5) A detailed explanation of the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses.
 - 6) Answers to any questions.

A student who is the subject of an EIP should be told or shown the circumstances under which emergency intervention could be used.

D. Data Collection and Reporting

1. The building administrator shall develop a system of data collection, collect the data and forward all incident reports and data regarding the use of seclusion/restraint to the School Administrator.

The data must:

- a. be analyzed to determine the efficacy of the school's school-wide system of behavioral support;
- b. be analyzed in the context of suspension, expulsion, and dropout data;
- c. be analyzed for the purposes of continuous improvement of training and technical assistance toward the reduction or elimination of seclusion/restraint;
- d. be analyzed on a schedule determined by the Michigan Department of Education (MDE);`
- e. be reported to the MDE, if and as required;
- f. include a list of appropriately trained, identified personnel and their levels of:
 - 1) education;
 - 2) training; and
 - 3) knowledge.

Training Framework

A comprehensive training framework will be implemented which includes the following:

- A. awareness training for all school personnel who have regular contact with students; and
- B. comprehensive training for key identified personnel.

All substitute teachers must be informed of and understand the procedures regarding the use of emergency seclusion and emergency restraint. This requirement may be satisfied using online training developed or approved by MDE and online acknowledgement of understanding and completion of the training by the substitute teacher.

Comprehensive Training for Identified Personnel

Each building administrator will identify sufficient key personnel to ensure that trained personnel are generally available for an emergency situation. Before using emergency seclusion or emergency physical restraint with students, key identified personnel who may have to respond to an emergency safety situation must be trained in all of the following:

- A. proactive practices and strategies that ensure the dignity of students
- B. conflict resolution
- C. mediation
- D. social skills training
- E. de-escalation techniques
- F. positive behavioral intervention and support strategies
- G. techniques to identify student behaviors that may trigger emergency safety situations
- H. related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used
- I. instruction in the use of emergency seclusion and emergency physical restraint
- J. identification of events and environmental factors that may trigger emergency safety situations
- K. instruction on the State policy on the use of seclusion and restraint
- L. description and identification of dangerous behaviors
- M. methods for evaluating the risk of harm to determine whether the use of emergency seclusion or emergency physical restraint is warranted
- N. types of seclusion
- O. types of restraint
- P. the risk of using seclusion and restraint in consideration of a student's known and unknown medical or psychological limitations
- Q. cardiopulmonary resuscitation and first aid
- R. the effects of seclusion and restraint on all students
- S. how to monitor for and identify physical signs of distress and the implications for students generally and for students with particular physical or mental health conditions or psychological limitations
- T. ways to obtain appropriate medical assistance

GLOSSARY OF TERMS

"Chemical Restraint" means the administration of medication for the purpose of restraint.

"De-escalation Techniques" means evidence- and research-based strategically employed verbal or nonverbal interventions used to reduce the intensity of threatening behavior before, during, and after a crisis situation occurs.

"Documentation" means documentation developed by the Michigan Department of Education that is uniform across the State.

"Emergency Situation" means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

"Functional Behavioral Assessment" means an evidence- and research-based systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavioral assessment shall describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.

"Key Identified Personnel" means those individuals who have received the mandatory training described in M.C.L. 380.1307G(B)(I) to (XVI), listed under Comprehensive Training for Identified Personnel above.

"Mechanical Restraint" means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

"Physical Restraint" means restraint involving direct physical contact.

"Positive Behavioral Intervention and Support (PBIS)" means a framework to assist school personnel in adopting and organizing evidence-based behavioral interventions into an integrated continuum of intensifying supports based on student need that unites examination of the function of the problem behavior and the teaching of alternative skill repertoires to enhance academic and social behavior outcomes for all students.

"Positive Behavioral Intervention and Support Plan" means a student-specific support plan composed of individualized, functional behavioral assessment-based intervention strategies, including, as appropriate to the student, guidance or instruction for the student to use new skills as a replacement for problem behaviors, some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and procedures for monitoring, evaluating, and modifying the plan as necessary.

"Prone Restraint" means the restraint of an individual face down.

"Regularly and Continuously Work Under Contract" means that term as defined in section M.C.L. 380.1230.

"Restraint" means an action that prevents or significantly restricts a student's movement. Restraint does not include the brief holding of a student in order to calm or comfort, the minimum contact necessary to physically escort a student from one area to another, the minimum contact necessary to assist a student in completing a task or response if the student does not resist or resistance is minimal in intensity or duration, or the holding of a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety, such as running in front of a car. Restraint does not include the administration of medication prescribed by and administered in accordance with the directions of a physician,

an adaptive or protective device recommended by a physician or therapist when it is used as recommended, or safety equipment used by the general student population as intended, such as a seat belt or safety harness on school transportation. Restraint does not include necessary actions taken to break up a fight, to stop a physical assault, as defined in M.C.L. 380.1310, or to take a weapon from a student. Restraint does not include actions that are an integral part of a sporting event, such as a referee pulling football players off of a pile or a similar action.

Restraint that negatively impacts breathing means any restraint that inhibits breathing, including floor restraints, facedown position, or any position in which an individual is bent over in such a way that it is difficult to breathe. This includes a seated or kneeling position in which an individual being restrained is bent over at the waist and restraint that involves sitting or lying across an individual's back or stomach.

"School Personnel" includes all individuals employed in a public school or assigned to regularly and continuously work under contract or under agreement in a public school, or public school personnel providing service at a nonpublic school.

"Seclusion" means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of student.

Adapted from Michigan State Board of Education Policy for the Emergency Use of Seclusion and Restraint adopted in March of 2017

Adopted 8/13/07
Revised 8/7/17

STUDENT GRIEVANCE

The Board of Directors recognizes that, as citizens, students have the right to request redress of grievances. Further, the Board believes that the respect for lawful procedures is an important part of the educational process. Accordingly, individual and group grievances should be provided for and appropriate appeal procedures implemented.

For purposes of this policy, a student complaint or grievance shall be any such that arises out of actions, procedures, and policies of this Board or its employees or the lack of such policy or procedure.

The Board or its employees will hear the complaints and grievances of the students of this School provided that such complaints and grievances are made according to procedures established by the School Administrator.

EQUAL ACCESS FOR NONDISTRICT-SPONSORED, STUDENT CLUBS AND ACTIVITIES

Reference: M.C.L.A. 380.1299 Equal Access Act of 1984, 20 U.S.C. 4071 et seq.
Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.
Civil Rights Act of 1964, 42 U.S.C. 2000e

The Board of Directors will not permit the use of school facilities by nonschool-sponsored, student clubs and activities or District-sponsored, extra-curricular clubs and activities during instructional hours. During noninstructional time, however, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

An application for permission for nonschool-sponsored, student clubs and activities to meet on school premises shall be made to the School Administrator, who shall grant permission provided that s/he determines that:

- A. the activity has been initiated by students;
- B. attendance at the meeting is voluntary;
- C. no agent or employee of the District will promote, lead, or participate in the meeting;
- D. the meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
- E. nonschool persons do not direct, conduct, control, or regularly attend the activity.

A student initiated group granted permission to meet on school premises shall be provided the same rights and access and shall be subject to the same administrative guidelines that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's gender, religion, race, color, national origin or ancestry, age, disability, height, weight, marital status, social or economic status, and/or any other legally protected characteristic. In addition, there shall be no discrimination on the basis of the religious, political, philosophical, or other content of the speech at the meeting.

The Board will not permit the organization of a fraternity, sorority, or secret society. A student initiated meeting may be attended by no more than two (2) outside resource person(s). The School Administrator may exclude nonstudents from directing, controlling, or attending any such meetings of students.

A professional staff member may be assigned to attend a student initiated meeting in a custodial capacity but shall not participate in the activity. No professional staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The School Administrator may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

SEARCH AND SEIZURE

Reference: MCL 380.1306
US Constitution, 4th Amendment

The Board of Directors has charged School authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, School authorities may search School property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy as to prevent examination by a School official. The Board directs the School Curriculum Supervisors to conduct a routine inspection at least annually of all such storage places. In the course of any search, student's privacy rights will be respected regarding any items that are not illegal or against Board policy.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the School Administrator has reasonable suspicion that illegal drugs or devices may be present in a School. This means of detection shall be used only to determine the presence of drugs in locker areas and other places in the School where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or other certified organizations and is not to be used to search students unless either a warrant or parental permission has been obtained prior to the search.

Student Person and Possessions

The Board recognizes that the privacy of students or his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Reasonable suspicion that a communication device has been used to violate School policies or administrative guidelines shall be subject to disciplinary action and may result in the communication device being confiscated.

Administrators are authorized to arrange for a breath-test instrument, according to the School Administrator's guidelines, for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the Curriculum Supervisor. S/He shall attempt to obtain the freely-offered consent of the student to the inspection; however, provided there is reasonable suspicion, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the Curriculum Supervisor in the presence of the student and a staff member other than the Curriculum Supervisor. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened.

The Curriculum Supervisor shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found and the disposition made of them; and any subsequent action taken. The Curriculum Supervisor shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The School Administrator shall prepare administrative guidelines to implement this policy.

Revised 4/16/12

POSSESSION OF WEAPONS

Reference: M.C.L.A. 380.1311, 380.1312(1), 380.1313
20 U.S.C. 7151

The Board of Education prohibits students from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the School for the purpose of school activities approved and authorized by the School including, but not limited to, property leased, owned, or contracted for by the School, a school-sponsored event, or in a School vehicle without the permission of the School Administrator.

The term “weapon” means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

The School Administrator is authorized to establish instructional programs on weapons which require students to immediately report knowledge of weapons and threats of violence by students and staff to the building School Administrator. Failure to report such knowledge may subject the student to discipline up to and including suspension or expulsion from school.

The School Administrator will refer any student who violates this policy to the student’s parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

Policy exceptions include:

- A. weapons under the control of law enforcement personnel;
- B. items pre-approved by the building School Administrator as part of a class or individual presentation under adult supervision, if used for the purpose and in the manner approved; (Working firearms and any ammunition will never be approved as part of a presentation.)
- C. theatrical props used in appropriate settings.

This policy will be published annually in all School student and staff handbooks. Publication is not a precondition to enforcement of this policy.

STUDENT/PARENT RIGHTS

Reference: 20 U.S.C. 1232h

The Board of Education recognizes that students possess not only the right to an education but the rights of citizenship as well.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the School.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Parents also have rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

The School Administrator shall, in consultation with parents, develop a procedure addressing the rights of parents and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials. See AG 9130A and Form 9130 F3.

This policy shall not supercede any rights under the Family Education Rights and Privacy Act.

Revised 04/25/03

STUDENT FUND-RAISING

Reference: 7 CFR Parts 210 and 220

The Board of Directors acknowledges that the solicitation of funds from students must be limited since compulsory attendance laws make the student a captive donor and may also disrupt the program of the School.

For purposes of this policy "student fund-raising" shall include the solicitation and collection of money from students for any purpose and shall include the collection of money in exchange for tickets, papers, or any other goods or services for approved student activities. "Student fundraising also includes giving away goods or services, but suggesting a monetary donation.

The Board will permit student fund-raising by students in School, on School property, or at any School-sponsored event only when the profit therefrom is to be used for School purposes or for an activity connected with the School.

Fund raising by approved School organizations, those whose funds are managed by the School, may be permitted in School by the Curriculum Supervisor. Such fundraising off school grounds may also be permitted by the School Administrator. For any fundraisers, including those operated by student clubs and organizations, parent groups, or boosters clubs, that involved the sale of food items and/or beverages to students that will be consumed on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day), the food items and/or beverages to be sold shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, and also be consistent with requirements set forth in Policy 8500—Food Services.

Fund raising by students on behalf of School-related organizations whose funds are not managed by the School may be permitted on School grounds by the School Administrator.

All other fund raising shall be done in accordance with Board Policy 9700.

The School Administrator shall establish administrative guidelines for the solicitation of funds which shall:

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation which do not place undue pressure on students;
- C. limit the kind and amount of advertising for solicitation;

- D. ensure proper distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded;
- E. limit the number of fund raising events.

The School Administrator shall distribute this policy and the guidelines which implement it to each organization granted permission to solicit funds.

Revised 4/20/15

SOCIAL EVENTS

Reference: A.C. Rule 340.241 et seq.

The Board of Directors recognizes the value of student social events in enhancing and enriching the educational experience for the children of this community.

The Board will make School facilities available and provide appropriate staff for the conduct of social events within the School facilities which have been approved by the School Administrator.

School social events which take place outside School facilities must be approved by the School Administrator.

As voluntary participants in School social events, students shall be held responsible for compliance with the rules set forth for their conduct, and infractions of those rules will be subject to the same disciplinary measures applicable during the regular School program.

Participation in School events is not a right and may be denied to any student who has demonstrated disregard for the rules of the School.

The School Administrator shall develop administrative guidelines for the conduct of student social events which shall include:

- A. designation of a staff member who shall be the Board employee responsible for the event;
- B. provision for chaperonage, adult supervision, and/or police protection required by the circumstances of the event;
- C. provisions for the safety of all students and adults involved.

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
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

Adopted 5/7/02

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

AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURES

Reference: 15 U.S.C. 7001 et seq
M.C.L. 450.831-450.849

Unless a provision of law specifically prohibits the use of an electronic record for the specified purpose, the Board of Directors authorizes the acceptance and distribution/transmission of electronic records and electronic signatures to and from School staff and other persons, as well as between School staff members. The Board further authorizes School staff to create, generate, send, communicate, receive, store, process, use, and rely upon electronic records and electronic signatures.

The School Administrator is authorized to develop administrative guidelines concerning the acceptance and distribution/transmission of electronic records and electronic signatures. After giving due consideration to security, the School Administrator may specify the following:

- A. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored, and the systems established for those purposes.
- B. If electronic records must be signed by electronic means, the type of electronic signature that is required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by any third party used by a person filing a document to facilitate the process.
- C. Control processes and procedures as appropriate to provide for adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.
- D. Any other required attributes for electronic records that are specified for nonelectronic records or reasonably necessary under the circumstances.

Adopted 2/10/14

GRANT FUNDS

Reference: Compliance Supplement for Single Audits of State and Local Governments
20 USC 7906

It is the objective of the Board of Directors to provide equal educational opportunities for all students within the School. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the Academy that would benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance educational opportunities, the educational environment, and the physical and mental growth for each student.

The School Administrator shall review new Federal education legislation and prepare proposals for programs s/he deems would be of aid to the students of this School. The School Administrator shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school Schools and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accord with Federal guidelines on discrimination.

No Federal funds received by the School shall be used (1) to develop or distribute materials, or operated programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds; (3) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution in schools.

Grant Proposal Development

- A. All grant proposals must support at least one (1) Academy goal or priority.
- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, and grantor rules and regulations as well as Academy policies and administrative procedures/guidelines.

- B. The School Administrator is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The School Administrator is responsible for administering grant funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the grant award.
- D. The Academy, in recognition of its unique combination of staff, facilities, and experience, shall employ the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the Academy will be used in accordance with the applicable Federal law. The School Administrator shall require that each draw of Federal monies is as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.
- F. The School Administrator is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.
- G. Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.
- H. Program reports including but not limited to audit, site visits and final reports shall be submitted to the School Administrator for review and distribution to appropriate parties.

Fiscal Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, and grantor rules, regulations, and assurances as well as Academy policies and administrative procedures/guidelines.

The School Administrator shall provide for the following:

- A. Accurate, current, and complete disclosure of the financial results of each Federally-sponsored project in accordance with the reporting requirements of the grant.
- B. Effective control over and accountability for all funds, property, and other assets in their use solely for authorized purposes.

- C. Recordkeeping and written procedures as may be required by Federal, State, and grantor rules and regulations pertaining to the grant award and accountability, including such provisions as may be applicable as cost sharing and matching requirements, budget revisions, audit requirements, reasonableness, allocability, and allowability of costs, procurement, property management and disposition, and payment/repayment requirements.
- D. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Revised 4/25/03, 4/9/07; 3/11/13

SAFETY DEPOSIT BOX

The Board of Directors may maintain at least one (1) safety deposit box at a bank selected by the School Administrator. The Board authorizes the Board Treasurer and/or the School Administrator to sign the signature card for access to each safety deposit box.

INVESTMENTS

Reference: MCL 124.301 et seq., 129.11 to 129.118, 380.1221, 380.1223(2), 380.622
P.A. 22 of 2009

The School's policy is to use investments to maximize the returns on the School's excess cash balances, while reasonably controlling the risk of loss and maintaining an acceptable level of liquidity in those investments to meet the School's operating needs.

To this end, the School will track, through its financial reports and investment authorizations, the credit risk, concentration of credit risk, interest rate risk and foreign currency risks related to its investments.

The Board of Directors authorizes the School Administrator or Treasurer to make investments of available monies from the several funds of the School in:

- A. bonds, bills, or notes of the United States; obligations, the Curriculum Supervisor and interest of which are fully guaranteed by the United States; or obligations of the State;
- B. certificates of deposit issued by a state or nationally-chartered bank or a state or Federally-chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government and which maintains a Curriculum Supervisor office or branch office in Michigan under Michigan and Federal laws;
- C. certificates of deposit of a public corporation(s) (CDs) in insured depository institutions in accordance with the following conditions:
 1. the funds are initially invested through a financial institution that is not ineligible to be a depository of surplus funds belonging to this State under (MCL 21.146 (discriminatory lending practices)
 2. the financial institution arranges for the investment of the funds in certificates of deposit in one (1) or more insured depository institutions, as defined in 12 USC 1813, or one or more insured credit unions, as defined in 12 U.S.C. 1752, for the account of the school district.
 3. the financial institution acts as custodian for the School is insured by an agency of the United States
 4. the financial institution acts as custodian for the School with respect to each certificate of deposit
 5. at the same time that the funds are deposited and the certificate or certificates of deposit are issued, the financial institution receives an amount of deposits from customers of other insured depository institutions equal to or greater than the amount of the funds initially invested by the School through the financial institution

- D. commercial paper rated prime 1 or prime 2 at the time of purchase and maturing not more than 270 days after the date of purchase;
- E. Michigan Investment Liquid Asset Fund Plus (MILAF).

When there is a possibility that interest changes could adversely affect the fair value of a School's investment, as determined under the Generally Accepted Accounting Principles (GAAP) standards, the following method(s) will be used to assess and control such risks:

- A. segmented timed distribution
- B. specific identification
- C. weighted average maturity
- D. duration
- E. simulation model

These methods shall be implemented as defined by the Government Accountability Standards Board. The Board may apply different methods to different investments.

Investments in securities shall be with authorized investment institutions and dealers that must establish eligibility by meeting all of the following requirements.

- A. primary and regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule)
- B. capital of no less than \$10,000,000
- C. registered as a dealer under the Securities and Exchange Act of 1934
- D. a member of the National Association of Securities Dealers (NADS)
- E. registered to sell securities in Michigan
- F. the firm and assigned broker have been engaged in the business of effecting transactions in United States government and agency obligations for at least five (5) years

The School Administrator is authorized to contract with a depository for the operation of a cash management system under the following conditions:

All investments must mature or be redeemable within 2 years of the date of purchase.

Money in the several funds of the School shall not be commingled for the purpose of making an investment authorized by Section 380.1223. The Board, however, may establish and maintain one common debt retirement fund for bond issues of like character.

Earnings on an investment shall become a part of the fund from which the investment was made.

Funds of the Board may be withdrawn from approved public depositories or negotiable instruments owned by the Board and sold before maturity at the sole discretion of the School Administrator acting within the law.

The School Administrator shall include in the monthly report to the Board all cash in all accounts on deposit as well as the investment assets of the Board. This report shall disclose credit risk, concentration of credit risk, investment risk and foreign currency risks to Board investments in accordance with Generally Accepted Accounting Principles.

Annually the Board may adopt a resolution at its annual organization meeting, authorizing electronic fund transfers and the treasurer or the Electronic Transfer Officer (ETO) as authorized agent(s) to complete such transactions on behalf of the Board. The Automatic Clearing House (ACH) authorizing resolution shall include all of the following:

- A. That an officer or employee designated by the treasurer or ETO is responsible for the local unit's ACH agreements, including payment approval, accounting, reporting, and generally for overseeing compliance with the ACH policy.
- B. That the officer or employee responsible for disbursement of funds shall submit to the local unit documentation detailing the goods or services purchased, the cost of the goods or services, the date of the payment, and the department levels serviced by payment. This report can be contained in the electronic general ledger software system of the local unit or in a separate report to the governing body of the local unit.
- C. A system of internal accounting controls to monitor the use of ACH transactions made by the local unit.
- D. The approval of ACH invoices before payment.
- E. Any other matters the treasurer or ETO considers necessary

(NOTE: Investment professionals utilized by the School should be advised of and consulted on this policy.)

Adopted 5/7/02
Revised 2/13/06; 9/14/09; 11/8/10

POST-ISSUANCE COMPLIANCE FOR TAX-EXEMPT AND TAX-ADVANTAGED OBLIGATIONS

Reference: Internal Revenue Code of 1986, as amended
Treasury Regulations
SEC Rule 15c2-12

The Board of Directors may, from time to time, finance its capital improvements and operations through the issuance of debt obligations that are eligible for tax benefits under the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder ("Treasury Regulations"). Such obligations may include tax exempt obligations and/or obligations eligible for tax credits (direct subsidies to the School District or tax credits to bond owners). All such tax-exempt obligations or tax advantaged obligations are referred to herein as "Obligations," whether in the form of general obligation bonds, revenue bonds, bond anticipation notes, tax anticipation notes, lease-purchase obligations, installment-purchase obligations or otherwise.

The Board recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of the Obligations, and is an integral component of the Academy's debt management. Accordingly, the analysis of those facts and implementation of this Policy and Administrative Procedures will require on-going monitoring and consultation with an attorney experienced in legal work relating to the issuance of tax-exempt obligations or tax advantaged obligations ("Bond Counsel") and the Academy's accountants.

A. Investment and Expenditure of Proceeds

The Academy's system of internal controls and accounting will be capable of tracking the investment and expenditure of proceeds of Obligations and other amounts subject to special requirements, and the allocation of such proceeds and other amounts to Academy facilities. Appropriate coding will be developed to identify Academy facilities (or portions thereof) financed or refinanced by Obligations. Such Administrative Procedures will ensure that such proceeds are expended only for the purposes authorized by the resolution and, as applicable, referendum, pursuant to which such Obligations were issued and in compliance with the Tax Certificate relating to the Obligations or other instructions of Bond Counsel.

B. Financed Facilities

The Academy will track the use of facilities (or portions thereof) financed or refinanced by Obligations in the private trades or businesses of non-governmental persons. Arrangements for the sale, disposition, lease, sublease, management or other use of more than 1% of facilities financed or refinanced by Obligations with a term of (i) less than 200 days will be subject to prior review and approval by the Board, and (ii) equal to or greater than 200 days will be subject to prior review and approval by the Board and Bond Counsel. The School Administrator will track the aggregate annual private use (if any) of facilities financed or refinanced by Obligations.

C. Periodic Review

The Academy will periodically review compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations. Such reviews will include final allocations of proceeds not later than 18 months after completion of facilities financed or refinanced with proceeds of Obligations and annual reviews to ensure private business use of such facilities does not exceed allowable levels. Such annual review will be conducted in connection with the preparation of the Academy's audited financial statements.

D. Potential Non-Compliance

If the Board, upon any annual review or otherwise, discovers non-compliance with any requirements of the Code or Treasury Regulations necessary to preserve the tax advantages of such Obligations, the Board will, after consultation with the Academy's attorney and Bond Counsel, take necessary actions to remedy any such non-compliance.

E. Retention of Professionals; Rebate Analyst

The Academy will engage such professionals or consultants as are necessary, in the judgment of the School Administrator to ensure that the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations are timely met, including, without limitation, the requirement to compute and pay rebatable arbitrage to the United States government or to confirm an exception thereto. The School Administrator will ensure that all information reports or other returns or filings with the United States Department of Treasury or Internal Revenue Service timely will be filed on behalf of the Academy.

F. Purchase of Investments

All investments of the proceeds of Obligations will be purchased at fair market value, as defined in the Code and Treasury Regulations, and will comply with the requirements of the Code and Treasury Regulations relating to yield restriction as advised by Bond Counsel.

G. Credit Enhancement Transactions

The School Administrator will consult with Bond Counsel prior to engaging in any post-issuance credit enhancement transactions (i.e., bond insurance or letters of credit) or hedging transactions (i.e., interest rate swaps, caps, etc.) relating to any Obligation.

H. Subsidy Payments

The School Administrator will implement proper Administrative Procedures to ensure that any federal subsidy payable in respect of any direct-pay tax credit bonds is timely transmitted to the appropriate account of the Academy including the timely filing of any required return or other documentation.

I. Post-Issuance Modifications

The School Administrator will consult with Bond Counsel prior to any modification of the interest rate, maturity date, or other material terms of any Obligation.

J. Records Retention

The Academy will retain records sufficient to demonstrate compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations for the period required by law, presently understood to be the life of the Obligations or any succeeding refunding Obligation plus three (3) years.

K. Continuing Disclosure

The School Administrator will implement proper Administrative Procedures to ensure that the Academy complies with any undertakings to provide continuing disclosure in accordance with the Rule, including annual filing of operating and financial information and notices of listed "material events."

L. Training and Education

The Board authorizes the School Administrator and any other person assigned responsibilities under this Policy and the Administrative Procedures/Guidelines to attend educational seminars and conferences providing training and education on post-issuance compliance issues at least once a year and will pay the authorized expenses of such person.

Adopted 3/11/13

STUDENT FEES, FINES, AND SUPPLIES

Fees

The Board of Directors may assess certain charges to students to cover the costs for extra-curricular and noncredit activities. Such charges might be made for expendable items such as magazines, workbook materials, paperback selections, and laboratory supplies and materials for clubs, independent study or special projects, transportation costs and admission/participation fees for School-sponsored trips and activities.

No student, however, shall be deprived of participation in any mandatory school activity or required curriculum activity due to a lack of financial ability to pay. Fees will not be charged for such activities. Extra-curricular activities for which fees will be charged may not be used in determining credit or grades in any course.

A fee shall not exceed the combined cost of the service(s) provided and/or materials used. An accurate accounting of all fees collected and all fees expended shall be provided to the School Administrator or his/her designee for each fee based activity at the conclusion of the activity, along with remission of any fees not expended.

Fines

When school property, equipment, or supplies are damaged, lost, or taken by a student, whether in a regular course of extra-curricular offering, a fine will be assessed. The fine will be reasonable, seeking only to compensate the school for the expense or loss incurred.

The late return of borrowed books or materials from the school libraries will be subject to appropriate fines. Failure to pay the fines may result in loss of privileges.

Supplies

The School will provide all basic supplies needed by the student to complete the required course curriculum. The student and/or his/her family may choose to purchase their own supplies if they desire to have a greater quantity or quality of supplies, or if they desire to help conserve the limited resources for use by others. The teacher or appropriate administrator may recommend useful supplies for these purposes.

Adopted 05/07/02
Revised 08/08/05

FISCAL PLANNING

The Board of Directors shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the School and to plan for the financial needs of the educational program. The Board will strive toward maintaining both short and long-range projections of School financial requirements.

Accordingly, the Board directs the School Administrator to:

- A. prepare long range plan for cost of maintaining alignment of School's curriculum with Michigan Curriculum Frameworks as well as materials such as; textbooks, computer software, computer replacement and professional development.
- B. include cost estimates in all ongoing financial requirements;
- C. prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment;
- D. report to the Board any serious financial implications that emerge from the School's ongoing fiscal planning.

In addition, the Board directs the School Administrator to maintain annually a detailed forecast of estimated expenditures and revenues.

Revised 9/13/04

BUDGET PREPARATION

Reference: M.C.L.A. 141.434 et seq.

The School's operation and educational plan is reflected in its budgets. Each year, the Board of Directors will cause to have prepared and then review and approve the following Fund budgets:

- A. General Fund
- B. Food Service
- C. Fixed Assets

Each budget shall be designed to carry out School operations in a thorough and efficient manner, maintain School facilities properly, and honor continuing obligations of the Board.

The Board shall ensure that adequate funds are reserved for the General Fund to maintain a secure financial position. Whereby the fund equity shall not fall below 5% of the preceding year's expenditures.

A proposed budget requires the critical analysis of every member of the Board prior to approval; once adopted, the budget deserves the support of all members of the Board regardless of their position before its adoption.

The Board directs the School Administrator to present the budgets to the Board along with all available information associated with each budget in sufficient time to allow for proper analysis and discussion prior to the hearing.

When presented to the Board for review and/or adoption, the information shall include, as appropriate:

- A. the number and category of staff members for the current and the ensuing year;
- B. the proposed expenditure and revenue in each financial category for the ensuing year;
- C. the anticipated expenditure and revenue in each financial category for the current year;
- D. the actual expenditure, the approved budget, and the revenue in each financial category for the previous year;
- E. an estimate of the student enrollment by grades for the ensuing year;

- F. the amount of fund equity anticipated at the end of the current year;
- G. an appropriations resolution.

BUDGET HEARING

Reference: M.C.L.A. 141.411 et seq.

The annual budget adopted by the Board of Directors represents the Board's position on the allocation of resources required to operate an appropriate system of education. All reasonable means shall be employed by the Board to present and explain that position to all interested parties. The public budget hearing will be conducted in accordance with law.

Each member of the Board and the School Administrator shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The budget approved by this Board will be made available to the public in the form and at the places required by law. A simplified form of the budget may also be prepared annually and may be sent to appropriate parties and distributed to each person attending the annual budget hearing.

A simplified budget may include the expenditure in each major category of current expense for the current year and the coming year and a summary of anticipated receipts as well as a brief explanation of significant increases and decreases from the preceding budget.

The final adoption of the proposed annual budget shall be made by the Board after completion of the public hearing.

BUDGET IMPLEMENTATION

Reference: M.C.L.A. 141.436 et seq.

The Board of Directors places the responsibility of administering the budget, once adopted, with the School Administrator. S/He shall keep the Board informed as to problems or concerns as the budget is being implemented.

The School Administrator shall be authorized to proceed with making financial commitments, purchases, and other expenditures within limits provided in the budget, limitations stated in Board policies, and within legal authority expressed in State statutes.

Listings of expenditures, appropriate financial reports, and budget comparison reports shall be submitted monthly to the Board to keep members informed as to the status of the budget and overall financial condition of the School.

If, during the fiscal year, it appears to the School Administrator that actual revenues are less than estimated revenues, including the available equity upon which the appropriations from the fund were based, the School Administrator shall present to the Board recommended amendments to the General Appropriations Act that will prevent expenditures from exceeding revenues. Such recommendations shall be in accordance with requirements of the law and provisions of negotiated agreements.

PURCHASING

Reference: MCL 380.1267, 380.1274 et seq.

Each year the State of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.

It is the policy of the Board that the School Administrator seek informal price quotations on purchases in excess of \$20,000.

Purchases in a single transaction that are in excess of the dollar amount permitted by State statute shall require competitive bids and, whenever possible, have at least three (3) such bids for substantiation of purchase and shall require approval of the Board prior to purchase.

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to MCL 18.1263.

Competitive bids are not required for food purchases, unless food purchased in a single transaction costs \$100,000 or more.

Bids shall be sealed and shall be opened by the School Administrator in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:

- A. the quality of the item(s) to be supplied;
- B. its conformity with specifications;
- C. suitability to the requirements of the school;
- D. delivery terms;
- E. past performance of vendor.

In addition to the factors above, the Board may consider and provide a preference to bidders

- A. which use a Michigan-based business as the primary contractor.
- B. which use one (1) or more Michigan-based business as subcontractors.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under MCL 18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

- A. have filed a Michigan business tax return showing an allocation of income tax base to Michigan
- B. have filed a Michigan income tax return showing income generated in or attributed to Michigan

- C. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

The Board reserves the right to reject any and all bids.

Contracts may be awarded by the School Administrator without Board approval for any single item or group of identical items costing less than \$10,000. All other contracts require Board approval prior to purchase.

The Board shall be informed of the terms and conditions of all competitive bids and shall award contracts as a consequence of such bids.

The School Administrator is authorized to purchase all items within budget allocations.

The Board should be advised, for prior approval, of all purchases of equipment, materials, and services when the purchase was not contemplated during the budgeting process.

The School Administrator is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the school in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

In order to promote efficiency and economy in the operation of the school, the Board requires that the School Administrator periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the School Administrator shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the school. All purchase orders shall be numbered consecutively.

Procurement – Federal Grants

The School Administrator (as employed by the Board) shall maintain a procurement and contract administration system in accordance with the USDOE requirements (34 CFR 80.36) for the administration and management of Federal grants and federally-funded programs. The Academy shall maintain a compliance system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines (AG 6320).

Revised 5/10/10; 3/11/13

NEW SCHOOL CONSTRUCTION, RENOVATION

Reference: MCL 380.1267

Before beginning construction of a new school building, or addition to or repair or renovation of an existing school building, except repair in emergency situations, the Board, shall obtain competitive bids on all the material and labor required for the complete construction of a proposed new building or addition to or repair or renovation of an existing school building which exceeds the State statutory limit (\$20,959 for 2009)..

This policy does not apply to buildings, renovations, or repairs costing less than the statutory limit or to repair work normally performed by School employees.

The Board shall advertise for the bids required under subsection

- A. by placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the department of management and budget website on a page on the website maintained for this purpose or on a website maintained by a school organization and designated by the department of management and budget for this purpose.
- B. If the department of management and budget designates a school organization website for this purpose, the department of management and budget shall indicate this fact on its website and include a link on its website to the school organization website.
- C. The advertisement for bids shall do all of the following:
 - 1. Specify the date and time by which all bids must be received by the Board at a designated location.
 - 2. State that the Board will not consider or accept a bid received after the date and time specified for bid submission.
 - 3. Identify the time, date, and place of a public meeting at which the Board or its designee will open and read aloud each bid received by the Board by the date and time specified in advertisement.
 - 4. State that the bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Board or the School Administrator of the School. A Board shall not accept a bid that does not include this sworn and notarized disclosure statement.
- D. The Board shall require each bidder for a contract under this policy, to file with the Board security in an amount not less than 1/20 of the amount of the bid conditioned to secure the School from loss or damage by reason of the withdrawal

of the bid or by the failure of the bidder to enter a contract for performance, if the bid is accepted by the Board.

- E. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids as described in subsection three (3) of this policy
- F. At a public meeting identified in the advertisement for bids described in subsection three (3) of this policy, the Board or its designee shall open and read aloud each bid that the Board received at or before the time and date for bid submission specified in the advertisement for bids. The Board may reject any or all bids, and if all bids are rejected, shall re-advertise in the manner required by this policy.

The Board may consider and provide a preference to bidders:

- 1. which use a Michigan-based business as the primary contractor.
- 2. which use one (1) or more Michigan-based business(es) as subcontractors.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under MCL18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

- 1. have filed a Michigan business tax return showing an allocation of income tax base to Michigan
- 2. have filed a Michigan income tax return showing income generated in or attributed to Michigan
- 3. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

- G. This policy does not apply to buildings, renovations, or repairs costing less than \$20,959 or to repair work normally performed by School employees. The competitive bid threshold amount specified in this policy (\$20,959 for 2009) shall be adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the 12 months ending August 31 of the year in which the adjustment is made differs from that index's average for the 12 months ending on August 31 of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar.

Adopted 2/13/06
Revised 5/10/10

PROCUREMENT – FEDERAL GRANTS/FUNDS

Reference: 2 C.F.R. 200.317 - .326

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or Academy matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board policies, and administrative procedures.

The Educational Service Provider shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326) for the administration and management of Federal grants and Federally-funded programs. The Educational Service Provider shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Academy's documented general purchasing Policy 6320 and AG 6320.

All Academy employees, whether employed by the Board or by an Educational Service Provider, all officers of the Academy, and all agents of the Academy who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, whether employed by the Board or by an Educational Service Provider, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3110 and Policy 4110 – Conflict of Interest.

The Academy will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the Academy may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

Competition

All procurement transactions shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgement. In order to promote objective contractor performance and eliminate unfair competitive advantage, the Academy shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. Unreasonable requirements on firms in order for them to qualify to do business;
- B. Unnecessary experience and excessive bonding requirements;
- C. Noncompetitive contracts to consultants that are on retainer contracts;

- D. Organizational conflicts of interest;
- E. Specification of only a “brand name” product instead of allowing for an “or equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- F. Any arbitrary action in the procurement process.

Further, the Academy does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; or (2) the Academy is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the Academy uses a pre-qualified list of persons, firms or products to acquire goods and services, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The Academy allows vendors to apply for consideration to be placed on the list continuously.

Solicitation Language

The Academy shall require that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offers shall fulfill and all other factors to be used in evaluating bids or proposals.

The Academy will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The Academy shall utilize the following methods of procurement:

- A. **Small Purchases:** Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of the State allowed amount. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.
- B. **Sealed Bids:** Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to the amount allowed by Michigan statute

and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Michigan statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

1. A complete, adequate, and realistic specification or purchase description is available;
2. Two (2) or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

1. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
2. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
3. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
4. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.
5. The Board reserves the right to reject any or all bids for sound documented reason.

- C. **Competitive Proposals:** Procurement by competitive proposal, normally conducted with more than one source submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. (See Policy 6320 for competitive bid procedures.)

If this method is used, the following requirements apply:

1. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response

to the publicized requests for proposals shall be considered to the maximum extent practical.

2. Proposals shall be solicited from an adequate number of sources.
3. The Academy shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
4. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Academy may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E that firms are a potential source to perform the proposed effort.

D. **Noncompetitive Proposals:** Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation
3. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Academy
4. After solicitation of a number of sources, competition is determined to be inadequate

Contract/Price Analysis

The Academy shall perform a cost or price analysis in connection with every procurement action in excess of \$150,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Academy shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the Academy shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the

complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Time and Materials Contracts

The Academy uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the Academy is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Academy sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Academy shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The Academy will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the Academy and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Academy shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Educational Service Provider shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The Academy is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the Academy that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 CFR Part 180 Subpart G).

Debarment is an action taken by the Educational Service Provider to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred. (2 CFR Part 180 Subpart H).

The Academy shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the Academy shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 CFR Part 180 Subpart C).

Bid Protest

The Academy maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Educational Service Provider within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Educational Service Provider shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The Academy maintains records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

PREVAILING WAGE COORDINATOR

Reference: M.C.L.A. 408.551 et seq.

It is the purpose of this policy to comply with State and Federal regulations concerning prevailing wage rate.

The Michigan Department of Consumer and Industry Services; Wage and Hour Division will determine the prevailing wage rate in the locality where the work is to be performed.

The School Administrator shall designate a Prevailing Wage Coordinator for this School.

The Prevailing Wage Coordinator will submit to the School Administrator, for Board of Directors approval, procedures for monitoring compliance with prevailing wage laws. S/He will request the Michigan Department of Consumer and Industry Services; Wage and Hour Division to establish the prevailing wage rate in this School for school construction or renovation projects. A schedule of those wages must be attached to the specifications for the work, and printed on any bidding blanks. A copy of the bidding blank must be filed with the Michigan Department of Consumer and Industry Services; Wage and Hour Division prior to the award of any contract. Thereafter, any contract which is awarded must include a provision that each laborer, workman, or mechanic employed by the contractor will be paid at a rate not less than the prevailing wage rate. On the first pay date, the contractors and subcontractors must provide each employee with written notification of his/her job classification and the prevailing wage rate for his/her job classification, unless the employee is covered by a collective bargaining agreement.

CONFLICT OF INTEREST - LEGAL COUNSEL, ADVISORS, OR CONSULTANTS

Reference: M.C.L. 380.1203

A person serving as the legal counsel to the School or otherwise acting as an advisor or consultant to the Board of Directors, who believes or has reason to believe that the s/he has a conflict of interest with regard to a contract or other financial transaction that requires the approval of the Board shall disclose the conflict of interest to the Board before the vote on the contract or other financial transaction.

Such a person is presumed to have conflict of interest if the person or his/her family member has financial interest, or a competing financial interest in the contract or other financial transaction under consideration by the Board.

"Family member" means a person's spouse or spouse's sibling or child; a person's sibling or sibling's spouse or child; a person's child or child's spouse; or a person's parent or parent's spouse; and includes these relationships as created by adoption or marriage.

Having a child in the School does not alone constitute a conflict of interest or financial interest in a contract or other financial transaction of the School.

See Bylaw 0144.3

Adopted 2/10/14

USE OF CREDIT/DEBIT CARDS

The Board of Directors recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

The Board, therefore, authorizes the use of School credit/debit cards. The authorization, handling, and use of credit/debit cards have been established to provide a convenient and efficient means to purchase goods and services. Credit/Debit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms credit/debit cards shall be used only for those expenditures incurred for Board-approved or School-related activities or for those expenditures that serve the benefit of the School and a valid public purpose. Under no circumstances shall credit/debit cards be used for personal purchases or the purchase of alcoholic beverages, even if the purchase of such beverages is made in connection with a meal.

The School Administrator shall develop Administrative Guidelines that specify persons authorized to use School credit/debit cards, the types of expenses that can be paid by credit/debit cards, and the proper supervision and use of such cards. Inappropriate or illegal use of the credit/debit card and/or failure to strictly comply with the limitations and requirements set forth in the Administrative Guidelines may result in a loss of credit/debit card privileges; disciplinary action, up to, and including, termination; personal responsibility to reimburse any and all inappropriate charges (including finance charges and interest) assessed in connection with the purchase; and/or possible referral to law enforcement authorities for prosecution.

The School Administrator shall annually request the Board to approve the position titles authorized to use School credit/debit cards in the conduct of School business.

The School Administrator shall be responsible for supervising and giving direction to employees authorized to use School credit/debit cards.

Adopted 12/1/08

DISTRICT ISSUED PURCHASING CARD

Reference: pa 266 of 1996

The only district-issued credit card authorized for use is a Purchase Card.

The total combined authorized credit limit of all credit cards issued by the district shall not exceed five (5) percent of the total budget of the district for the current fiscal year. The School Administrator shall be responsible for the issuance monitoring, retrieval, and generally overseeing the use of district purchasing cards by employees.

Issuance

District employees may be issued a district credit card, which shall be used solely for the purchase of goods and/or services needed for official business of the district.

Documentation

When an employee uses a district credit card, documentation shall be provided to the appropriate administrator detailing the goods or services purchased, the cost of such goods or services, the date of purchase, and the purpose for which such goods or services were purchased.

Payment

All district credit card invoices shall have appropriate administrator approval prior to payment.

Lost Credit Cards

Each employee issued a district credit card is responsible for the custody of said card. If a credit card is lost or stolen, the superintendent, or his/her designee, shall be notified immediately.

Return of Credit Cards

A district employee shall return the district credit card to the superintendent, or his/her designee, upon termination of employment.

Misuse and/or Unauthorized Use

An employee who violates a provision of this policy shall be subject to disciplinary action as determined by the superintendent. If the superintendent violates a provision of this policy, he/she shall be subject to disciplinary action as determined by the board.

Adopted 11/12/07

COOPERATIVE PURCHASING

Reference: M.C.L.A. 124.1 et seq.

The Board of Directors recognizes the advantages of centralized purchasing in that volume buying tends to maximize value for each dollar spent. The Board, therefore, encourages the administration to seek advantages in savings that may accrue to this School through joint agreements for the purchase of supplies, equipment, or services with the governing body(ies) of other governmental units.

The Board authorizes the School Administrator to negotiate such joint purchase agreements for services, supplies, and equipment which may be determined to be required from time to time by the Board and which the Board may otherwise lawfully purchase for itself, with governmental contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

Cooperative or joint purchases require an agreement approved by the Board and the participating contracting body(ies) which shall specify the categories of equipment and supplies to be purchased; the manner of advertising for bids and of awarding contracts; the method of payment by each participating party and such other matters as may be deemed necessary to carry out the purposes of the agreement. Such agreements are subject to all legal bidding requirements.

VENDOR RELATIONS

Reference: M.C.L.A. 15.321 et seq.

The Board of Directors shall not enter a contract knowingly with any supplier of goods or services to this School under which any Board member or officer, employee, or agent of this School has any pecuniary or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any textbook of which s/he is the author and which has been properly approved for use in the schools of this School.

For the purpose of this policy "beneficial interest" shall be determined in accordance with M.C.L.A. 15.321 et seq.

Board members and school personnel shall not accept any gifts or favors from vendors which might, in any way, influence their recommendations on the eventual purchase of equipment, supplies, or services.

All sales persons, regardless of product, shall clear with the School Administrator's Office before contacting any teachers, students, or other personnel of the School. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with policies of the Board on the basis of quality, price, and delivery with past service a factor if all other considerations are equal.

PAYMENT OF CLAIMS

Reference: MCL 380.1274

The Board of Directors directs the prompt payment of legitimate claims by suppliers of goods and services to the Academy.

Each bill or obligation of this Board must be fully itemized and verified before a warrant can be drawn for its payment.

When an invoice is received, the School Administrator shall verify the following: a voucher is submitted properly; acceptable goods were received or satisfactory services rendered; the expenditure is included in the Board's budget and funds are available for its payment; and the amount of the invoice is correct.

The School Administrator is authorized to approve electronic funds transfers (EFTs) in the completion of prompt payment of legitimate claims. Such payments shall comply with the provisions of Policy 6107 and Michigan Statute.

All payments shall be submitted for Board review in the form of a list, including the vendor's name; the number and amount of the payment check; and a description of the item.

Revised 2/10/14

PAYROLL AUTHORIZATION

Reference: M.C.L. 408.476

The most substantial payment of public funds for the operation of the School is that which is made to the employees of the Board of Directors for services rendered. To ensure that each person so compensated is validly employed by this School and that the compensation remitted fairly represents the services rendered, this policy is promulgated.

Employment of all School personnel whether by the year, term, month, week, day, or hour in contract, temporary, or substitute form must be approved by the Board, except where authority to appoint certain personnel of the School has been delegated to the School Administrator.

Each motion of the Board to employ or reemploy a staff member shall include the name of the individual, the position title, and the compensation to be paid as prescribed in a negotiated, collective-bargained agreement, or determined by a wage guideline.

Direct Deposit - Payroll Debit Card

Payment of wages may be by use of direct deposit or payroll debit card.

Employees' selection between payment by direct deposit or electronic transfer and any subsequent change in election shall be done freely, without intimidation, coercion, or fear of discharge or reprisal for the choice.

The Board shall pay any fees or costs incurred in connection with paying wages or establishing a process for paying wages by direct deposit and payroll debit card.

Revised 4/16/12

PAYROLL DEDUCTIONS

Reference: MCL 380.1224, 408.477; 423.210 (2012 P.A. 53)
Michigan OAG 7187 (2006)
Michigan Education Ass'n v. Sec. of State. (on rehearing) 489 Mich.194 (2011)

The Board of Directors authorizes in accordance with the provisions of law cited herein that deductions be made from an employee's paycheck upon proper authorization on the appropriate form for the following purposes:

- A. Federal and State income tax
- B. Social Security
- C. municipal income tax
- D. Public School Employees Retirement System
- E. Michigan Public School Employment Retirement System (MPERS) Tax Deferred Payment (TDP) plan
- F. payment of group insurance premiums for a plan in which at least ten percent (10%) of the School employees participate
- G. payment for benefits of part-time employees who elect to participate in benefits provided to full-time staff
- H. court ordered judgments

Deductions are not allowed for dues or service fees for a labor organization or for contributions to political action committees. [Note: The prohibition on deduction of union dues or services fees is effective as of March 16, 2012, unless a collective bargaining agreement was in effect as of that date, then it becomes effective with the date of expiration, renewal or extension of that bargaining agreement.]

To the extent permitted by law and in accordance with procedures set forth below, the Board declares its willingness to enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the Board's agreement to use a corresponding amount to purchase an annuity for such employee (or group of employees desiring the same annuity company) from any company authorized to transact the business as specified in law in accordance with Section 403(b) of the Internal Revenue Code, and in accordance with the School's administrative guidelines. However, it shall be clearly understood that the Board's only function shall be the deduction and remittance of employee funds.

In any case where the employee designates the agent, broker or company through whom the board shall arrange for the placement or purchase of the tax-sheltered annuity, the agent, broker or company must execute a reasonable service agreement, an information sharing agreement, and/or other similar agreements as determined at the discretion of the School. The service agreement shall include a provision that protects, indemnifies, and holds the School harmless from any liability attendant to procuring the annuity in accordance with provisions of the Internal Revenue Code and other applicable Federal or State law.

The board may limit the number of participating providers and select approved providers.

Said agreement shall comply with all of the provisions of law and may be terminated as said law provides upon notice in writing by either party. Employees shall notify the School Administrator's Office in writing if they wish to participate in such a program.

Revised 2/10/03; 12/1/08; 2/10/14

RECOGNITION

Reference: M.C.L.A. 380.634

The purpose of this policy is to permit the Board of Directors to honor its staff, former Board members, and other nonemployee persons with plaques, pins, token retirement gifts and awards, and other amenities.

The Board may, upon recommendation of the School Administrator, consider, as appropriate, the presentation of token gifts to such individuals and groups who have rendered service to the School for a period of time. The use of public funds for the purchase of a plaque, medal, trophy, or other award for the recognition of an employee, volunteer, or student may not exceed \$100.00 per recipient. [NOTE: Recommend no more than the amount established for Intermediate School Districts under new legislation \$100.00.]

Public funds under the control of the School may NOT be used to purchase alcoholic beverages, jewelry, gifts, fees for golf, or any item whose purchase or possession is illegal. Any such expenditure violates this policy.

Beginning January 1, 2005, the monetary amount for recognition awards will be adjusted annually by the State. On or before December 15th of each year, the State will, upon request, provide the adjusted limit or, if the index is unavailable, the State will provide a reasonable approximation.

The Board authorizes expenses incurred as listed above when they do serve a public purpose. Public purposes include, but are not limited to, the promotion of education, rapport with the business community, community relations, and the encouragement of nonemployees to serve as volunteers as well as furthering other interest.

Adopted 05/07/02
Revised 01/09/06

FAIR LABOR STANDARDS ACT (FLSA)

Reference: 29 U.S.C. 201 et seq.
29 C.F.R. Part 541

It is the Board of Director's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and its implementing regulations. The Board will pay at least the minimum wage required by the FLSA to all covered, non-exempt employees. Non-exempt employees are hourly employees, or salaried employees who do not qualify for a professional, administrative, computer or executive exemption under the FLSA. Teachers are generally exempt, even if they are paid on an hourly basis.

Non-exempt employees who work more than forty (40) hours in a given work week will receive overtime pay in accordance with the FLSA for all hours worked in excess of forty (40).

Non-exempt employees who work overtime without prior approval from the School Administrator or a supervisor may be subject to disciplinary action up to and including termination.

The work week is established as (Day/time) to (Day/time)

To the extent that an employee's individual contract or collective bargaining agreement provides for greater benefits than mandated by the FLSA, the contract or bargaining agreement will be honored.

Notwithstanding the fact that exempt school employees continue to meet the salary basis requirements and are not disqualified from exemption even if the employee's pay is reduced or the employee is placed on a leave without pay for absences for personal reasons or because of illness or injury of less than one (1) work-day because accrued leave is not used for specific reasons, the Board reserves the right to make deductions from the pay of otherwise exempt employees under the following circumstances:

- A. the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability
- B. the employee is absent from work for one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness
- C. to offset amounts employees receive as jury or witness fees, or for military pay

- D. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions
- E. For penalties imposed in good faith for infractions of safety rules of major significance.

The Board shall also not be required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family & Medical Leave Act.

The Board recognizes that with limited legally permissible exceptions, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that an improper deduction has been made to his/her salary, the employee should immediately report this information to the School Administrator, or his/her immediate supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made, and the Board will make a good faith commitment to avoid any recurrence of the error.

Information regarding the Fair Labor Standards Act may be found on the U.S. Department of Labor's website <www.dol.gov>.

This policy is intended to comply with and explain the employees' rights under the Fair Labor Standards Act. To the extent there is any conflict, or the policy exceeds the statutory requirements, the statute and its implementing regulations prevail.

The Board directs the School Administrator or his/her designee to distribute this policy to all employees upon initial hire and on an annual basis.

The School Administrator is directed to prepare administrative guidelines to implement this policy.

Adopted 2/13/06

SYSTEM OF ACCOUNTING

Reference: M.C.L.A. 41.422 et seq., 141.421 et seq., 380.503
A.C. Rule R340.351 et seq.

It is the policy of the Board of Directors that a chart of accounts be established in accordance with the requirements of the State Department of Education for the accounting of all School funds. The School Administrator is responsible for an accounting of all capital assets to protect the financial investment of the School against catastrophic loss. Further, the School Administrator will establish procedures and regulations necessary to properly account for capital assets and comply with generally accepted accounting principles (GAAP) and ensure that the School's capital assets are properly insured.

The School Administrator shall be responsible for the proper accounting of all School funds. S/He shall ensure that expenditures are budgeted under and charged against those accounts which most accurately describe the purpose for which such monies are to be or have been spent. Wherever appropriate and practicable, salaries of individual employees, expenditures for single pieces of equipment, and the like shall be prorated under the several accounts which most accurately describe the purposes for which such monies are to be or have been spent.

The School Administrator is responsible to implement procedures and practices that will determine: 1) Capitalization policies for School assets (i.e., which assets will be capitalized and depreciated over their estimated useful life versus which assets will be expensed in year of purchase); 2) Methods for calculating annual and accumulated depreciation expense for assets including estimates for asset lives, residual asset values, and depreciation methodology; 3) Procedures for recording gain or loss on sale of capital assets and proceeds from the sale of capital assets in compliance with GAAP Reporting of estimated cash values or replacement values to School insurance providers.

A report of the revenues and expenditures in the General Fund shall be made to the Board on a monthly basis by the School Administrator.

The Board's annual financial statements will include information such as: 1) beginning and ending balances of capital assets; 2) beginning and ending balances of accumulated depreciation, 3) total depreciation expense for the fiscal year.

Such reporting shall include description of significant capital asset activity during the fiscal year including: acquisitions through purchase or donation, sales or dispositions including the proceeds and gains or losses on the sale, changes in methods of calculating depreciation expense or accumulated depreciation, such as, estimates of useful life, residual values, depreciation methodology (e.g. straight line or other method).

Before implementing procedures or changing procedures, the School Administrator will review the proposed procedure with the CPA appointed by the Board of Directors to conduct the Board's financial audit. The procedures established shall comply with all statutorily required standards and generally accepted accounting procedures.

Revised 2/10/03

PUBLIC DISCLOSURE AND REPORTING

Reference: MCL 4.415, 388.1618, 388.1619, 388.1651a, 15.231 to 15.246, 380.1204a(1)
20 USC 6311

Within thirty (30) days after the Board of Directors adopts its annual operating budget for the following school fiscal year, or adopts a subsequent revision to that budget, the School shall make all of the following available through a link on its Web site home page in a form and manner prescribed by the State Department of Education:

- A. the annual operating budget and subsequent budget revisions
- B. using data that have already been collected and submitted to the department, a summary of School expenditures for the most recent fiscal year for which they are available, expressed in the following two (2) pie charts:
 1. a chart of personnel expenditures, broken into the following subcategories:
 - a. salaries and wages
 - b. employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits
 - c. retirement benefit costs
 - d. all other personnel costs
 2. a chart of all School expenditures, broken into the following subcategories:
 - a. instruction
 - b. support services
 - c. business and administration
 - d. operations and maintenance
 3. links to all of the following:
 - a. the current collective bargaining agreement for each bargaining unit within the School
 - b. each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the School

- c. the audit report of the audit for the most recent fiscal year for which it is available
- d. the total salary and a description and cost of each fringe benefit included in the compensation package for the School Administrator of the School and for each employee of the School whose salary exceeds \$100,000.00
- e. the annual amount spent on dues paid to associations
- f. the annual amount spent on lobbying or lobbying services

As used in this subdivision, "lobbying" means that term as defined in Section 5 of 1978 PA 472, MCL 4.415.

The Board shall have an audit of the School's financial and pupil accounting records conducted at least annually at the expense of the School.

The School's annual financial audit shall include an analysis of the financial and student accounting data used as the basis for distribution of State school aid. The student accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the State Department of Education.

Not later than 120 days after the end of each school fiscal year, the School shall file its annual financial audit report with all appropriate agencies.

The annual financial audit reports and student accounting procedures reports shall be available to the public in compliance with the Freedom of Information Act.

By November 15th of each year, the School shall submit to the Center for Educational Performance Information (CEPI), in a manner prescribed by the CEPI, annual comprehensive financial data consistent with accounting manuals and charts of accounts approved and published by the Department. This submission shall contain the School's web address where the required financial data is posted. The School shall also include a link on its websites to the website where the State Department of Education posts this financial information.

By September 30th of each year, the School shall file with the State Department of Education the special education actual cost report on a form and in a manner as prescribed by the State Department of Education.

The School shall provide to the State Department of Education an annual progress report on the implementation of school improvement plans, curriculum, and accreditation as required by "Public Act 25 of 1990."

The School shall comply with the reporting requirements under State and Federal law, including reports to the center for educational performance and information (CEPI), as set forth by State law and as directed by CEPI. This shall include by:

- A. June 30th of each year, providing CEPI with information related to safety practices and criminal incidents;
- B. the first business day in December and June 30th of each year, providing CEPI with requested information related to educational personnel;
- C. not later than five (5) weeks after the student membership count day, providing CEPI in a manner prescribed by the CEPI, the information necessary for the preparation of the high school graduation report;
- D. October 7th of each year, providing CEPI with the transportation expenditure report.

Adopted 3/14/11

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	L
7540.04	Staff Education Technology Acceptable Use and Safety	L
7540.05	Electronic Mail	
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

WEAPONS

Reference: 18 USC. 922
MCL. 28.425o, 123.1101, 750.222
20 USC 4141(g)

The Board of Directors prohibits visitors from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school sponsored event, or in a Board-owned vehicle.

The Board has a constitutional and statutory obligation to provide a free and appropriate education to all students who qualify. This includes the obligation to provide a safe and secure learning environment. The presence of dangerous weapons on school property or at school sponsored events, except under very controlled circumstances, creates a potentially dangerous situation for students, staff and visitors, and may trigger precautionary safety responses which disrupt the educational process and learning environment for students.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, and/or endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including spring, air and gas powered guns, (whether loaded or unloaded) that will expel a BB, pellet or paintballs, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives, or any other weapon described in 18 USC 921.

This prohibition applies regardless of whether the visitor is otherwise authorized by law to possess the weapon, including if the visitor holds a concealed weapons permit.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel;
- B. items approved by a School Administrator as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved (explosives, knives, and working firearms and ammunition prohibited by law shall never be approved);
- C. theatrical props used in appropriate settings;
- D. starter pistols used in appropriate sporting events.

The Educational Service Provider, shall refer a visitor who violates this policy to law enforcement officials and may take any steps necessary to exclude the visitor from Academy property and Academy-sponsored events.

Adopted 1/12/04
Revised 9/11/06; 9/14/09; 3/14/16; 8/7/17

GIFTS, GRANTS, AND BEQUESTS

The Board of Directors is duly appreciative of public interest in and good will toward the schools manifested through gifts, grants, and bequests. The Board reserves the right, however, to specify the manner in which gifts are made; to define the type of gift, grant, or bequest which it considers appropriate; and to reject those which it deems inappropriate or unsuitable. If accepted, the Board will attempt to carry out the wishes of the donor.

All gifts, grants, or bequests having a value of more than \$500.00 shall be accepted by the Board. The School Administrator may accept for the Board gifts of lesser value.

Gifts, grants, and bequests shall become the property of the Board and will be subject to use by the School as determined by the policies and administrative guidelines applying to all properties, equipment, materials, and funds owned by the Board.

Any equipment purchased by a parent organization for use in the School or at a School-related event shall be submitted to the Board, prior to purchase, so it can determine if the School would incur any liability by its use.

The Board reserves the right to not accept such liability and thus deny the use of the equipment by students or School employees.

DISPOSITION OF SURPLUS PROPERTY

The Board of Directors requires the School Administrator to review the property of the School periodically and to dispose of that material and equipment which is no longer usable in accordance with the terms of this policy.

A. Instructional Material

The School shall review instructional materials (i.e. textbooks, library books, manuals, support materials, etc.) periodically to determine the relevance of such materials to the present world and current instructional programs. The following criteria will be used to review instructional materials for redistribution and possible disposal:

1. concepts or content that do not support the current goals of the curriculum
2. information that may not be current
3. worn beyond salvage

B. Equipment

The School shall inspect the equipment used in the instructional program periodically, to determine the condition and usability of such equipment in the current educational program. Should the equipment be deemed no longer serviceable or usable, the following criteria will be used to determine possible disposal:

1. repair parts for the equipment no longer readily available
2. repair records indicate the equipment has no usable life remaining
3. obsolete and no longer contributing to the educational program
4. some potential for sale at a School auction
5. creates a safety or environmental hazard

C. Disposition

The School Administrator is authorized to dispose of obsolete instructional and other property by selling it to the highest bidder, by donation to appropriate parties, or by proper waste removal. Disposal of surplus property purchased with Federal funds shall be disposed of in accordance with Federal guidelines.

MAINTENANCE

Reference: Public Act 225 of 1993

The Board of Directors recognizes that the fixed assets of this School represent a significant investment of this community and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection, maintenance, and rehabilitation for the preservation of all school buildings and equipment. Wherever possible and feasible, maintenance shall be preventive.

The School Administrator shall develop, for implementation by the custodial and maintenance staff, or independent contractors a maintenance program which shall include:

- A. a regular summer program of facilities repair and conditioning;
- B. an equipment replacement program;
- C. a long-range program of building modernization;
- D. repair or replacement of equipment or facilities for energy conservation, safety, or other environmental factors.

The School Administrator shall develop and promulgate to the custodial and maintenance staff or independent contractors such guidelines as may be necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant. Such guidelines are to include provision for Handicapped Parking signs which conform to State law.

HYGIENIC MANAGEMENT

Reference: A.C. Rule R340.1301

The Board of Directors recognizes that the health and physical well-being of the students of this School depends in large measure upon the cleanliness and sanitary management of the School.

The Board directs that a program of hygienic management be instituted in the school and explained annually to all staff members.

The School Administrator shall request that the School be inspected for cleanliness and sanitation by the Kent County, Department of Community Health.

The School Administrator shall prepare, in consultation with the school staff, procedures for the handling and disposal of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomitus, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and any other body parts that contact such matter.

The School Administrator shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, school grounds, and school equipment pursuant to law.

The cleanliness of all school facilities shall be the responsibility of the School Administrator.

SAFETY STANDARDS

Reference: M.C.L.A. 380.1288
A.C. Rule 29.1 et seq., 340.1301 et seq.

The Board of Directors believes that the employees and students of this School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the Board will provide reasonable and adequate protection to the lives, safety, and health of its employees.

The School Administrator shall be responsible for the maintenance of standards in the facilities to prevent accidents and to minimize their consequences. S/He shall designate an employee shall conduct periodic audits of health and safety conditions within the facilities of the School in accordance with the Federal OSHA standards adopted by the State. The School Administrator shall take appropriate action on any violations. The School Administrator or designee employee shall also have the authority to organize and direct the activities of a School safety committee.

At the beginning of each school year and as frequently thereafter as deemed necessary by the School Administrator, the School's playground is to be checked for safety by the School Administrator. Record of each inspection is to be on file in the School office.

The School Administrator shall ascertain that the employees and students of this School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law.

In the event an inspection is made by a representative of the State, the School Administrator shall report the results thereof to the Board at the meeting following the receipt of the State report.

Adopted 5/7/02
Revised 2/13/06

USE OF TOBACCO ON ACADEMY PREMISES

Reference: 20 USC § 6083; 20 USC § 7183; MCL 333.12605; MCL 333.12607; SBOE Policy on 24/7 Tobacco-Free Schools

The Board of Directors believes that the right of persons to use tobacco must be balanced against the right of those who do not use tobacco to breathe air untainted by tobacco.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco products on School premises (owned or leased), in school vehicles, at all school sponsored events and in all school buildings owned and/or operated by the School.

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
- B. "use of a tobacco product" means any of the following:
 - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
 - 2. the inhaling or chewing of a tobacco product
 - 3. the placing of a tobacco product within a person's mouth
 - 4. and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

Revised 4/25/03; 3/14/11; 8/15/11

FACILITY SECURITY

The School building constitutes the greatest financial investment of the School. It is in the best interest of the Board of Directors to protect the investment adequately. The building and equipment owned by the Board shall be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The School Administrator shall develop and supervise a program for the security of the school building, school ground, and school equipment in compliance with State and Federal law. Such a program may include the use of video surveillance and electronic monitoring equipment in appropriate public areas in and around the schools and other School facilities, and on school buses.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to students, staff, visitors and Board property and may require prosecution of those who bring harm to persons and/or property. The Board will seek repair to rectify the damage or payment of a fee to cover the cost of repair or replacement from the person(s) responsible. A reward may be offered for apprehending such persons.

Appropriate authorities shall be contacted in the case of serious offenses.

The Administrator is authorized to install metal detectors and video surveillance/electronic monitoring equipment on school property in order to protect the health, welfare, and safety of students, staff, visitors and Board property, and other security devices that would assist in the detection of guns and dangerous weapons:

- A. in school buildings;
- B. on School property;
- C. at Board-sponsored/controlled events.

The Administrator shall report to the Board, no later than the next Board meeting, any significant incident involving vandalism, theft, personal safety or other security risk and the measures being taken to address the situation.

Revised 5/10/10

PROPERTY INVENTORY

As steward of this School's property, the Board of Directors recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall maintain a continuous inventory of all School-owned equipment annually.

For purposes of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is nonexpendable, costs at least \$1,000.00 to replace as a single unit and does not lose its identity when incorporated into a more complex unit.

It shall be the duty of the School Administrator to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board.

The School Administrator shall maintain a system of property records which shall show, as appropriate to the item recorded, the description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, evaluation in conformity with insurance requirements.

ACCOUNTING SYSTEM FOR FIXED ASSETS

The Board of Education shall maintain a fixed-asset accounting system. The fixed-asset system shall maintain sufficient information to permit the following:

- A. the preparation of year-end financial statements in accordance with generally-accepted, accounting principles
- B. adequate insurance coverage
- C. control and accountability

The School Administrator shall be responsible for the development and maintenance of the fixed-asset accounting system. The School administrator shall develop procedures to ensure compliance with all fixed-asset policies.

Fixed assets are defined as those tangible assets of the District system with a useful life in excess of one (1) year and an initial cost equal to or exceeding \$1000.00. Some items may be identified as "controlled" assets that, although they do not meet all fixed-asset criteria, are to be recorded on the fixed-asset system to maintain control.

Fixed assets shall be classified as follows:

- A. land
- B. building
- C. improvements other than building
- D. machinery and equipment
- E. furniture and fixtures
- F. vehicles
- G. plant (aerator)
- H. underground lines
- I. construction-in-progress
- J. computers shall be identified as "controlled" and shall be monitored in the fixed asset management system

Leased fixed assets and assets which are jointly-owned shall be identified and recorded on the fixed-asset system.

Fixed assets shall be recorded at historical cost or, if that amount is not practicably determinable, at estimated historical cost. The method(s) to be used to estimate historical cost shall be established by the School Administrator.

The purchase of fixed assets and the disposal of fixed assets shall be initiated by the School Administrator. An asset to be disposed of by sale which has a current value in excess of \$1000.00 shall be sold at auction. An auction shall be held at the discretion of the School Administrator when sufficient assets have accumulated to warrant the cost. The School Administrator shall establish minimum acceptable prices for assets sold at auction.

Depreciation shall be recorded for fund fixed assets using the method(s) agreed upon by the School Administrator.

Accumulated depreciation shall be calculated on a straight line basis and be recorded for general fixed assets.

The following information may be maintained for all fixed assets:

- A. description
- B. asset classification (land, building, equipment, etc.)
- C. location
- D. purchase price
- E. vendor
- F. date purchased
- G. voucher number
- H. estimated useful life
- I. estimated salvage value
- J. replacement cost
- K. accumulated depreciation
- L. method of acquisition (purchase, trade-in, lease, donated, etc.)
- M. appropriation
- N. manner of asset disposal

Adopted 1/12/04

CONSERVATION OF NATURAL AND MATERIAL RESOURCES

The increasing costs of natural energy resources coupled with the growing need to inhibit pollution mandate, the School implement strategies, which will conserve all forms of energy, used and/or ensure proper recycling of reusable materials.

The Board of Directors directs the School Administrator to develop and implement both immediate and long range plans to meet these concerns. It expects that the administrative guidelines and procedures established will be properly observed by all members of the staff and strongly supported both in the educational program and in staff interactions with students.

USE OF SCHOOL FACILITIES

The Board of Directors believes that the facilities of this School should be made available for community purposes, provided that such use does not infringe on the original and necessary purpose of the property or interfere with the educational program of the school and is harmonious with the purposes of this School.

The Board will permit the use of school facilities when such permission has been requested in writing by a responsible organization or a group of citizens and has been approved by the School Administrator.

School facilities shall be available for the below-listed uses. When there are competing interests for the use of facilities, approval will be given according to the following priorities:

- A. uses directly related to the schools and the operations of the schools
- B. uses and groups indirectly related to the schools
- C. community organizations or groups of individuals formed for charitable, civic, social, religious, recreational, educational purposes
- D. commercial or profit-making organizations or individuals offering services for profit

The School Administrator shall develop administrative guidelines for the granting of permission to use School facilities including a schedule of fees. Such guidelines are to include the following:

- A. Each user may be required to present evidence of the purchase of organizational liability insurance to the limit prescribed by School administrative guidelines.
- B. Use of school equipment in conjunction with the use of school facilities must be requested specifically in writing, and may be granted by the procedure by which permission to use facilities is granted. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use. Where rules so specify, no item of equipment may be used except by a qualified operator.
- C. Users shall be liable financially for damage to the facilities and for proper chaperonage.

Revised 3/14/11

LENDING OF SCHOOL-OWNED EQUIPMENT

The Board of Directors believes that School-owned equipment is a valuable resource which may be loaned for community use under certain conditions only, provided that such use does not infringe on the original and necessary purpose of the equipment or interfere with the educational program of the School.

The Board may lend specific items of equipment on the written request of the user and approval granted by the School Administrator.

The user of School-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, and shall be responsible for its safe return.

School equipment may be removed from School property by students or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the School Administrator is required for such removal.

Personal use of School equipment or facilities by staff or students will be in accordance with the School Administrator's administrative guidelines.

Removal of School equipment by staff or students from School property for personal use is prohibited.

COMPUTER TECHNOLOGY AND NETWORKS

The Board of Directors is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of operations within the school system.

However, the use of the School's network and technology resources by students is a privilege, not a right. As a prerequisite, students and their parents must sign and submit a *Student Network and Internet Acceptable Use and Safety* form annually. (See also, Policy 7540.03)

The School Administrator shall develop and recommend for approval by the Board a written School Technology Plan (STP). Procedures for the proper acquisition of technology shall be set forth in the STP. The STP shall also provide guidance to staff and students about making safe, appropriate and ethical use of the School's network(s), as well as inform both staff and students about disciplinary actions that will be taken if Board technology and/or networks are abused in any way or used in an inappropriate, illegal, or unethical manner.

Further safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of School policy, and learning appropriate responses if they are victims of cyberbullying.

Social media shall be defined as internet-based applications (such as Facebook, My Space, Twitter, etc.) that turn communication into interactive dialogue between users. The Board authorizes the instructional staff to access social media from the School's network, provided such access has an educational purpose for which the instructional staff member has the prior approval of the School Administrator.

However, personal access and use of social media, blogs, or chat rooms from the School's network is expressly prohibited and shall subject students and staff members to discipline in accordance with Board policy.

The Board authorizes the access and use of social media from the School's network to increase awareness of School programs and activities, as well as to promote achievements of staff and students, provided such access and use is approved in advance by the School Administrator.

The School Administrator shall review the STP and recommend the approval of any changes, amendments or revisions to the Board annually.

Revised 2/10/03; 8/15/11

TECHNOLOGY PRIVACY

The Board of Directors recognizes its staff members' right to privacy in their personal lives. This policy serves to inform staff members of the Board's position with respect to staff-member privacy in the educational and workplace setting and to protect the Board's interests.

All computers, telephone systems, electronic mail systems, and voice mail systems are the Board's property and are to be used primarily for business purposes. The Board retains the right to access and review all electronic and voice mail, computer files, data bases, and any other electronic transmissions contained in or used in conjunction with the Board's computer system, telephone system, electronic mail system, and voice mail system. Staff members should have no expectation that any information contained on such systems is confidential or private.

Review of such information may be done by the Board with or without the staff member's knowledge. The use of passwords does not guarantee confidentiality, and the Board retains the right to access information in spite of a password. All passwords or security codes must be registered with the Board. A staff member's refusal to permit such access may be grounds for discipline up to and including discharge.

Computers, electronic mail, and voice mail are to be used for business and educational purposes. Personal messages via Board-owned technology should be limited in accordance with the School Administrator's guidelines. Staff members are encouraged to keep their personal records and personal business at home.

Because the Board's computer and voice mail systems are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.

The Board is interested in its resources being properly used. Review of computer files, electronic mail, and voice mail will only be done in the ordinary course of business and will be motivated by a legitimate business reason. If a staff member's personal information is discovered, the contents of such discovery will not be reviewed by the Board, except to the extent necessary to determine if the Board's interests have been compromised. Any information discovered will be limited to those who have a specific need to know that information.

The administrators and supervisory staff members authorized by the School Administrator have the authority to search and access information electronically.

All computers and any information or software contained therein are property of the Board. Staff members shall not copy, delete, or remove any information or data contained on the Board's computers/servers without the express permission of the School Administrator or designee or communicate any such information to unauthorized individuals. In addition, staff members may not copy software on any Board computer and may not bring software from outside sources for use on Board equipment without the prior approval of the School Administrator. Such pre-approval will include a review of any copyright infringements or virus problems associated with such outside software.

Revised 2/10/03

STUDENT EDUCATION 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 6777, 9134 (2003)
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 provides Education Technology so that students can acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board of Directors provides students with access to the Internet for limited educational purposes only and utilizes online educational services to enhance the instruction delivered to its students. The School's 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.

This policy and its related administrative guidelines and the Student Code of Conduct govern students' use of the School's computers, laptops, tablets, personal communication devices (as defined by Policy 5136), network, and Internet connection and online educational services ("Education Technology" or "Ed-Tech"). The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Education Technology. Users have no right or expectation to privacy when using the Ed-Tech (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity while on the network and Internet).

This policy and its related administrative guidelines and the Student Code of Conduct also govern students' use of their personal communication devices (that is, according to Policy 5136, computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, and any other web-enabled device), when connected to the School's network, the School's Internet connection, and online educational services ("Education Technology" or "Ed-Tech"). The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Education Technology. Users have no right or expectation to privacy when using the Ed-Tech (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity while on the network and Internet).

First, and foremost, the Board may not be able to technologically limit access to services through its Educational Technology 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, opens 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 which 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 Administrator, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The School 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 Administrator. The School Administrator may temporarily or permanently unblock access to websites or online education services 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/guardians are advised that a determined user may be able to gain access to services 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/guardians may find inappropriate, offensive, objectionable or controversial. Parents/Guardians assume risks by consenting to allow their child to participate in the use of the Internet. Parents/Guardians of minors are responsible for setting and conveying the standards that their children should follow when using Education Technology. The Board supports and respects each family's right to decide whether to apply for independent student access to the Education Technology.

The technology protection measures may not be disabled at any time that students may be using the Education Technology, 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 School Administrator is directed to prepare guidelines 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") cyberbullying and other unlawful or inappropriate activities by students online; and
- D. unauthorized disclosure, use, and dissemination of personal information regarding minors.

The Board directs staff members to provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor 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 School Administrator is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Education Technology. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. All Internet users (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 guidelines.

Students will be assigned a school email account that they are required to utilize for all School-related electronic communications, including those to staff members and individuals and/or organizations outside the School with whom they are communicating for School-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their School-assigned email 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.

Students and staff members are responsible for good behavior on the Board's computers/network and the Internet just as 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 sanction any use of the Education Technology that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines

Students shall not access social media for personal use from the School's network, but shall be permitted to access social media for educational use 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 of the Board's Education Technology are personally liable, both civilly and criminally, for uses of the Education Technology not authorized by this Board policy and its accompanying procedures.

The Board designates the School Administrator and the Technology Coordinator as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to the use of the School's Education Technology and the Internet for instructional purposes.

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

STAFF EDUCATION 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 6777, 9134 (2003)
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 staff with access to the Internet for limited educational purposes only and utilizes online educational services to enhance the instruction delivered to its students and to facilitate the staff's work. The School's 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.

This policy and its related administrative guidelines and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the School's computers, laptops, tablets, personal communication devices (as defined by Policy 7530.02), network and Internet connection and online educational services ("Education Technology" or "Ed-Tech"). The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Education Technology. Users have no right or expectation to privacy when using the Ed-Tech Technology. Users have no right or expectation to privacy when using the Ed-Tech (including, but not limited to, privacy in the content of their persona files, e-mails, and records of their online activity while on the network and Internet).

Staff are expected to utilize Education Technology in order 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 the Board's policy on Instructional Materials.

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 School with computers and users worldwide. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, the Education Technology provides 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, and foremost, the Board may not be able to technologically limit access to services over its Education Technology 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, opens 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, which 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 School Administrator, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board 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 Administrator.

The technology protection measures may not be disabled at any time that students may be using the Education Technology, 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 will be subject to disciplinary action, up to and including termination.

The School Administrator may temporarily or permanently unblock access to websites 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 School Administrator may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

The School Administrator is directed to prepare guidelines 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 staff members to participate in 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"), cyberbullying and other unlawful or inappropriate activities by students or staff online; and
- D. unauthorized disclosure, use, and dissemination of personal information regarding minors.

Furthermore, the Board directs staff members to provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor 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 School Administrator is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that guidance will be provided and instruction offered to students in the appropriate use of the Education Technology. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. All Internet users are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

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

With prior approval from the School Administrator, staff may direct students who have been issued School-assigned email accounts to use those accounts when signing up/registering for access to various online educational services including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

The Board expects all School personnel to be responsible for good behavior on when using the School's Education Technology just as in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature.

Staff members shall not access social media for personal use on the School's network, and shall access social media for educational use only after submitting a plan for that educational use and securing the School Administrator's approval of that plan in advance.

General School rules for behavior and communication apply. The Board does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures. Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users of the School's technology are personally

responsible and liable, both civilly and criminally, for uses of the Education Technology not authorized by this policy and its accompanying procedures.

Social Media Use

Personal or private use of social media, such as Facebook, Twitter, MySpace, blogs, etc., 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 School's Mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes School personnel online conduct that occurs off school property, including from the School'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 School 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. School personnel who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential employee information may be disciplined.

The Board designates the School Administrator and Technology Coordinator as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to the use of the School's Education Technology.

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

PERSONAL INTERNET ACCOUNT PRIVACY - STUDENTS

Reference: Michigan Internet Privacy Information Act, PA 478 of 2012
M.C.L. 37.271 et. seq.

The School will not:

- A. request a student or prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the student's or prospective student's personal internet account.
- B. expel, discipline, fail to admit, or otherwise penalize a student or prospective student for failure to grant access to, allow observation of, or disclose information that allows access to or observation of the student's or prospective student's personal internet account.

The following definitions shall be used for this policy:

- A. "Access information" means user name, password, login information, or other security information that protects access to a personal internet account.
- B. "Personal internet account" means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications, or stored data.
- C. The School may:
 - 1. request or require a student to disclose access information to gain access to or operate any of the following:
 - a. An electronic communications device paid for in whole or in part by the School.
 - b. An account or service provided by the School that is either obtained by virtue of the student's admission to the educational institution or used by the student for educational purposes.
 - 2. view, access or utilize information about a student or applicant that can be obtained without any required access information or that is available in the public domain.

Adopted 10/14/13

PERSONAL INTERNET ACCOUNT PRIVACY – STAFF

Reference: Michigan Internet Privacy Protection Act, PA 478 of 2012
M.C.L. 37.271 et. seq.

The School will not:

- A. request an employee or an applicant for employment to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.
- B. discharge, discipline, fail to hire, or otherwise penalize an employee or applicant for employment for failure to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.

The following definitions shall be used for this policy:

- A. "Access information" means user name, password, login information, or other security information that protects access to a personal internet account.
- B. "Personal internet account" means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications, or stored data.
- C. The School may:
 - 1. request or require an employee to disclose access information to the School to gain access to or operate any of the following:
 - a. An electronic communications device paid for in whole or in part by the employer.
 - b. An account or service provided by the employer, obtained by virtue of the employee's employment relationship with the employer, or used for the School's business purposes.
 - 2. discipline or discharge an employee for transferring the proprietary or confidential information or financial data to an employee's personal internet account without the School's authorization.
 - 3. conduct an investigation or require an employee to cooperate in an investigation in any of the following circumstances:
 - a. If there is specific information about activity on the employee's personal internet account, for the purpose of ensuring compliance with applicable laws, regulatory

requirements, or prohibitions against work-related employee misconduct.

- b. If the School has specific information about an unauthorized transfer of the School's proprietary information, confidential information, or financial data to an employee's personal internet account.
4. restrict or prohibit an employee's access to certain websites while using an electronic communications device paid for in whole or in part by the School or while using the School's network or resources, in accordance with State and Federal law.
5. monitor, review, or access electronic data stored on an electronic communications device paid for in whole or in part by the employer, or traveling through or stored on an School's network, in accordance with State and Federal law.
6. screen employees or applicants prior to hiring or to monitor or retain employee communications that is established under Federal law or by a self-regulatory organization, as defined in section 3(a)(26) of the securities and exchange act of 1934, 15 USC 78c(a)(26).
7. view, access or utilize information about an employee or applicant that can be obtained without any required access information or that is available in the public domain.

Adopted 10/14/13

ELECTRONIC DATA PROCESSING DISASTER RECOVERY PLAN

The Board of Directors is committed to maintaining and protecting the School's Information System. The Board believes that a complete and accurate Information System which includes educational, student, fiscal and personnel information is vital to the Board's ability to deliver uninterrupted educational service to the community it represents. To that end, the School Administrator is directed to develop, test and maintain an *Electronic Data Processing Disaster Recovery Plan* for use in the event a disaster should disable the School's electronic data processing equipment.

The Plan may include:

- A. adequate equipment insurance;
- B. a list of the applications that are used by the School;
- C. procedures used to backup all programs and data on a daily, monthly, quarterly and year-end basis;
- D. backup storage off-site;
- E. maintenance agreements for hardware and software (including, but not limited to the operating system);
- F. a list of vendor contacts to be called for the immediate replacement of disabled equipment or corrupted software;
- G. as a last resort, the procedure to create payroll checks and budgetary checks, and perform other necessary accounting functions, manually;

Adopted 01/09/06

ACCESS TO ACADEMY TECHNOLOGY RESOURCES FROM PERSONAL COMMUNICATION DEVICES

The Board permits employees, Board members, guests, as well as contractors, vendors, and agents to use their personal communication devices (“PCDs”) to wirelessly access the Academy’s technology resources (guest or business networks, servers, projectors, printers, etc.) while they are on-site at any Academy facility. Access to the business/guest network shall require authentication.

For purposes of this policy, “personal communication device” includes computers, tablets (e.g., iPads and similar devices), electronic readers (“e-readers”; e.g., Kindles and similar devices), cell phone (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, etc.), and/or other web-enabled devices of any type.

The standards shall be designed and enforced to minimize the Board's exposure to damages, including, but not limited to, the loss of sensitive District data, illegal access to confidential data, damage to the Academy's intellectual property, damage to the District's public image, and damage to the Academy's critical internal systems, from unauthorized use.

The use of PCDs must be consistent with the established standards for appropriate use as defined in Policy 7540.03 and AG 7540.03 – Student Network and Internet Acceptable Use and Safety, Policy 7540.04 and AG 7540.04 – Staff Network and Internet Acceptable Use and Safety, Policy 5136 and AG 5136 - Personal Communication Device, Policy 7530.02 - Staff Use of Communication Devices. When an individual connects to and uses the Academy's technology resources, s/he must agree to abide by all applicable policies, administrative procedures and laws (e.g., the user will be presented with a “splash screen” that will set forth the terms and conditions under which s/he will be able to access the Academy’s technology resource(s); the user will need to accept the stated terms and conditions before being provided with access to the specified technology resource(s)).

In order to comply with the Children’s Internet Protection Act (“CIPA”), 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. The Board also utilizes software and/or hardware to monitor online activity to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors.

Any user who violates the established standards and/or the Board's Acceptable Use policy, or who accesses the Academy’s technology resources without authorization may be prospectively denied access to the Academy’s technology resources. If the violation is committed by a contractor, vendor or agent of the Academy, the contract may be subject to cancellation. Further disciplinary action may be taken if the violation is committed by a student or employee.

The owner of a PCD bears all responsibility and assumes all risk of theft, loss, or damage to, or misuse or unauthorized use of the device while it is on Board property. This provision applies to everyone, regardless of their affiliation or connection to the Academy.

Adopted 5/10/10

Revised 3/11/13

ELECTRONIC COMMUNICATIONS

The advancement of technology has provided many new ways for individuals to communicate with one another. These electronic communications include social networking sites, instant messaging, text messaging, e-mailing and photo-sharing, among others. Additional methods of electronic communication can be anticipated as the technology continues to evolve.

However, use of such technology must be approached with caution by School employees. Given the nature of the communications, there is a significant potential both for inappropriate use and for alleged inappropriate use. To protect staff and students, the following restrictions are established:

- A. Electronic communications with students should be appropriate in tone, content, and quantity. Stalking, harassment, or other unwelcome behaviors are prohibited, including any type of sexually suggestive comments, photos, or graphics.
- B. Electronic communications with other employees should be appropriate in tone, content, and quantity. Stalking, harassment, or other unwelcome behaviors are prohibited.

The School may require the employee to produce records for review when there is reason to believe that this policy has been violated. Records within the School's control may be reviewed periodically to assure that this policy is being complied with. These may include Internet logs, cell phone records, or other similar documentation.

Questions regarding acceptable electronic communications or unwelcomed electronic communications from someone associated with the School should be submitted to the School Administrator.

Adopted 5/10/10

WEB ACCESSIBILITY POLICY

INTRODUCTION

New Branches Charter Academy is committed to ensuring that its website is accessible to everyone, including persons with disabilities. In meeting its obligations under federal law, the Academy ensures that it complies with all Federal laws and regulations prohibiting discrimination. The Academy does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities.

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and Title II of the Americans with Disabilities Education Act (“Title II”) require that federal and state agencies ensure that their websites adhere to a minimal level of accessibility. To meet its obligations under Section 504 and Title II, the Academy will continually review its website and modify pages to remove accessibility problems for people with disabilities.

“Accessible” as used in this policy means a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. A person with a disability must be able to obtain the information as fully, equally and independently as a person without a disability. Although this might not result in identical ease of use compared to that of persons without disabilities, it still must ensure equal opportunity to educational benefits and opportunities afforded by the technology and equal treatment in the use of such technology.

To meet its obligations under Section 504 and Title II, the Academy has coded its website to comply with the technical standards of the Web Content Accessibility Guidelines (WCAG 2.0).

PERSONS AFFECTED BY THIS POLICY

This policy affects all Academy staff (including administrators, teachers, and support staff) responsible for creating or posting online content to the Academy’s website.

PROCEDURES

I. Compliance Requirements

All new and redesigned web pages published after the effective date of this policy must be in compliance with WCAG 2.0, except where doing so would impose a fundamental alteration or undue financial and administrative burdens.

All Academy staff responsible for acquisition or use of online content provided or developed by third parties for use on the Academy’s website, must ensure that the content is accessible and complies with the technical standards adopted by this policy. Academy staff responsible for acquisition or use of online content may consult with the Web Accessibility Coordinator or designee prior to acquisition of and/or publishing of online content to the Academy’s website to ensure the content complies with this policy.

II. Exclusions

The Academy makes no assurances to any content or open source software that is posted, hosted or offered on the Academy's website by an individual or entity that is outside of the control of the Academy. The Academy will, however, take reasonable steps to prevent an individual or entity outside of the control of the Academy from posting inaccessible information on the Academy's website.

The Academy is committed to take all reasonable steps to ensure that the content on its website is accessible and in compliance with the technical standards adopted by the Academy, except where doing so is not technologically feasible or would impose a fundamental alteration or undue financial and administrative burdens. Where ensuring that content on the Academy's website would impose a fundamental alteration or undue financial and administrative burdens, the Academy will provide an equally effective alternative access. In providing an equally effective alternative access, the Academy will ensure that, to the maximum extent possible, persons with disabilities will be afforded an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement in the most integrated setting appropriate to the person's needs.

III. Accountability

The Academy's Web Accessibility Coordinator will be responsible for ensuring that the Academy's website is accessible within the meaning of this policy. The Web Accessibility Coordinator or designee will regularly conduct audits of the Academy's website and contracted web services to ensure that the content posted on the Academy's website is accessible and meets the technical standards adopted by the Academy. The Web Accessibility Coordinator will be responsible for ensuring that all problems identified through the accessibility audits are documented, evaluated, and if necessary, remediated. Any necessary remediation of the problems identified will be completed within a reasonable period of time. The Web Accessibility Coordinator will also be responsible for maintaining a record of reported instances of non-compliance with this policy and the ultimate resolution.

If you are a student, prospective student, employee, guest or visitor and you are not able to fully access the information on any web page of this site and/or have questions or concerns regarding the accessibility of this site, please contact the Academy's Web Accessibility Coordinator at:

Web Accessibility Coordinator
Choice Schools Associates LLC
5251 Clyde Park Ave SW, Wyoming, MI 49509
616-785-8440
websupport@choiceschools.com

If you would like to file a formal complaint about the accessibility of the Academy's website, you may do so using the Academy's Section 504/Title II grievance procedures.

IV. Training

The Academy will conduct periodic training for all staff responsible for creating or posting online content to the Academy's website on this policy. Any staff new to the Academy who have some responsibilities for creating or posting online content to the Academy's website, will receive

training on this policy during the school year in which the new staff member begins his/her employment with the Academy.

Adopted 11/6/17

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

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

IRAN ECONOMIC SANCTIONS ACT COMPLIANCE

Reference: M.C.L. 329.311 – 329.316

The School will not enter into or renew a contract with any Iran linked business while Iran is a State sponsor of terror as defined under Section 2 of the Divestment From Terror Act, 2008 PA 234, MCL 129.292. To this end, and in accordance with the Iran Economic Sanctions Act of Michigan, the School shall require a person that submits a bid on a request for proposal with the School to certify that it is not an Iran linked business.

If the School determines, using credible information available to the public, that a person has submitted a false certification, the School shall provide the person with written notice of its determination and of the intent not to enter into or renew a contract with the person. The notice shall include information on how to contest the determination and specify that the person may become eligible for a future contract with the School if the person ceases the activities that cause it to be an Iran linked business. The person shall have ninety (90) days following receipt of the notice to respond in writing and to demonstrate that the determination of false certification was made in error. If a person does not make that demonstration within ninety (90) days after receipt of the notice, the School may terminate any existing contract and shall report the name of the person to the attorney general together with information supporting the determination.

"Person" means any of the following:

- A. An individual, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group.
- B. Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in section 1701(c)(3) of the international financial institutional act, 22 U.S.C. 262r(c)(3).
- C. Any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in subparagraph A. or B.

"Iran Linked Business" means either of the following:

- A. A person engaging in investment activities in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran.
- B. A financial institution that extends credit to another person, if that person will use the credit to engage in investment activities in the energy sector of Iran.

"Iran" means any agency or instrumentality of Iran.

"Energy Sector of Iran" means activities to develop petroleum or natural gas resources or nuclear power in Iran.

"Investment" means one (1) or more of the following:

- A. A commitment or contribution of funds or property.
- B. A loan or other extension of credit.
- C. The entry into or renewal of a contract for goods or services.

"Investment activity" means one (1) or more of the following:

- A. A person who has an investment of \$20,000,000.00 or more in the energy sector of Iran.
- B. A financial institution that extends \$20,000,000.00 or more in credit to another person, for forty-five (45) days or more, if that person will use the credit for investment in the energy sector of Iran.

Adopted 2/10/14

CRIMINAL HISTORY RECORD CHECK

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

Before the School 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 School 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 School, the School 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 School 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 School prior the individual commencing work.

Such Private Contractors cannot receive or retain criminal history record information ("CHRI").¹ Where the School will contract with a Private Contractor for the services of an individual, the School will notify the Private Contractor(s), after review of the MSP report, whether the individual has been approved to work within the School. The School may not give any details, including the fact that a criminal history check was run. Notice for approval to work in the School 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 Administrator 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 act on behalf of the School, work on a regular or continuous basis in the School, are involved in the hiring process of School employees, and have successfully undergone a fingerprint-based criminal history record check by the School, may continue to submit and receive such criminal history record checks on behalf of the School, regardless of their status as employees, contractors, vendors or similar classification.

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

Individuals working in multiple schools may authorize the release of a prior criminal history records check with another school 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 or non-public school within the State, with no separation, may have their previous record check sent to the School in lieu of submitting to a new criminal background check. If this method is used, the School Administrator 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 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 School from another proper source, will be maintained in the individual's personnel record.

When the School receives a report that shows an individual has been convicted of a listed offense under state statutes or any felony, the School Administrator 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 School 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 School 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 Administrator and the Board provide written approval.

The School 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 School with regard to such conviction. Such report shall be filed within sixty (60) days or receipt of the original report of the conviction.

The School Administrator 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 Administrator shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must submit, at no expense to the School, 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 not directly involved in evaluating the applicant's qualifications. 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 School 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 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

SCHOOL CALENDAR

Reference: MCL 380.1284, 380.1284(b), (as amended August 29, 2005)
380.1175, 388.1701
AC Rule R340.10 et seq.

The Board of Directors recognizes that the preparation of a calendar for the instructional program of the school is necessary for orderly educational planning and for the efficient operation of the School.

The Board shall determine annually the total number of days when the schools will be in session for instructional purposes. For purposes of receiving State school aid, the number of days and number hours will be in accordance with statute. The Board shall ensure that school is not in session for students before Labor Day.

A school session shall not be held on the following public holidays in Michigan Public Schools: January 1, New Year's Day; the last Monday of May, Memorial or Decoration Day; July 4; the first Monday in September, Labor Day; the fourth Thursday of November, Thanksgiving Day, and December 25, Christmas Day. If one (1) of these days falls on Sunday, the Monday following shall be a public holiday in the public schools.

The School shall provide at least 1098 hours of pupil instruction per school year. The School Administrator is authorized to work with the Intermediate School District on the development of a common calendar for all of the public schools and public school academies in the ISD.

If the School's school year is scheduled to begin before Labor Day the ISD may provide programs or services according to the School's calendar;

- A. if the ISD contracted with the School to provide programs or services for pupils of the School or;
- B. operated a program or service within a building owned by the School and;
- C. is within the ISD's boundaries, or otherwise provided instructional programs or services for pupils of the School.

No more than thirty (30) hours of student instruction lost due to conditions not within the control of the District such as severe storms, fires, epidemics, and health conditions can be counted as a part of the required minimum hours of instruction. All subsequent hours lost for instruction cannot be counted for State school aid, unless they occur after April 1, are due to unusual and extenuating occurrences resulting from conditions not within the control of the school authorities such as those conditions described above and are approved by the State Superintendent of Public Instruction. Hours lost due to strikes by School staff or to teacher conferences shall not be counted as hours of instruction.

The School Administrator shall certify to the Department of Education by no later than August 1st of each year, the number of days and hours of student instruction during the previous school year.

Adopted 5/7/02
Revised 2/13/06 ; 9/11/06; 4/9/07

SCHOOL DAY

Reference: M.C.L.A. 380.1284

The Board of Directors authorizes the school day to be arranged and scheduled by the administration. It is to offer the maximum education for the time spent within the limitations of School facilities and the laws and regulations of the State.

The School Administrator may close the School, delay the opening of School, or dismiss School early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. S/He shall prepare rules for the proper and timely notification of concerned persons and parents in the event of any emergency closing of the schools.

The School Administrator shall have the authority to determine which School-related activities may be conducted if the School is closed for a period of time. S/He shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and conduct of such activities.

PUBLIC RECORDS

Reference: MCL 15.231 et seq.
MCL 445.81 et seq.
Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

The Board of Directors recognizes its responsibility to maintain the public records of this School and to make such records available to residents of Michigan for inspection and reproduction.

The public records of this School include any writing or other means or recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the School, its Board, officers, or employees subject to certain exemptions according to the Michigan Freedom of Information Act (FOIA).

Any person may make a written request for any public records of the School. The person may inspect, copy, or receive copies of the public record requested. The School shall respond to such requests within five (5) working days after receipt unless otherwise agreed to in accordance with the Freedom of Information Act.

An individual may purchase copies of the School's public records upon payment of a fee. No original public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties. Neither the Board nor its employees shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see Policy 8350 and AG 8350).

The Board chooses not to provide for enhanced access to any of its public records.

The Board has determined that personal and confidential information provided to and retained by the School on parents, students, staff and others will be considered exempt from disclosure pursuant to a Freedom of Information Act request, unless advised specifically by the School's legal counsel that the particular information must be released. Such personal and confidential information shall include home addresses, telephone numbers, e-mail addresses or website pages (e.g. My Space, Facebook), except as they are specifically related to the operation of the schools, or specifically authorized for release by the individual, or the parent/guardian if the individual is a minor.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of this School, except student records and certain portions of personnel records.

The School Administrator is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or E-mail, providing the message does not alter existing School records.

The School Administrator shall establish administrative guidelines to ensure The School Administrator is responsible for transmission of data contained in the single record student data base established by the Michigan Department of Education. Such transmission shall be in accordance with procedures established by the Kent Intermediate School District and the Center for Educational Performance and Information (CEPI) proper compliance with the intent of this policy and the Freedom of Information Act.

Adopted 5/7/02
Revised 2/10/03 ; 9/11/06 ; 9/14/09

INFORMATION MANAGEMENT

Reference: Federal Rules of Civil Procedure 34, 37(f)

The Board of Directors recognizes its responsibility, in certain circumstances, to maintain information created, maintained or otherwise stored by the School outside the "Records Retention Schedule". In such situations, a "Litigation Hold" procedure will be utilized to identify and preserve information relevant to a specific matter. "Information" includes both paper documents and electronically stored information ("ESI"). When implementing the "Litigation Hold," the School will identify individuals in possession or custody of paper documents, ESI and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the "Records Retention Schedule". The School will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a "Litigation Hold," which is under the control of the School, must be preserved in a readily accessible form and cannot be disposed of under the "Records Retention and Disposal" requirements. Failure to comply with a Litigation Hold notice may result in disciplinary action, up to and including possible termination.

Instances where the Board must maintain information outside the "Records Retention Schedule" include:

- A. when the Board has specific information and/or written notice from an individual, parent or student of an intent to file an appeal of student discipline to State court;
- B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;
- C. when the Board is served with litigation, including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;
- D. when the Board receives specific information and/or written notification from an employee, labor union, or other person of an intent to file a claim against the Board, its members, employees or agents at an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;
- E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;

- F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation against that third party;
- G. when the School Administrator recommends the termination of an employee to the Board pursuant to a labor contract;
- H. when the Board explores, contemplates or initiates litigation.

Definitions

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic media" includes, but is not limited to, hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" – including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the School for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.

Initiation and Removal of a "Litigation Hold"

The Board or the School Administrator may initiate a "Litigation Hold" under this policy. If the School Administrator initiates a "Litigation Hold," s/he or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or School Administrator may utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure" outlined in AG 8315.

A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" once the "Litigation Hold" is removed.

The School Administrator shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

Adopted 5/10/10

PERSONNEL FILES

Reference: M.C.L.A. 423.501 et seq

It is necessary for the orderly operation of the School to prepare a personal information system for the retention of appropriate files bearing upon an employee's duties and responsibilities to the School and the School's responsibilities to the employee.

The Board of Directors requires that sufficient records exist to ensure an employee's qualifications for the job held; compliance with Federal, State, and local benefit programs; conformance with School rules; and evidence of completed evaluations. Such records will be kept in compliance with the laws of the State of Michigan.

The Board delegates the maintenance of an employee personal information system to the School Administrator and Curriculum Supervisor

A single central file shall be maintained, and subsidiary records shall be maintained for ease in data gathering only.

Only that information which pertains to the professional role of the employee and submitted by duly authorized School administrative personnel and the Board may be entered in the official record file. Employees shall provide necessary information for their personnel files. If providing the requested information is optional, employees shall be informed of their right to decline to supply the information.

A copy of each such entry shall be given to the employee upon request except for matters pertaining to pending litigation.

A copying cost will be charged for each copy given to the employee at his/her request at the rate determined by the School Administrator.

Personnel records shall not be available to Board members and School administrators except as may be required in the performance of their jobs.

The personnel files shall be reviewed annually and material no longer required shall be destroyed.

Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures. If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information in accordance with applicable procedures or refer the requestor to the employee's immediate supervisor.

Personnel wishing to review their own records shall:

- A. review the record in the presence of the administrator designated to maintain said records or designee;
- B. make no alterations or additions to the record nor remove any material therefrom;

- C. sign a log attached to the file indicating date and person reviewing.

Personnel wishing to appeal material in their record as to its accuracy, completeness, relevance, or timeliness shall make a request in writing to the administrator delegated to maintain the records and specify therein:

- A. name and date;
- B. material to be appealed;
- C. reason for appeal.

The responsible administrator shall hear the appeal and make a determination within ninety (90) days of the appeal in accordance with law.

If the appeal does not resolve the disagreement, the employee may submit a written statement, not exceeding five (5) sheets of 8 1/2 inch by 11 inch paper, explaining the employee's position. This written statement shall be kept in the employee's file.

The School Administrator shall prepare administrative guidelines defining which personnel records are to be maintained and the procedures for their maintenance and review.

Revised 2/10/03

CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)

Reference: Criminal Justice Information Services - Security Policy (Version 5.2, 2013),
U.S. Dept. of Justice and Federal Bureau of Investigation
Noncriminal Justice Agency Compliance Audit Review, Michigan State
Police, Criminal Justice Information, Center, Audit and Training Section
Conducting Criminal Background Checks, Michigan State Police, Criminal Justice Information
Center

The School is required by State law to have the Michigan State Police (MSP) obtain both a State and a Federal Bureau of Investigation (FBI) criminal history record information (CHRI) background check report for all employees of the School and ~~these~~ contractors, vendors and their employees who work on a regular and continuous basis in the School. To assure the security, confidentiality, and integrity of the CHRI background check information received from the MSP/FBI the following standards are established.

Sanctions for Non-Compliance

Employees who fail to comply with this policy and any guidelines issued to implement this policy will be subject to discipline for such violations. Discipline will range from counseling and retraining to discharge, based on the nature and severity of the violation. All violations will be recorded in writing, with the corrective action taken. The School Administrator shall review, approve, sign and date all such corrective actions.

Local Agency Security Officer (LASO)

The Human Resource Advisor shall be designated as the School's Security Officer and shall be responsible for overall implementation of this policy and for data and system security. This shall include:

- A. ensuring that personnel security screening procedures are being followed as set forth in this policy;
- B. ensuring that approved and appropriate security measures are in place and working as expected;
- C. supporting policy compliance and instituting the CSA incident response reporting procedures;
- D. ensuring the CSA ISO is promptly informed of any security incidents involving the abuse or breach of the system and/or access to criminal justice information;
- E. to the extent applicable, identifying and documenting how School equipment is connected to the Michigan State Police system;
- F. to the extent applicable, identify who is using the Michigan State Police approved hardware, software and firmware, and ensuring that no unauthorized individuals have access to these items.

The School's LASO shall be designated on the appropriate form as prescribed and maintained by the Michigan State Police.

Agency User Agreements

The School shall enter into any User Agreement required, and future amendments, by the Michigan State Police necessary to access the required CHRI on applicants, volunteers, and all other statutorily required individuals, such as contractors and vendors and their employees assigned to the School. The LASO shall be responsible for the School's compliance with the terms of any such User Agreement.

Personnel Security

All individuals that have access to any criminal justice information shall be subject to the following standards.

- A. Background Checks - A Michigan (or state of residency if other than Michigan) and a national fingerprint-based criminal history record check shall be conducted within thirty (30) days of assignment to a position with direct access to criminal justice information or with direct responsibility to configure and maintain computer systems and networks with direct access to criminal justice information.
 1. A felony conviction of any kind will disqualify an individual for access to criminal justice information.
 2. If any other results/records are returned, the individual shall not be granted access until the LASO reviews and determines access is appropriate. This includes, but is not limited to, any record which indicates the individual may be a fugitive or shows arrests without convictions. Such approval shall be recorded in writing, signed, dated and maintained with the individual's file.
 3. Support personnel, contractors, vendors and custodial workers with access to physically secure locations or controlled areas (during criminal justice information processing) are subject to the same clearance standards as other individuals with access, unless they are escorted by authorized personnel at all times when in these locations or areas.
- B. Subsequent Arrest/Conviction - If an individual granted access to criminal justice information is subsequently arrested and/or convicted, access shall be suspended immediately until the matter is reviewed by the LASO to determine if continued access is appropriate. Such determination shall be recorded in writing, signed, dated and maintained with the individual's file. In the event that the LASO has the arrest/conviction, the School Administrator (if not the designated LASO) shall make the determination.
- C. Public Interest Denial - If the LASO determines that access to criminal justice information by any individual would not be in the public interest, access shall be denied whether that person is seeking access or has previously been granted access. Such decision and reasons shall be in writing, signed, dated and maintained in the individual's file.
- D. Approval for Access - All requests for access to criminal justice information shall be as specified and approved by the LASO. Any such designee must

be an employee of the School.

- E. Termination of Employment/Access - Upon termination of employment, all access to criminal justice information shall be terminated for that individual, and steps taken to assure security of such information and any systems at the School to access such information.
- F. Transfer/Re-assignment - When an individual who has been granted access to criminal justice information has been transferred or re-assigned to other duties, the LASO shall determine whether continued access is necessary and appropriate. If not, s/he shall take such steps as necessary to block further access to such information.
- G. Contractors and Vendors¹ - Prior to granting access to criminal justice information to a contractor or vendor, identification must be verified via a Michigan (or state of residency if other than Michigan) or national fingerprint-based criminal history record check. A felony conviction of any kind, as well as any outstanding arrest warrant, will disqualify a contractor or vendor for access to criminal justice information. A contract or vendor with misdemeanor offense(s) may be granted access if the LASO determines the nature or severity of the misdemeanor offense(s) does not warrant disqualifications. If any other results/records are returned, the individual shall not be granted access until the LASO reviews and determines access is appropriate.

Media Protection

Access to electronic and physical media in all forms, which contains criminal history background information provided by the Michigan State Police through the statutory record check process, is restricted to authorized individuals only. Only individuals involved in the hiring process of School employees, including contractors and vendors who act on behalf of, and work on a regular and continuous basis in, the School, shall be authorized to access electronic and physical media containing CHRI.

- A. Media Storage and Access – All electronic and physical media shall be stored in a physically secure location or controlled area, such as locked office, locked cabinet or other similarly secure area(s) which can only be accessed by authorized individuals. If such security cannot be reasonably provided, then all electronic CHRI background data shall be encrypted.
- B. Media Transport – Electronic and physical media shall be protected when being transported outside of a controlled area. Only authorized individuals shall transport the media. It shall be directly delivered to the intended person or destination and shall remain in the physical control and custody of the authorized individual at all times during transport. Access shall only be allowed to an authorized individual.

To the extent possible, electronic media (e.g., hard drives and removable

¹ For purposes of Section 4(G), contractors and vendors are individuals who act on behalf of the School, work on a regular or continuous basis in the School, and are involved in the hiring process of School employees. For example, this might be a third-party provided manager or support staff person working in the personnel department. It does authorize third party contractors or vendors to directly perform the criminal background checks in lieu of the School, or to access criminal justice information for the contractor's or vendor's own review.

storage devices such as disks, tapes, flash drives and memory cards) shall be either encrypted and/or be password protected during the transport process.

- C. Media Disposal/Sanitization – When the CHRI background check is no longer needed, the media upon which it is stored shall either be destroyed or sanitized. The LASO and the School Administrator shall approve in writing the media to be affected. This record shall be maintained by the LASO for a period of at least five (5) years. [Note: the regulations do not specify a specific period for maintaining this information. This time period is suggested as it will likely cover most all statutes of limitation and can be retained in electronic format.]
1. Electronic Media - Sanitization of the media and deletion of the data shall be accomplished by either overwriting at least three (3) times or by degaussing, prior to disposal or reuse of the media. If the media is inoperable or will not be reused, it shall be destroyed by shredding, cutting, or other suitable method to assure that any data will not be retrievable.
 2. Physical Media – Disposal of documents, images or other type of physical record of the criminal history information shall be cross-cut shredded or incinerated. Physical security of the documents and their information shall be maintained during the process by authorized individuals. Documents may not be placed in a waste basket or burn bag for unauthorized individuals to later collect and dispose of.

All disposal/sanitization shall be either conducted or witnessed by authorized personnel to assure that there is no misappropriation of or unauthorized access to the data to be deleted. Written documentation of the steps taken to sanitize or destroy the media shall be maintained for ten (10) years, and must include the date as well as the signatures of the person(s) performing and/or witnessing the process. (See also, AG 8321.)

CHRI Background Check Consent and Documentation

All individuals requested to complete a fingerprint-based CHRI background check must have given written consent – properly signed and dated – at time of application and be notified fingerprints will be used to check the criminal history records of the FBI, prior to completing a fingerprint-based CHRI background check. The Livescan form (RI-030) will satisfy this requirement and must be retained. Individuals subject to a fingerprint-based CHRI background check shall be provided the opportunity to complete or challenge the accuracy of the individual's criminal history record.

Some type of documentation identifying the position for which a fingerprint-based CHRI background check has been obtained must be retained for every CHRI background check conducted, such as an offer letter, job posting indicating successful candidate, Board minutes of approved hiring for particular position, etc.

Controlled Area

All CHRI obtained from the Michigan State Police pursuant to the statutorily required background checks shall be maintained in a controlled area, which shall be a designated

office, room, area or lockable storage container. The following security precautions will apply to the controlled area:

- A. Limited unauthorized personnel access to the area during times that criminal justice information is being processed or viewed.
- B. The controlled area shall be locked at all times when not in use or attended by an authorized individual.
- C. Information systems devices (e.g., computer screens) and physical documents, when in use, shall be positioned to prevent unauthorized individuals from being able to access or view them.
- D. Encryption shall be used for electronic storage of criminal justice information. (See AG 8321.)

Passwords (Standard Authentication)²

All authorized individuals with access to computer or systems where processing is conducted or containing criminal justice information must have a unique password to gain access. This password shall not be used for any other account to which the individual has access and shall comply with the following attributes and standards.

- A. at least eight (8) characters long on all systems
- B. not be a proper name or a word found in the dictionary
- C. not be the same as the user identification
- D. not be displayed when entered into the system (must use feature to hide password as typed)
- E. not be transmitted in the clear outside of the secure location used for criminal justice information storage and retrieval
- F. must expire and be changed every ninety (90) days
- G. renewed password cannot be the same as any prior ten (10) passwords used (See also, AG 8321.)

Security Awareness Training

All individuals who are authorized by the School to have access to criminal justice information or to systems which store criminal justice information shall have basic security awareness training within six (6) months of initial assignment/authorization and every two (2) years thereafter. The training shall, to the extent possible, be received through the Michigan State Police or a program approved by the Michigan State Police. At a minimum, the training shall comply with the standards established by U.S. Department of Justice and Federal Bureau of Investigation for Criminal Justice Information Services. (See AG 8321.)

² Applicable to Academies that maintain CHRI within an electronic system of records, such as an electronic database, filing system, record keeping software, spreadsheets, etc. Not applicable if CHRI kept solely via e-mail and/or paper copies.

Secondary Dissemination of Information

If criminal history background information received from the Michigan State Police is released to another authorized agency under the sharing provision designated by The Revised School Code, a log of such releases shall be maintained and kept current indicating:

- A. the date of release;
- B. record disseminated;
- C. method of sharing;
- D. agency personnel that shared the CHRI;
- E. the agency to which the information was released;
- F. whether an authorization was obtained.

A log entry need not be kept if the receiving agency/entity is part of the primary information exchange agreements between the School and the Michigan State Police.

If CHRI is received from another School, district or outside agency, an Internet Criminal History Access Tool (ICHAT) background check shall be performed to ensure the CHRI is based on personal identifying information, including the individual's name, sex, and date of birth, at a minimum.

Audit Retention

The School shall retain audit records (position description, consent, and CHRI for both applicants that are hired and those that are not) for at least 365 days. Audit records must continue to be maintained until it is determined they are no longer needed for administrative, legal, audit, or other operational purposes. This includes, for example, retention and availability of audit records subject to Freedom of Information Act (FOIA) requests, subpoena, litigation hold and law enforcement actions.

Adopted 10/13/14

STUDENT RECORDS

Reference: MCL 380.1135
Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education
34 C.F.R. Part 99, 2002
Section 444 of subpart of part C of the General Education Provisions Act
Title IV of Public Law 90-247
20 USC, Section 1232f through 1232i (FERPA)
20 USC 1400 et seq., Individuals with Disabilities Education Improvement Act
20 USC 7165(b)
26 USC 152
20 USC 7908

In order to provide appropriate educational services and programming, the Board must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the Academy reasonably believes knows the identity of the student to whom the education record relates.

The Board is responsible for maintaining records of all students attending the Academy. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the Academy or specifically permitted by this Board will be compiled by employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency;
- B. samples of student work;
- C. information obtained from professionally acceptable standard instruments of measurement such as:
 - 1. interest inventories and aptitude tests;
 - 2. vocational preference inventories;
 - 3. achievement tests.

In all cases, permitted, narrative information in student records shall be objectively based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, and designated Academy officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes

legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

An Academy official is a person employed by the ESP as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online Educational Service Providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 CFR 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered an "Academy official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the Academy" or if the record is necessary in order for the Academy official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that Academy officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of the Academy seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;

- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school Board in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;
- C. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- D. report a crime committed by a child with or without a disability to appropriate authorities and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and Academy officials for their consideration;
- E. release de-identified records and information in accordance with Federal regulations;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the Academy for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the Academy will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identifiable information be used whenever possible. This reduces the risk of unauthorized disclosure.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities. The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)
The Academy will verify that the authorized representative complies with FERPA regulations.

- H. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (*if required*).

Upon written request by a student's parent or legal guardian, the Academy shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the Academy as part of the student's education records.

If the Academy provides any personally identifiable information concerning the student that is collected or created by the Academy as part of the student's education records to any person, agency, or organization, then the Academy shall disclose to the student's parent or legal guardian upon his or her written request:

- A. The specific information that was disclosed.
- B. The name and contact information of each person, agency, or organization to which the information has been disclosed.
- C. The legitimate reason that the person, agency, or organization had in obtaining the information.

This information shall be provided without charge within 30 days after the Academy receives the written request and without charge to the parent or legal guardian.

The Academy is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the Academy as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

- A. Provision of such information to the Michigan Department of Education or CEPI.
- B. Provision of such information to the student's parent or legal guardian.
- C. Provision of such information to its authorizing body or to an educational management organization with which it has a management agreement.
- D. Provision of such information to or from its intermediate school board or to another intermediate school board providing services to the Academy or its students pursuant to a written agreement.

- E. Provision of such information to a person, agency, or organization with written consent from the student's parent or legal guardian or, if the student is at least age 18, the student.
- F. Provision of such information to a person, agency, or organization seeking or receiving records in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction.
- G. Provision of such information as necessary for standardized testing that measures the student's academic progress and achievement.
- H. Provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age 18 or is an emancipated minor, the student has signed and submitted the opt-out form referenced below.

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and Administrative Procedures and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

Directory Information

Each year the Educational Service Provider shall provide public notice to students and their parents of the Academy's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. address;
- C. telephone number;
- D. participation in officially recognized activities and sports;
- E. height and weight, if member of an athletic team;
- F. dates of attendance;
- G. date of graduation;
- H. awards received;
- I. honor rolls;

- J. scholarships;
- K. school photographs or videos of students participating in school activities, events or programs;
- L. other information upon request of the parent.

The Educational Service Provider will also develop a list of uses for which the Academy commonly would disclose a student's directory information and develop an opt-out form that lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for 1 or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first 30 days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the Academy by a student's parent or legal guardian, the Academy shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age 18 or is an emancipated minor may act on his or her own behalf with respect to the opt-out form.

Parents and eligible students may also refuse to allow the Academy to disclose any or all of such "directory information" upon written notification to the Academy within 14 days after receipt of the Academy's public notice.

Armed Forces Recruiting

The Board shall provide United States Armed Forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses, and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to official recruiting representatives, then the officials of the school shall not allow that access to the student's directory information. The Board shall ensure that students and parents and guardians are notified of the provisions of the opportunity to deny release of directory information.

Public notice shall be given regarding the right to refuse disclosure of any or all "directory information" including to the armed forces of the United States and the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the high school, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is

not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to the Academy Records Officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a time for the access. Requests should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the School Leader shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Academy shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

- A. Providing the information to an educational management organization with which the Academy has a management agreement.
- B. Providing the information as necessary for standardized testing that measures the student's academic progress and achievement.
- C. Providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the Academy.

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible students, must submit a written request to the building principal at least five (5) work days before the scheduled date of the activity. The instrument will be provided to the parent within five (5) business days of the principal receiving the request.

The Educational Service Provider shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure or use of personal information collected from students from the exclusive purpose of developing, evaluating, or providing

educational products or service for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment;
- B. book clubs, magazines, and programs providing access to low-cost literary products;
- C. curriculum and instructional materials used by elementary and secondary schools;
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- E. the sale by students of products or services to raise funds for school-related or education-related activities; and
- F. student recognition programs.

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the ESP nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Educational Service Provider shall prepare Administrative Procedures to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and Administrative Procedures on student records.

The Educational Service Provider shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;

- B. informing employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or Educational Service Provider employees of the Academy specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Adopted 05/16/03

Revised 08/08/05; 2/13/06; 9/14/09; 8/13/12; 4/20/15; 8/7/17

LETTERS OF REFERENCE

Reference: MCL 423.452, 380.1230(b)
Section 8546 of the Every Student Succeeds Act (ESSA)

The Board recognizes any current or former Educational Service Provider employee's request to an administrator for a letter of reference is an opportunity to share information about the staff member's performance with a prospective employer. The Board, however, does not require such references to be provided. A current or former staff member should not expect a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator and Educational Service Provider.

However, if an administrator decides to prepare such a letter, the Board expects that administrator to provide specific and truthful comments concerning the employee's actual performance, which can be substantiated by the individual's personnel file. The letter must be reviewed by the Educational Service Provider before it may be released.

In accordance with State law, an administrator who provides such a letter of reference is entitled to at least a qualified privilege for statements made in the letter, provided such statements were made in good faith, without malice.

All Academy employees, including but not limited to an administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, are prohibited from assisting an Academy employee, contractor or agent in obtaining a new job if s/he knows or has reasonable cause to believe that such Academy employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of State or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct.

This policy does not excuse the Academy from providing responses to requests for information about unprofessional conduct, as required by State law.

Adopted 1/12/15
Revised 8/7/17

CONFIDENTIALITY

Reference: Freedom of Information Act 1976, paragraph 15.243 et seq.
M.C.L.A. 445.83, 445.84

It is the policy of the Board of Education that when the District receives in trust from a public agency information identified to be confidential or exempt from disclosure under the Freedom of Information Act, Common Law, Privilege Case Law, or Federal Law, the Board will maintain the confidentiality of said information to the maximum extent permitted by the law.

Neither the Board nor its employee's shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see AG 8350). Documents containing social security numbers shall be restricted to those employees who have a need to know that information or a need to access those documents. When documents containing social security numbers are no longer needed, they shall be shredded by an employee who has authorized access to such records.

Freedom of Information Act requests shall only be responded to in accordance with the School's Policy.

Employees must not divulge confidential information contained in the records and files of this Board, except to other employees who may need such information in connection with their duties and to authorized parties in accordance with proper departmental procedures.

If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information in accordance with applicable procedures, and should refer the requestor to the employee's immediate supervisor.

Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures.

This policy applies only to identified confidential information received from a public agency.

In order to prohibit the unauthorized disclosure of information identified as confidential by a sending public agency, the Board may seek to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order;
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Board will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

Employees who intentionally violate this policy are subject to discipline, up to and including discharge.

The School Administrator shall assure that employees receive a copy of and have readily available access to this policy.

Adopted 5/7/02
Revised 2/13/06

BREACH OF CONFIDENTIAL INFORMATION

Reference: MCL 445.61 et. seq.

It is the policy of the Board of Directors that when unauthorized access or acquisition of data occurs, which would compromise the confidentiality or security of personal information maintained by the School, the School will take appropriate action to assess the risk, and notify the affected individuals.

A “breach” means the unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by the School. Unauthorized access may be considered incidental access by an employee or other individual if the access meets all of the following:

- A. The individual acted in good faith in accessing the data;
- B. The access was related to the activities of the agency or person
- C. The individual did not misuse any personal information or disclose any personal information to an unauthorized person.

Personal information for purposes of this policy means the persons last name, with either the first name or initial when linked to one of more of the following:

- A. Social security number
- B. Driver’s license
- C. Demand deposit or other financial account numbers (including credit/debit card numbers, when combined with access code, security code or password which would allow access to the financial accounts)

Upon determining that a breach has occurred, the individual shall notify the Administrator in writing. The Administrator shall promptly determine and implement the steps necessary to correct the unauthorized access and notify those individuals whose personal information may have been compromised.

Individuals who intentionally violate this policy shall be reported to the appropriate law enforcement agency and may be subject to criminal penalties.

Adopted 9/14/09

ANIMALS ON SCHOOL PROPERTY

Reference: 28 C.F.R. 35.104
Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)
The Americans with Disabilities Act, as amended (ADA)
The Individuals with Disabilities Education Improvement Act (IDEIA)

Introduction

The Board of Directors recognizes that there are many occasions when animals are present on School property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at the School by a service or therapy animal in accordance with Federal and State law and this policy.

This policy applies to all animals on School property, including service animals.

Definitions

- A. "Animal": includes every vertebrate other than a human.
- B. "Service animal": pursuant to 28 C.F.R. Section 35.104, "means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

Non-Service Animals in the School and Elsewhere on School Property

Animals permitted in the School and elsewhere on School property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), those that provide a reasonable accommodation to a student in accordance with a Section 504 Plan, or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the School Administrator may permit animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member must have approval to have a non-service animal in his/her classroom and shall:
 1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
 2. take precautions deemed necessary to protect the health and safety of students and other staff;
 3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,
 4. keep the surrounding areas in a clean and sanitary condition at all times;
- B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

Service Animals for Students

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the Academy campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare or supervision of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on School property or at School-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's

safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 4120.09.

Removing and/or Excluding a Student's Service Animal

If a service animal demonstrates that it is not under the control of the student or its handler, the School Administrator is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from the School.

Similarly, in instances when the service animal has demonstrated that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from School property.

The School Administrator shall be notified when a service animal is removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The School Administrator decision to remove and/or exclude a service animal from School property may be appealed in accordance with the complaint procedure set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and his/her parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or the Department of Justice.

Service Animals for Employees

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA mandated interactive process.

Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the School's facilities where members of the public, as participants in services, programs or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the School's facilities with their service animals should notify the School Administrator that their service animal will accompany them during their visit.

An individual with a disability who attends a School event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 - Public Attendance at School Events. If the individual with a disability will attend a regularly scheduled series of events with his/her service animal, the individual with disabilities will be required to provide a current

satisfactory health certificate or report of examination from a veterinarian for the animal, which is required for all animals by this policy.

Adopted 2/10/14
Revised 6/19/15

ACADEMY SAFETY INFORMATION

Reference: Title IX, Section 9532 of the No Child Left Behind Act of 2001
MCL 380.1308 and 380.1310a, 771.2a

The Board is committed to maintaining a safe school environment. The Board believes crime and violence at the Academy are potential, multifaceted problems that need to be addressed by utilizing the best resources and coordinated efforts of Academy personnel, law enforcement agencies, and families. The Board further believes the Academy and local law enforcement officials must work together to provide for the safety and welfare of students while at the school, at a school-sponsored activity or while en route to or from the school or a school sponsored activity. The Board also believes the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote safety and minimize the likelihood of crime and violence at the Academy.

Federal law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons, drugs and registered sex offenders. Individuals are prohibited from engaging in these activities at any time on school property, within the Student Safety Zone, or at any school-related event.

The Academy will work with local officials in arranging signage defining the 1,000 foot boundary.

The ESP shall hold a meeting for the purpose of reviewing the provisions of the School Safety Information Policy Agreement and making modifications deemed necessary and proper by the participants in the meeting. The agenda will also include discussion of additional training needed and any other such related matters. Participants in this meeting shall include the School Administrator, members of the Board, the County Prosecutor or his/her designee, and representatives from the local law enforcement agencies. Others may also be invited to participate in the meeting.

The ESP shall make a report to the Board about this annual review and recommend the approval and adoption of any proposed revisions or additions.

Academy Contact Person

Furthermore, in accordance with state law, the Board hereby designates the Educational Service Provider as the Academy contact person who shall receive information from law enforcement officials, prosecutors and the court officials, and in turn, notify the staff members who need to know the information within twenty-four (24) hours of its receipt.

The Educational Service Provider shall notify the appropriate law enforcement officials when an eligible student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement* and shall report all information that is required to be reported to State or local law enforcement agencies and prosecutors. Reporting such information is subject to 20 USC 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

Required Reporting

The ESP shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the Academy during the preceding school year and the reason for the expulsion.

The ESP shall also submit a report, at least annually, to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at the Academy. At least once annually, a copy of the most recent report of incidents of crime shall be made available to the parent or legal guardian of each student enrolled in the Academy. This report will minimally include crimes involving any of the following:

- A. physical violence;
- B. gang related acts;
- C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;
- D. trespassing;
- E. property crimes, including, but not limited to, theft and vandalism, as well as an estimate of the cost to the Academy that results from the property crime.

The Educational Service Provider shall collect weekly and keep current the information required for the report on incidents of crime, and must provide that information, within seven (7) days, upon request.

Each Academy building shall collect and keep current on a weekly basis the information required from the report of incidents of crime, and must provide that information, within seven (7) days, upon request. Law Enforcement Information Network (LEIN)

The Board authorizes the Educational Service Provider to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

Law Enforcement Information Network (LEIN)

The Board authorizes the Educational Service Provider to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

Persistently Dangerous Schools

The Board recognizes the requirement of State and Federal law for the Academy to annually report to the Michigan Department of Education incidents, meeting the statutory definition of violent criminal offenses that occurred in the Academy, on school grounds, on a school conveyance, or at a school-sponsored activity. The State Department of Education will then use this data to determine if a school is considered "persistently dangerous," as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, Academy administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in the Academy exceed the threshold number established in State policy, the Educational Service Provider shall discuss this problem at the annual meeting, for the purpose of reviewing the School Safety Plan, so that a plan of corrective action can be developed and implemented to reduce the number of these incidents in the subsequent year.

The ESP shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

Adopted 05/07/02

Revised 08/08/05; 9/11/06; 4/9/07; 6/29/15; 3/14/16; 8/7/17

ENVIRONMENTAL HEALTH AND SAFETY ISSUES

The Board of Directors recognizes its responsibility relative to student, employee, and visitor health and safety and to the need for the development of a comprehensive program designed to provide a healthy, safe, and secure environment on School property and at School-sponsored activities. To achieve this, the Board intends for the School to take advantage of the most current, proven technologies in the fields of health, safety, and environmental sciences.

Student, Employee, and Visitor Health and Safety

The School shall develop and implement a positive, proactive environmental health and safety program that integrates responsibilities within the School and promotes and incorporates the following:

- A. Procedures that describe a hazard identification and abatement program requiring the following: periodic inspection of School facilities; the implementation of immediate and programmed corrective actions, when deemed necessary by such inspections; and the development of a School-wide hazard reporting procedure that enables employee/parent/school community participation. This program should also provide procedures for identifying and responding to hazards created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine if appropriate requirements for environmental health and safety have been met.
- B. Procedures that promote environmental health and safety awareness among employees, students, parents and community. These procedures shall include, but not be limited to, the establishment of School safety committees and the establishment of a program of regular communication with students, employees, and parents about pertinent safety and health issues through available mediums in the School.
- C. Procedures that address the safety and health of students during transportation to the School, in the School, on School property, and during participation in School-related activities. These procedures shall include, but not be limited to, promoting bus safety for students; assessing the safety of School traffic patterns; operating School clinics; administering medication and medical treatment; promoting laboratory and shop safety; promoting safety in sports and other outdoor activities; inspecting playground equipment and promoting safety on playgrounds; and assessing environmental exposure.
- D. Procedures that relate to School employees' health and safety issues, including, but not limited to, provision of work areas free from recognized hazards; OSHA-related programs required by Federal and State law (e.g., employee safety and health training and training in hazard recognition); and definition of employer and employee responsibilities and expectations related to health and safety.

- E. Procedures that establish a system for reporting and investigating accidents, including identification of root causes, determination of remedial and programmed corrective actions, and communication about accidents to employees, parents and members of the School community.
- F. Procedures that detail plans for foreseeable emergencies and fire prevention.

Phase-out/Banned Products

The School Administrator shall immediately ban the use, on Board property, of any chemicals, insecticides, or other materials, which the Federal government is phasing out and/or banning by a certain date.

Indoor Environmental Quality (IEQ)

The Board recognizes that excessive moisture levels within the School can lead to conditions optimum for the development of biological contaminants (e.g., mold and fungi on building surfaces). The Board further recognizes the presence of these contaminants can be harmful on contact with respiratory tissue.

Contributing factors to excessive moisture levels include the following:

- A. roof leaks;
- B. structural defects in the building;
- C. improperly controlled humidity levels;
- D. faulty HVAC systems.

As preventive measures, the School shall do the following:

- A. address prevention of water intrusion as a priority IEQ issue and implement strategies toward its elimination;
- B. maintain environmental conditions in occupied areas in compliance with applicable regulations and strive to conform to industry standards;
- C. implement a preventative maintenance program for HVAC systems that includes, but is not be limited to, periodic filter replacement; inspection; cleaning and disinfecting processes; and procedures to eliminate the contribution to indoor air quality problems caused by this equipment;
- D. implement a system to ensure materials used (and purchased for use) in the construction, furnishing and maintenance (including cleaning), do not contribute to health hazards for employees and students by degrading the quality of indoor air. In addition, activities that create indoor air quality health hazards shall not be permitted.

In addition, the School Administrator shall develop Administrative Guidelines for properly monitoring factors that contribute to excessive moisture and for developing mitigation plans when, and if, problems with IEQ are identified.

Diesel Exhaust and School Bus Idling

In accordance with the Environment Protection Agency's initiative to reduce pollution caused by buses on School property, the Board will take the recommended steps to reduce the negative effects of diesel exhaust on indoor and outdoor air quality on School campuses, including, but not limited to, reducing bus idling time and reinforcing smart driving practices.

The School Administrator shall develop the Administrative Guidelines necessary to establish these practices in the School (see AG 8615).

Pollution Control and Prevention

In an effort to comply with environmental policy and applicable regulations, the School shall develop and implement procedures designed to prevent air and water pollution; minimize or eliminate waste streams, where possible; and identify possible sources of air and water pollution.

See also the following related Policies:

Policy	7430	Safety Standards
Policy	8410	Crisis Intervention
Policy	8420	Emergency Situations at the School
Policy	8431	Preparedness for Toxic Hazard and Asbestos Hazard
Policy	8442	Reporting Accidents
Policy	8450	Control of Casual-Contact Communicable Diseases
Policy	8453	Direct Contact Communicable Diseases
Policy	8453.01	Control of Blood-Borne Pathogens

Adopted 4/14/08
Revised 2/10/14

INTEGRATED PEST MANAGEMENT

Reference: MCL 324.8316 [This policy applies to all pest control activities and pesticide use in the school building and related facilities including grounds. Recipients of this policy include faculty, other staff, or any employees or independent contractors monitoring or treating pest problems. Each recipient is required to follow this policy.]

Purpose

The goal of this integrated pest management policy is to provide a safe and healthy learning environment that is relatively pest-free with the least possible use of pesticides. To achieve this goal, it is the policy of the School to develop, implement and maintain an integrated pest management program for the control of pests and minimize pesticide exposure to children, faculty, and staff. This policy is consistent with MCL 324.8316, which encourages schools to adopt an IPM strategy.

Sanitizers, germicides, disinfectants, or antimicrobials are exempt from the IPM notification requirements. This policy adheres to the principles of IPM and is conducted in accordance with all federal and state laws and regulations and local ordinances.

Pests are controlled to protect the health and safety of students and staff, maintain a productive learning environment and maintain the integrity of the school building and grounds. IPM is a pest management system that uses all suitable techniques in a total management system to prevent pests from reaching unacceptable levels or to reduce existing pest populations to acceptable levels while balancing the risk of the pest with the potential risk of the management technique.

Development of IPM program

The School's IPM program written under this policy states the School's goals regarding the management of pests and the use of pesticides. It reflects the School's site-specific needs and includes the following elements as required by law:

- Site evaluation, including site description, inspection, and monitoring and the concept of threshold levels;
- Consideration of the relationship between pest biology and pest management methods;
- Consideration of all available pest management methods, including population reduction techniques, such as mechanical, biological, and chemical techniques and pest prevention techniques, such as habitat modification;
- Pest controls methods selection, including consideration of the impact on human health, especially for children, and the environment; and
- Continued evaluation of the integrated pest management program.

The School Administrator or designee for the School shall be responsible for ensuring that an IPM program is developed and is in compliance with MCL 324.8316.

Education /Training

The School community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM Coordinator, School staff and pesticide applicators involved with implementation of the School IPM program will be trained in appropriate components of IPM as it pertains to the School environment.

Students, parents/guardians will be provided with information on this policy and instructed on how they can contribute to the success of the IPM program.

Record keeping

Records of pesticide use shall be maintained on-site to meet the requirements of the Michigan Department of Agriculture and the School Board. Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The School Administrator or IPM Coordinator of the School is responsible for timely pre-notification to students' parents or guardians and the School staff of pesticide treatments pursuant to the requirements under the Natural Resources and Environmental Protection Act, MCL 324.8316.

Re-entry

In accordance with the Natural Resources and Environmental Protection Act, Part 83, reentry to a pesticide treated area may not occur less than 4 hours after application unless the product label requires a longer reentry period. Outdoor ornamental and turf applications of liquid spray pesticides shall not be made on School grounds within 100 feet of an occupied classroom during normal school hours or when persons are using the treatment area.

Pesticide applicators

The IPM coordinator shall ensure that pesticide applicators, as well as School staff and volunteers follow state regulations, including licensing requirements, applicator certification or registration, and IPM training, label precautions, and comply with all components of the IPM Program.

Evaluation

Annually, the School Administrator will report to the School Board on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The School Administrator is responsible to develop guidelines for the implementation of this policy.

Adopted 4/14/08

CRISIS INTERVENTION

The Board of Directors believes that the employees, and students of the School, as well as visitors, are entitled to function in a safe school environment. In this regard, the Board has adopted policies related to conduct in the school setting as well as those that address various crisis situations.

The School Administrator shall promulgate administrative guidelines for responding to a crisis situation, developing a prevention plan, and providing effective intervention for students who may show warning signs that relate to violence or other troubling behaviors.

EMERGENCY SITUATIONS AT THE SCHOOL

Reference: MCL 29.19
A.C. 1301:7-7-01, 3301-35-03 (D), 3301-83-15
HB No. 4713 (2013)

The Board of Directors is committed to providing a safe learning and work environment. Unfortunately natural and man-made disasters do occur. Such emergencies are best met by preparedness and planning.

A. Emergency Preparedness

The School shall develop emergency preparedness procedures that address the following goals and/or objectives:

1. the health and safety of students and staff are safeguarded;
2. the time necessary for instructional purposes is not unduly diverted;
3. minimum disruption to the educational program occurs;
4. students are helped to learn self-reliance and trained to respond sensibly to emergency situations.

All threats to the safety of School facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

School personnel, including teachers, shall provide for unrestricted emergency egress during school hours and when the school is open to the public.

B. Drills

1. Each School shall conduct a minimum of five (5) fire drills each school year. Three (3) of the fire drills shall be held by December 1st of the school year, and two (2) shall be held during the remaining part of the school year, with a reasonable spacing interval between each drill.
2. Each School shall conduct a minimum of two (2) tornado safety drills each school year. At least one (1) of the tornado safety drills shall be conducted during March of the school year. These drills shall be conducted for the purpose of preventing injuries caused by severe weather.
3. Each School shall conduct a minimum of three (3) drills in which the occupants are restricted to the interior of the building and the building

secured each school year. At least one (1) of these drills shall be conducted by December 1st of the school year, and at least one (1) shall be conducted after January 1st of the school year, with a reasonable spacing interval between each drill. Such drills shall include security measures that are appropriate to an emergency such as the release of a hazardous material or the presence of a potentially dangerous individual on or near the premises. The School Administrator shall seek input from local public safety officials on the nature of the drills to be conducted under this subsection.

4. Each School shall conduct at least one (1) of the drills required under Sections 2(A)-(C) during a lunch or recess period, or at another time when a significant number of the students are gathered but not in the classroom.
5. Schools shall not conduct a drill required under Sections 2(A)-(C) at a time that would interfere with the conduct of a state-mandated assessment.
6. Not later than September 15th of each school year, the School Administrator shall provide a list of the scheduled drill days to the county emergency management coordinator.
7. If a drill is not conducted on a scheduled drill day due to conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, the school shall reschedule the drill to occur within ten (10) school days after the scheduled date of the cancelled drill. The School Administrator shall notify the county emergency management coordinator of the rescheduled date for the drill.

C. Drill Result Publication

1. The School Administrator shall provide that documentation of a completed school safety drill is posted on the school's website within thirty (30) school days after the drill is completed and is maintained on the website for at least three (3) years.
2. The documentation posted on the website shall include at least all of the following:
 - a. Name of the School
 - b. School year of the drill

- c. Date and time of the drill
- d. Type of drill completed
- e. Number of completed drills for that school year for each type of drill required under Sections 2(A)-(C)
- f. Signature of the School Administrator or his/her designee acknowledging the completion of the drill.
- g. Name of the individual in charge of conducting the drill, if other than the School Administrator.

D. Cardiac Emergency Response Plan

- 1. Use and regular maintenance of the automated external defibrillators, if available.
- 2. Activation of a cardiac emergency response team during an identified cardiac emergency.
- 3. A plan for effective and efficient communication throughout the school campus.
- 4. If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.
- 5. Incorporation and integration of the local emergency response system and emergency response agencies with the school's plan.
- 6. An annual review and evaluation of the cardiac emergency response plan.

Revised 9/8/14

PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

Reference: M.C.L.A. 324.8316, 380.1256
15 U.S.C. 2601
20 U.S.C. 4022
20 U.S.C. 4014
20 U.S.C. 4011
20 U.S.C. 4011 et seq.
Asbestos Hazard Emergency Response Act of 1986 (AHERA)
Asbestos School Hazard Abatement Act of 1984
Asbestos School Hazard Abatement Reauthorization Act of 1990

The Board of Directors is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction.

TOXIC HAZARDS

These hazards exist in chemicals, pesticides, and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will be responsible for the following:

A. Hazard Determination

Identification of potential sources of toxic hazards in cooperation with material suppliers, who shall supply the Toxic Hazard Preparedness Officer with Material Safety Data Sheets (MSDSs). The Board will rely on MSDSs from material suppliers to meet hazard determination requirements.

B. Labeling

Ensuring that all incoming materials are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party, and that any containers to which the materials are transferred are also properly labeled.

C. Material Safety Data Sheets

Maintaining a current file of MSDSs for all hazardous materials present on School property. The MSDS files will be kept at the School Administration Office.

MSDSs will be available for review to all employees. Copies will be available upon request to the Toxic Hazard Preparedness Officer. Posters identifying the person responsible for monitoring MSDSs and where MSDSs are located at the School Administration Office. Posters notifying employees when new MSDSs are received will be located in the same

location. The Toxic Hazard Preparedness Officer shall contact the supplier, in writing, if a required MSDS is not received, and promptly procure the MSDS before releasing the material for use.

If s/he is unable to obtain an MSDS from a supplier, s/he should contact MIOSHA's Occupational Health Division (OHD) or General Industry Safety Division (GISD) for assistance in obtaining the MSDS.

D. Employee Information and Training

Providing information to and conducting a training program for all School employees on such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the School's plan for communication, labeling. Records of each employee's hazardous communication training should be maintained and all new employees should receive training regarding any hazardous chemicals they may potentially come in contact with as part of their job.

The information should include:

1. regulations of MIOSHA's hazardous communication standard;
2. all operations in employee's work area where hazardous chemicals are present;
3. location and availability of written hazardous communication program (i.e. the policy), the list of hazardous chemicals and the MSDSs.

Training should include:

1. techniques used to detect presence or release of hazardous chemicals in work area;
2. physical and health hazard of hazardous chemicals;
3. the measures the employee should take to protect themselves from these hazards;
4. details of the hazardous communication program including an explanation of labeling system and MSDSs and how employees can obtain and use hazard information.

Employees shall also be informed of:

1. the employer's anti-discrimination/discharge policy for employees accessing hazard information;
2. how the employee can contact OHD or GISD for assistance in obtaining an MSDS if s/he is unable to obtain the MSDS from the employer.

- E. Hazardous nonroutine tasks (optional) - before an employee is required to start a nonroutine task (e.g. enter confined space) the employee will be given information about the hazards of the area or procedure including specific chemical hazards, protection or safety measures the employee can take to lessen hazard, and measures the company has taken to eliminate or control hazard.

Any staff member or contractor who applies pesticides on School property shall meet the requirements of AG 8431A in addition to requirements established by the State. S/He shall provide written notification each year, prior to any application, to all parents and staff members 1.) that a pesticide is to be applied, 2.) the type of pesticide and its potential side effects, 3.) the location of the application, and 4.) the date of the application

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

ASBESTOS

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA) and the Michigan Occupational Safety and Health Act (MIOSHA), the Board recognizes its responsibility to:

- A. inspect all School buildings for the existence of asbestos or asbestos-containing materials;
- B. take appropriate actions, in accordance with State law and EPA regulations, based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The School Administrator shall appoint a person to develop and implement the School's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students. Upon completion the School's Asbestos Plan must be submitted to the Michigan Department of Consumer and Industry Services, Occupational Health Division, Lansing, Michigan.

The School Administrator shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the School is licensed pursuant to the Michigan Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

The School may provide, however, legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the employee was performing the duties while in the course of his/her employment or while acting within the scope of his/her authority. The School reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct.

This policy may apply to work performed by authorized employees prior to the date of its adoption.

Adopted 1/12/2004

REPORTING ACCIDENTS

The Board of Directors directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and employees of this School. To that end and so that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the School Office if a student or School Administrator if adult. Injured persons shall be referred immediately to the appropriate personnel for such medical attention as may be needed.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the School Administrator, as appropriate, as soon as possible following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action in accordance with standards set forth in Board policy.

CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

Reference: MCL 380.1169

The Board of Directors recognizes that control of the spread of communicable disease spread through casual-contact is essential to the well-being of the School community and to the efficient School operation.

For purposes of this policy, "casual-contact communicable disease" shall include diphtheria, scarlet fever and other strep infections, whooping cough, mumps, measles, rubella, chicken pox, others designated by the Michigan Department of Community Health.

In order to protect the health and safety of the students, School personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling casual contact communicable disease spread through normal interaction in the School setting.

If a student exhibits symptoms of a communicable disease, the School Administrator will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

The School Administrator shall develop administrative guidelines for the control of communicable disease, which shall include:

- A. instruction of professional staff members in the detection of these common diseases and measures for their prevention and control;
- B. removal of students from School property to the care of a responsible adult;
- C. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. filing of reports as required by statute and the State Department of Health.

Revised 3/14/11

DIRECT CONTACT COMMUNICABLE DISEASES

Reference: Michigan Public Health Code (Act 368 of 1978 as amended)
Family Education Rights and Privacy Act (FERPA)
M.C.L.A. 37.1101 et seq., 380.1169
P.L. 94-142, P.A. 451

The Board of Directors seeks to provide a safe educational environment for both students and staff. It is the Board's intent to ensure that any student or member of the staff who contracts a communicable disease that is not communicated through casual-contact will have the confidentiality of the information protected and his/her status in the School examined by an appropriate panel of resource people and that the rights of both the affected individual and those of other staff members and students will be acknowledged and respected.

For purposes of this policy, "noncasual-contact communicable disease" shall include:

- A. HIV (human immunodeficiency virus);
- B. AIDS (acquired immune deficiency syndrome);
- C. AIDS related complex (condition);
- D. HAV, HBV, HCV (Hepatitis A, B, C);
- E. other disease that may be specified by the State Department of Health as contact communicable diseases.

In its effort to assist in the prevention and control of communicable diseases of any kind, the Board has established policies on Immunization, Hygienic Management, and Control of Casual-Contact Communicable Diseases. The purpose of this policy is to protect the health and safety of the students, School personnel, and the community at large from the spread of the above-mentioned diseases.

The Board will allow students and staff members to attend school unless there is definitive evidence to warrant exclusion. When the School Administrator has been informed by an official of the local or State Health Department (learns) that a student or School employee may be infected with a noncasual-contact communicable disease, as defined above, the School Administrator shall immediately obtain written consent from the employee or student's parents to disclose confidential information to the Communicable Disease Review Panel (CDRP) and to communicate such information as may be necessary to appropriate members of the School staff.

If the employee or parents refuse to consent to the disclosure, the School Administrator shall direct the local department of health to make a "need to know" determination that disclosure is necessary to the CDRP. The School Administrator is hereby designated as the authorized individual to receive information from the Kent County Health Department or State Department of Health pertaining to a student or employee who has a noncasual-contact communicable disease.

The CDRP shall consist of:

- A. two (2) health professionals knowledgeable in the disease, one of whom is the health officer or representative from the Kent County Health Department;
- B. the School Administrator and Curriculum Supervisor;
- C. the infected person (or parent, if under age eighteen (18) and his/her representative.

The School Administrator shall also consult with either the infected person's physician or the Kent County Health Department to determine if the initial evidence warrants exclusion.

If the evidence is not sufficient to justify exclusion, the person shall remain in his/her current School environment unless there exists exposure to casual-contact communicable diseases that pose a threat to the person's health or safety.

If the evidence indicates the person should be excluded from the School environment, the person shall be temporarily excluded following due-process procedures.

The School Administrator shall develop administrative guidelines, which establish procedures needed to fulfill the intent of this policy.

Adopted 1/12/2004

CONTROL OF BLOOD-BORNE PATHOGENS

Reference: 29 C.F.R. 1910.1030

The Board of Directors seeks to protect those staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The School Administrator shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

STUDENT ABUSE AND NEGLECT

Reference: M.C.L.A. 722.621 et seq.

The Board of Directors is concerned with the physical and mental well-being of the students of this School and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Each professional staff member employed by this School who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The professional staff member or appropriate administrator in the presence of the staff member shall immediately call the local office of the Family Independence Agency and shall secure prompt medical attention for any such injuries reported.

S/He shall also notify the appropriate administrator according to the School's Reporting Procedure for Student Abuse or Neglect.

Any support staff member who has reasonable cause to suspect child abuse or neglect shall immediately report any such case to the School Administrator who shall, in turn, immediately notify the Family Independence Agency.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting staff member shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the School is a violation of the law and subjects the disseminator to civil liability for resulting damages.

Each Curriculum Supervisor should be mindful of the possibility of physical or mental abuse being inflicted on a student by a staff member. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the School Administrator.

FOOD SERVICES

Reference: Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 USC 1751 et seq.
Child Nutrition Act of 1966, 42 USC 1771 et seq.
M.C.L. 380.1272, 1272a, 1272d et seq.
7 CFR Parts 15b, 210, 215, 220, 225, 226, 240, 245, 3015
42 U.S.C. 1758, 1760
OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)
SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

The Board of Directors may provide food service for the purchase and consumption of lunch for all students.

The Board of Directors may also provide a breakfast program in accordance with procedures established by the State Department of Education.

The Board's Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity shall apply to any food service program offered by the Academy.

Any food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, and to the fiscal management of the program. Operation of such a program shall be as follows.

Substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a healthcare provider who has prescriptive authority in the State of Michigan has provided medical certification that the student has a disability which restricts his/her diet, in accordance with all applicable law.

On a case by case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who are not "disabled persons", but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs.

For non-disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent or guardian is required.

The operation and supervision of the food-service program shall be the responsibility of the Educational Service Provider. Food services shall be operated on a self-supporting, nonprofit basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

A periodic review of the food-service accounts shall be made by the Educational Service Provider and such accounts shall be audited as part of the Academy's annual audit.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

The Educational Service Provider is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the Academy during the school year.

With regard to the operation of the Academy food service program, the Educational Service Provider shall ensure:

- A. The maintenance of sanitary, neat premises, free from fire and health hazards;
- B. The preparation of food that complies with Federal food safety regulations;
- C. The purchase of foods and supplies, in accordance with State and Federal law, USDA regulations and Board policy;
- D. Complying with food holds and recalls in accordance with USDA regulations;
- E. The management (accounting and disposition) of food-service funds pursuant to Federal and State law and USDA regulations;
- F. The safety and safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- G. The planning and execution of menus in compliance with USDA requirements; and
- H. The regular maintenance and replacement of equipment.

The Academy shall serve only nutritious food as determined by the Food Service Program in compliance with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food service program must comply with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines, and may be vended, subject to Board Policy 8540.

Revised 4/9/07; 8/15/11; 4/20/15; 3/14/16; 8/18/16; 8/7/17

WELLNESS

Reference: Richard B. Russell National School Lunch Act, 42 USC §§ 1751, 1758, 1766; Child Nutrition Act, 42 USC § 1773
7 CFR Parts 210 and 220

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the Academy's students. Furthermore, research concludes that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

- A. With regard to nutrition education, the Academy shall:
(Specific goals need to be inserted here. See Appendix A.)
- B. With regard to physical activity, the Academy shall:
(Specific goals need to be inserted here. See Appendix B.)
- C. With regard to other school-based activities the Academy shall:
(Specific goals need to be inserted here. See Appendix C.)
- D. With regard to nutrition promotion, the Academy shall:
(Specific goals need to be inserted here. See Appendix D.)

Furthermore, with the objectives of enhancing student health and well-being, and reducing childhood obesity, the following guidelines are established:

(Specific guidelines need to be inserted here. See Appendix E.)

The Board designates the Educational Service Provider as the individual(s) charged with operational responsibility for verifying that the Academy meets the goals established in this policy.

The Educational Service Provider shall appoint an Academy wellness committee that includes parents, students, representatives of the Academy food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public and Academy administrators to oversee development, implementation, evaluation and periodic update of the wellness policy. The Wellness Committee shall be an ad hoc committee with members recruited and chosen annually.

The Wellness Committee shall be responsible for:

- A. assessment of the current Academy environment;

- B. review of the Academy's wellness policy;
- C. presentation of the wellness policy to the Board for approval;
- D. measurement of the implementation of the policy;
- E. recommendation for the revision of the policy, as necessary.

Before the end of each school year the Wellness Committee shall recommend to the Educational Service Provider any revisions to the policy it deems necessary and/or appropriate. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.

The Educational Service Provider shall report annually to the Board on the progress of the Wellness Committee and on its evaluation of policy implementation and areas for improvement, including status of compliance by individual schools and progress made in attaining goals of policy.

The Educational Service Provider is also responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Educational Service Provider shall include information in the student handbook and post the policy on the Academy's website, including the Wellness Committee's assessment of the implementation of the policy.

The Academy shall assess the Wellness Policy at least once every three (3) years on the extent to which Academies are in compliance with the Academy policy, the extent to which the Academy policy compares to model wellness policies, and the progress made in attaining the goals of the Academy Wellness Policy. The assessment shall be made available to the public on the Academy website.

Adopted 4/20/15
Revised 8/7/17

SPECIFIC GOALS FOR NUTRITION

- A. Nutrition education standards and benchmarks shall be age-appropriate and culturally relevant.
- B. Nutrition education shall extend beyond the classroom by engaging and involving the school's food service staff.

Adopted 4/20/15

SPECIFIC GOALS FOR PHYSICAL ACTIVITY

Physical Education

The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.

Physical Activity

Physical activity shall not be employed as a form of discipline or punishment.

Adopted 4/20/15

SPECIFIC GOALS FOR OTHER SCHOOL-BASED ACTIVITIES DESIGNED TO PROMOTE STUDENT WELLNESS

- A. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
- B. The schools may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
- C. The schools may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the School dining areas.
- D. The schools may demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.

Adopted 4/20/15

SPECIFIC GOALS FOR NUTRITION PROMOTION

With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards.

Additionally, the Academy shall:

- A. encourage students to increase their consumption of healthful foods during the school day;
- B. create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods that comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards:
 - 1. a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium;
 - 2. a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy;
 - 3. whole grain products - half of all grains need to be whole grain-rich upon initial implementation and all grains must be whole grain-rich within two (2) years of implementation;
 - 4. fluid milk that is fat-free (unflavored and flavored) and low-fat (unflavored);
 - 5. meals designed to meet specific calorie ranges for age/grade groups;
 - 6. eliminate trans-fat from school meals;
 - 7. require students to select a fruit or vegetable as part of a complete reimbursable meal;

Adopted 4/20/15
Revised 8/7/17

NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS DURING THE SCHOOL DAY

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).

The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.

- C. The sale of foods and beverages to students that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus, defined as the Academy's physical plant as delineated in the Academy's charter during the school day is prohibited.
- D. All food items and beverages available for sale to students for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) between midnight and thirty (30) minutes after the close of the regular school day (the "School day"), as defined in the Academy's charter contract shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entrée items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered from vending machines, from school stores, or as authorized fundraisers including those operated by student clubs and organizations, parent groups, or boosters clubs.
- E. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines.
- F. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include classroom snacks, for classroom parties, and at holiday celebrations) shall comply with the food and beverage standards approved by the Educational Service Provider.
- G. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.

- H. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well.
- I. The school food service program may involve students, parents, staff, and school officials in the selection of competitive food items to be sold in the schools.
- J. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.
- K. Continuing professional development shall be provided for all staff of the food service program.

Adopted 4/20/15
Revised 8/7/17

VENDING MACHINES

Reference: 42 USC 1779
7 CFR Parts 210 and 220

The Board of Directors recognizes that vending machines can produce revenues which are useful to augment programs and services to students and staff. It will, therefore, authorize their use in school facilities providing that the following conditions are satisfied.

- A. a contract is made with a reputable supplier of vending machines and products to install, service, stock, and maintain each vending machine.
- B. The School's share of the revenues is managed by the School in accordance with relevant Board policies and Administrative Procedures.
- C. No products are vended which would conflict with or contradict information or procedures contained in the School's educational programs on health and nutrition.
- D. No food or beverages are to be sold or distributed which will compete with the School's food-service program.
- E. Food items and beverages available for sale to students in vending machines for consumption on the School campus (any area of property under the jurisdiction of the School that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day) shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.

The School Administrator shall develop and implement Administrative Procedures which will require that these conditions are adhered to on a continuing basis.

Adopted 4/20/15

TRANSPORTATION BY PRIVATE VEHICLE

Reference: A.C. Rule 340.282

The Board of Directors authorizes the transportation by private vehicle of students of the School.

Any such transportation must be approved in advance and in writing by the School Administrator in accordance with the School Administrator's administrative guidelines.

The parent of the participating student will be given, on request, the name of the driver and the description of the vehicle.

No person shall be approved for the transportation of students in a private vehicle who is not an employee of this Board, an approved volunteer, the parent of a Student enrolled in this School and/or others who may be approved, such as grandparents and the holder of a currently-valid license to operate a motor vehicle in the State of Michigan.

No person shall be permitted to transport a student who is not the holder of automobile liability and personal injury insurance in the amount required by School administrative guidelines. The School Administrator may withdraw the authorization of any private vehicle driver whose insurance is not adequate.

Any private vehicle used for the transportation of students must be owned by the approved driver or the spouse of the approved driver and must conform to registration requirements of the State.

The responsibility of professional staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not professional staff members are requested to report student misconduct to the School Administrator.

Expenses incurred by drivers of private vehicles in the course of transporting students may be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees

INSURANCE

Reference: M.C.L.A. 129.51

The Board of Directors shall purchase with School funds the type and amount of insurance necessary to protect the School from major financial losses.

Insurance purchased shall include, but need not be limited to, the following:

- A. negligent acts or omissions which cause personal injury or wrongful death
- B. fire and extended coverage on buildings and contents
- C. comprehensive bodily injury, property damage on automobiles, buses, and trucks
- D. boiler and machinery
- E. special coverage for equipment not ordinarily covered under a standard policy
- F. employee insurance coverage as specified in the Master Agreement(s) or by Board action
- G. worker's compensation coverage
- H. legal liability for Board members and employees
- I. employee dishonesty

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The School Administrator shall administer the insurance program.

JOINT SELF-INSURANCE POOL

The Board of Directors recognizes the benefits to the School of joining with other boards of education and political subdivisions in providing coverage for the insurance needs of this School and in participating in programs of risk management to prevent loss, reduce expenses, and to control liability.

The Board may provide insurance for:

- A. loss or damage to School property, real or personal;
- B. loss or damage from liability resulting from the use of School property;
- C. loss or damage from liability for the acts and omissions of School officers, employees, or volunteers;
- D. loss or damage from liability established by the workers' compensation statutes;
- E. the expenses of defending any claim against the Board members, officers, or employees of this School arising out of and in the course of the performance of their duties;
- F. hospital and medical insurance coverage.

The Board may, upon formal resolution duly adopted, become a member of a self-insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the State Superintendent of Insurance in accordance with law.

Trustees of the school board self-insurance pool shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board shall be elected by a plurality vote of those Board members present and voting.

RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

Reference: 20 USC 4071 et. seq.
Gregoire vs. Centennial School 907 F2d 1366, (3rd Circuit, 1990)
Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)
M.C.L. 380.1347, 380.1347a, 380.1565

Decisions of the United States Supreme Court have determined that public schools must neither advance nor inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously oriented activities by the School are offensive to some and tend to supplant activities that should be the exclusive province of individual religious groups, churches, private organizations, and/or the family.

Staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. The School shall not function as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on school property by any party shall be prohibited in accordance with Policy and Administrative Procedures 7510 - Use of School Facilities and 9700 - Relations with Special Interest Groups.

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting the establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's/person's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. However, acknowledgement, explanation, and instruction about the special holidays of various religions are encouraged. Celebration activities, involving nonreligious decorations and use of secular works, are permitted. Nonetheless, faculty members have the responsibility to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the educational program of the School.

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

The United States Flag and Pledge of Allegiance

The flag of the United States shall be raised above each public school building operated by the School at all times during school hours, weather permitting. This flag shall measure at least 4 feet 2 inches by 8 feet. A United States flag shall also be displayed in every classroom or other instructional site in which students recite the Pledge of Allegiance.

All students in attendance at school will be provided an opportunity to recite the Pledge each day that school is in session. However, no student shall be compelled to recite the Pledge of Allegiance. No student shall be penalized for failure to participate in the Pledge and the professional staff shall protect any such students from bullying as a result of their not participating in the Pledge.

The building principal or administrator shall be responsible for determining the appropriate time and manner for reciting the Pledge, with due regard to the need to protect the rights and the privacy of a nonparticipating student.

Revised 9/13/04, 10/14/13

ANTI-FRAUD

This policy is implemented to advise Academy personnel about activities which may be fraudulent, illegal or otherwise unethical. The Board will not tolerate such activities and disciplinary measures will be implemented as appropriate.

Scope

This policy applies to any fraud, or suspected fraud, involving Academy personnel as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and any other parties with a business relationship with the Academy.

Policy

Fraud and fraudulent activity is strictly prohibited.

Academy personnel shall be responsible for reporting any observed or suspected fraud or fraudulent activity to the School Leader or Board President.

All administrators shall be vigilant for any conduct that may appear to constitute fraud within the areas of their responsibility.

All reporting and investigation shall be done in accordance with the Academy's guidelines on this subject.

Fraud – Definitions

Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon his/her injury.

The following are examples of prohibited acts:

- A. Falsification of any record with the intent to conceal information to the Academy's detriment or the individual's advantage, particularly financial records;
- B. Forgery of a check, bank draft, wire transfer or any other financial document;
- C. Unauthorized alteration of a financial document or account belonging to the Academy;
- D. Misappropriation of funds, supplies or other assets of the Academy;
- E. Impropriety in the handling or reporting of money or financial transactions;
- F. Disclosing confidential and proprietary information to outside parties for personal gain (either directly or indirectly);
- G. Asking for or accepting anything of material value from contractors, vendors or persons providing services or materials to the Academy, except as provided in gift policies;

- H. Unauthorized destruction, removal, or use of records, furniture, fixtures and/or equipment for personal gain (either directly or indirectly);
- I. Misuse of State or Federal funds for other than their designated purposes.

This list is meant to illustrate the types of activities that are prohibited. It is not comprehensive. Other misconduct of a similar nature is similarly prohibited.

Confidentiality

The Academy will maintain confidentiality with regard to the reports of suspected misconduct and the investigation, to the extent consistent with the conduct of an appropriate investigation and its obligations under the Freedom of Information Act. However, absolute confidentiality for reporting witnesses and investigation results cannot be guaranteed.

Except as authorized by the School Leader or his/her designee, the reporting witness and others interviewed are not to discuss the allegations or investigation with other Academy personnel or officials, vendors or contractors. Such discussions may interfere with the investigation. Further, because of the nature of the alleged misconduct, unsubstantiated allegations which are not privileged could harm an innocent individual's reputation and result in potential civil liability.

Non-Retaliation

Those who, in good faith, report suspected fraudulent activity will not be subject to any retaliation as a result of bringing the suspected misconduct forward.

Adopted 2/10/14

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	
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP
9700	Relations with Special Interest Groups	BP

Revised 8/13/07; 12/1/08; 11/8/10; 3/14/11; 8/15/11; 4/16/12; 8/13/12; 2/10/14; 4/20/15;
3/14/16; 1/19/17

SCHOOL INFORMATION PROGRAM

The Board of Directors believes that all reasonable means should be employed to keep the parents and other interested parties informed on matters of importance regarding School policies, finances, programs, personnel, and operations.

PUBLIC COMPLAINTS

Reference: 20 U.S.C. 1232h

Any person or group, having a legitimate interest in the operations of this School shall have the right to present a request, suggestion, or complaint concerning School personnel, the program, or the operations of the School. At the same time, the Board of Directors has a duty to protect its staff from unnecessary harassment. It is the intent of this policy to provide the means for judging each public complaint in a fair and impartial manner and to seek a remedy where appropriate.

It is the desire of the Board to rectify any misunderstandings between the public and the School by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences, shall more formal procedures be employed.

Any requests, suggestions, or complaints reaching the Board, Board members, and the administration shall be referred to the School Administrator for consideration according to the following procedure.

Matters Regarding a Professional Staff Member

A. First Level

If it is a matter specifically directed toward a professional staff member, the matter must be addressed, initially, to the concerned staff member who shall discuss it promptly with the complainant and make every effort to provide a reasoned explanation or take appropriate action within his/her authority and School administrative guidelines.

This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by school officials prior to approaching the professional staff member.

As appropriate, the staff member shall report the matter and whatever action may have been taken to the School Administrator and/or Curriculum Supervisor.

B. Second Level

If a satisfactory solution is not achieved by discussion with the professional staff member, a written request for a conference shall be submitted to the School Administrator and/or Curriculum Supervisor. This request should include:

1. the specific nature of the complaint and a brief statement of the facts giving rise to it;
2. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;

3. the action which the complainant wishes taken and the reasons why it is felt that such action be taken.

Should the matter be resolved in conference with the School Administrator, and/or Curriculum Supervisor the Board shall be advised of the resolution at the next board meeting.

C. Third Level

Should the matter still not be resolved, or if it is one beyond the School Administrator's authority and requires a Board decision or action, the complainant shall request, in writing, a hearing by the Board.

The Board, after reviewing all material relating to the case, may grant a hearing before a committee of the Board.

The complainant shall be advised, in writing, of the Board's decision no more than ten (10) business days following the next regular meeting. The Board's decision will be final on the matter, and it will not provide a meeting to other complaints on the same issue.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy.

Matters Regarding the School Administrator and/or Curriculum Supervisor

Should the matter be a concern regarding the School Administrator which cannot be resolved through discussion with the School Administrator, the complainant may submit a written request for a conference to the Board. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason that matter was not able to be resolved with the School Administrator;
- D. the action which the complainant wishes taken and the reasons why it is felt that such action should be taken.

The Board, after reviewing the request, may grant a hearing before the Board or a committee of the Board or refer the matter to an executive session.

The complainant shall be advised, in writing, of the Board's decision within thirty (30) business days. The Board's decision will be final and not subject to appeal.

Matters Regarding an Administrative Staff Member

Since administrators are considered members of the School's professional staff, the general procedure specified in "Matters Regarding a Professional Staff Member" shall be followed.

Matters Regarding a Support Staff Member

In the case of a support staff member, the same procedure is to be followed as for "Matters Regarding a Professional Staff Member."

Matters Regarding School Services or Operations

If the request, suggestion or complaint relates to a matter of School procedure or operation, it should be addressed, to the School Administrator and then, addressed in the manner prescribed in "Matters Regarding a Professional Staff Member."

Matters Regarding the Educational Program

If the request, suggestion or complaint relates to a matter of School program, it should be addressed, initially, to the Curriculum Supervisor and then, addressed in the manner prescribed in "Matters Regarding a Professional Staff Member".

Matters Regarding Instructional Materials

The School Administrator shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their right to inspect instructional materials and the procedure for completing such an inspection. (see AG 9130A and Form 9130F3)

If the request, suggestion or complaint relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the School, the following procedure shall be followed:

- A. The concern is to be addressed to the Curriculum Supervisor, in writing, and shall include:
 1. author;
 2. title;
 3. publisher;
 4. the complainant's familiarity with the material objected to;
 5. sections objected to by page and item;
 6. reasons for objection.

- B. Upon receipt of the information, the Curriculum Supervisor may, after advising the School Administrator of the complaint, appoint a review committee which may consist of:

1. one (1) or more professional staff members including the Curriculum Supervisor;
 2. one (1) or more Board members;
 3. one (1) or more lay persons knowledgeable in the area.
- C. The School Administrator shall be an ex officio member of the committee.
- D. The committee, in evaluating the questioned material, shall be guided by the following criteria:
1. the appropriateness of the material for the age and maturity level of the students with whom it is being used
 2. the accuracy of the material
 3. the objectivity of the material
 4. the use being made of the material
- E. The material in question may be or may not be withdrawn from use pending the committee's recommendation to the School Administrator.
- F. The committee's recommendation shall be reported to the School Administrator in writing within ten (10) business days following the formation of the committee. The School Administrator will advise the complainant and Board in writing, of the committee's recommendation.
- G. The Board shall review the case at its regular meeting and advise the complainant, in writing, of its decision within ten (10) business days of that meeting. The complainant will be notified of the meeting.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

Revised 04/25/03

SCHOOL VISITORS

The Board of Directors welcomes and encourages visits to School by parents, other adult residents of the community and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to establish visitor guidelines.

The School Administrator has the authority to prohibit the entry of any person to this School or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the School. If such an individual refuses to leave the school grounds or creates a disturbance, the Curriculum Supervisor is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Parents/Guardians, who are registered sex offenders and wish to participate in their child's school activities, may be allowed on campus at the discretion and under the direction of the School Administrator. Conditions may be imposed, including but not limited to the following: must have prior permission, must check in, must have approved escort in building or at event, must leave premises immediately upon conclusion of business, and may not visit while school is in session.

Nonstaff access to students and classes may be limited in accordance with a schedule which has been determined by the School Administrator after consultation with the teacher whose classroom is being visited. Classroom visitations must be nonobtrusive to the educative process and learning environment and should not occur on an excessive basis.

Parent concerns about any aspect of his/her child's educational program should be presented through the procedure set forth in Board Policy 9130 - Public Complaints, a copy of which is available at the Board office.

The School Administrator shall promulgate such administrative guidelines as are necessary to protect students and employees from disruption to the educational program or the efficient conduct of their assigned tasks.

Rules regarding entry of persons other than students, staff, and faculty upon school grounds or premises shall be posted conspicuously at or near the entrance to such grounds or premises if there are no formal entrances, and at the main entrance to each school building.

Individual Board members who are interested in visiting the school or classrooms on an unofficial basis shall make the appropriate arrangements with the Curriculum Supervisor. In keeping with Board bylaws, such Board member visits shall not be considered to be official.

The Board member shall be visiting as an interested individual in a similar capacity of any parent or citizen of the community. These visits should not be considered to be inspections nor as supervisory in nature.

If, during a visit to this School or program, a Board member observes a situation or condition which causes concern, s/he should discuss the situation first with the School Administrator as soon as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board.

Revised 8/13/07

PUBLIC ATTENDANCE AT SCHOOL EVENTS

Reference: 28 C.F.R. Part 35

The Board of Directors welcomes the attendance of members of the community at athletic and other public events held by the schools in the School, but the Board also acknowledges its duty to maintain order and preserve the facilities of the School during the conduct of such events. The Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at an School event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave School property when reasonably requested.

The Board directs that no alcoholic beverage or other controlled substance be possessed, consumed, or distributed nor any betting occur at any function sponsored by the School.

Raffles and similar forms of fund-raising by School-related organizations may be permitted by the School Administrator in accordance with Policy 9211 - School Support Organizations and Policy 9700 - Relations with Special Interest Groups.

No qualified person with a disability will, because the School's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the School's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See also Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned or leased or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. Such prohibition also applies to:

- A. Academy grounds;
- B. any Academy-related event;

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, recording can be made if the appropriate license authorizing such recordings has been secured in advance by the School. If the performance is of copyrighted material and the necessary license has not been secured in advance by the School, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the School Administrator to establish rules and procedures governing the use of non-school audio/visual recording equipment at any School sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event shall obtain prior permission from the School Administrator.

The School Administrator shall ensure that all notices, signs, schedules, and other communications about school events contain the following statement:

"Upon request to the School Administrator, the School shall make reasonable accommodation for a disabled person to be able to participate in this activity."

Adopted 11/8/10

Revised 3/14/11; 8/15/11; 4/16/12; 2/10/14

SCHOOL SUPPORT ORGANIZATIONS

The Board of Directors appreciates the efforts of any organizations whose objectives are to enhance the educational experiences of students in the School, to help meet educational needs of students, and/or provide extra educational benefits not provided for, at the time, by the Board.

The Board recognizes that parent-teacher organizations and other school-related organizations are channels through which School personnel, parents, and other citizens may discuss educational concerns, problems, and needs and then work together toward solutions.

No organization may hold itself out as affiliated in any manner with the School unless directly approved to do so by the School Board of Directors, and then only as a “booster” or PTA/PTO organization for support purposes. No support organization shall be, or hold itself out as, an agent of the School for any purpose whatsoever.

Upon request by an organization that wishes to affiliate with the School, the School Administrator shall do the following and make a recommendation related to same to the School Board:

- A. provide assistance to a group in planning its activities;
- B. communicate School needs and concerns to the volunteer groups and those of the groups to the Board;
- C. approve in-School fund-raising activities of a volunteer group;
- D. establish and maintain procedures related to proposed monetary and other gifts to the School that will provide for proper screening, acceptance, acknowledgement, and use.

A volunteer support organization recognized by the School Board shall work in cooperation with the School Administrator and other staff members and, in the event it ceases to do so, its affiliation may be revoked by the School Board. The support organization shall abide by the policies of the Board and the procedures established by the School Administration.

By no later than the end of August of each year, a group shall submit its tentative goals and objectives along with its fund-raising plans for the current school year to the School Administrator for review by the Board. Should the goals and objectives or fund-raising plans change during the school year, the School Administrator is to be advised before any final revisions are made.

The School Administrator shall implement administrative guidelines which ensure that each group's fund-raising activities are in compliance with Board policies and that the funds are used for school-related projects that have the approval of the School Administration.

The School Administrator shall ensure that the Board receives an annual accounting of each volunteer support organization's receipts and expenditures. However, neither the School nor the School Board are, or shall be, fiduciaries of such funds, nor shall the School or the School Board be responsible for auditing such receipts and expenditures.

IN NO EVENT SHALL A SUPPORT ORGANIZATION USE THE SCHOOL'S FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN) FOR ANY PURPOSE WHATSOEVER, NOR SHALL IT HOLD ITSELF OUT AS AFFILIATED WITH THE SCHOOL FOR ANY REASON OTHER THAN AS A "BOOSTER" ORGANIZATION OR PTA/PTO, PROVIDED SUCH QUALIFICATIONS, IN FACT, EXIST.

Adopted 4/20/15

RELATIONS WITH PARENTS

Reference: M.C.L.A. 380.10, 380.1137

The Board of Directors believes that the education of children is a joint responsibility, one it shares with the parents of the School community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and the School must be maintained.

The parents have the right to participate in the education of their children as well as the ultimate responsibility for their children's in-school behavior.

In accordance with Board policies and administrative guidelines 2240 (Opt-Out), 2413/14 (Health/Sex Education), and 9150 (School Visitors), the School shall provide the opportunity for parents to review curriculum and instructional materials and to visit the school to observe the instructional process.

With regard to student behavior, during school hours, the Board, through its designated administrators, acts in loco parentis or in place of the parents.

The Board recommends that the following activities be implemented to encourage parent-school cooperation:

- A. parent-teacher conferences to permit two-way communication between home and school
- B. meetings of staff members and groups of parents of those students having special abilities, disabilities, needs, or problems
- C. open houses to provide parents with the opportunity to see the School facilities, meet the faculty, and sample the program on a first hand basis

For the benefit of children, the Board believes that parents have a responsibility to encourage their child's career in School by:

- A. supporting the Schools in requiring that the children observe all School rules and regulations, and by accepting their own responsibility for children's willful in-school behavior;
- B. sending children to School with proper attention to their health, personal cleanliness, and dress;
- C. maintaining an active interest in the student's daily work and making it possible for the student to complete assigned homework by providing a quiet place and suitable conditions for study;
- D. reading all communications from the School, signing, and returning them promptly when required;
- E. cooperating with the School in attending conferences set up for the exchange of information of the child's progress in School.

RELATIONS WITH EDUCATIONAL INSTITUTIONS AND ORGANIZATIONS

It is the policy of the Board of Directors that strong lines of communication be maintained by the School with other districts and with institutions and organizations which provide School students with programs, training, or services not available in the School.

The School Administrator may enter into such cooperative ventures with institutions or organization for the purpose of providing programs, which correlate to the School's curriculum and help students better, accomplish the educational outcomes established by the Board.

Before entering into any agreements, the School Administrator shall keep the Board advised of any arrangements that would affect the use of School resources or require any additional resources of the School.

PARTNERSHIPS WITH BUSINESS

The Board of Directors recognizes that education will play a role in increasing the nation's productivity and future well-being.

The Board may seek to establish partnerships between the School and individual companies. The School Administrator is authorized to actively seek such partnerships.

RELATIONS WITH SPECIAL INTEREST GROUPS

The Board of Directors directs that students, staff members, and School facilities not be used for advertising or promoting the interests of any non-school agency or organization, public or private, without the approval of the Board or its delegated representative; and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this Board.

Political Interests

All materials or activities proposed by outside political sources for student or staff use or participation shall be reviewed by the School Administrator on the basis of their educational contribution to part or all of the School program, benefit to students, and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

The Board shall not permit the use of any type of educational material, program, or equipment in its curricular, co-curricular, or extra-curricular activities or at any time during the school day, if such materials, programs, or equipment contain partisan political messages or are designed to persuade students or staff members to acquire a particular product or service offered by a named individual, company, organization, association, or agency. With the approval of the School Administrator, the professional staff may, however, utilize appropriate political materials, or those provided by special interest groups, in adopted courses of study.

School facilities or equipment may not be used as a means of producing or disseminating to the community any materials that advertise or promote a political party, a political cause, or the candidacy of an individual for public office. Students and employees of the Board shall not be used to distribute campaign literature within the school or on school grounds.

Contests/Exhibits

The Board recognizes contests, exhibits, and the like may benefit individual students or the School as a whole, but participation in such special activities may not:

- A. have the primary effect of advancing a special product, group, or company;
- B. make unreasonable demands upon the time and energies of staff or students or upon the resources of the School;
- C. interrupt the regular school program;
- D. cause the participants to leave the School, unless the Board's Policy 2340 (Field and Other School-Sponsored Trips) has been complied with in all aspects.

Distribution/Posting Literature

No outside organization or staff member (or student) representing an outside organization may distribute or post literature on that organization's behalf on school property either during or after school hours without the permission and prior review of the School Administrator.

The School Administrator shall establish administrative procedures which ensure that:

- A. criteria established in Policy 5722 - Student Publications and Productions - are used to make a decision regarding materials that students seek to post or distribute;
- B. the school mail system is not used by students or staff for distribution of non-school related materials;
- C. no materials from any profit-making organization are distributed for students to take home to their parents; unless authorized by the School Administrator.
- D. the time, place, and manner of distribution of all non-school related materials is clearly established and communicated.
- E. flyers and notices from outside non-profit organizations may be made available for students to pick up at the literature distribution rack/table by the school building's office, under the following circumstances:
 - 1. the flyer/notice publicizes a specific community activity or event that is age appropriate for the students that attend the school;
 - 2. the organization submits the number of copies of the flyer that it wants placed in the literature distribution rack/table;

No student shall be required to take any of the flyers/notices placed in the literature/distribution rack/table, and the rack/table shall contain a clear notice that the Board does not support or endorse any of the organizations and/or activities/events identified in the flyers/notices.

Solicitation of Funds

Any outside organization or staff member, representing an outside organization and desiring to solicit funds on School property, must receive permission to do so from the School Administrator.

Permission to solicit funds will be granted only to those organizations or individuals who meet the permission criteria established in the Administrative Procedures. Solicitation must take place at such times and places and in such a manner specified in the Administrative Procedures. In accordance with Board Policy 5830, no School student may participate in the solicitation without the School Administrator's approval.

The Board disclaims all responsibility for the protection of, or accounting for, such funds.

Solicited funds are not to be deposited in any regular or special accounts of the School.

This policy does not apply to raising funds for school-sponsored activities.

Prizes/Scholarships

The Board is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this School. In accepting the offer of such scholarships or prizes, the Board directs that these guidelines be observed:

- A. No information either academic or personal shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student who is eighteen (18) or the parents of a student who is younger, in accordance with the Board's policy on student records.
- B. The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the School Administrator.
- C. The School Administrator, together with a committee of staff members designated by the School Administrator, shall be involved in the selection of the recipient.

Surveys and Questionnaires

No organization related (or not) to the School shall be allowed to administer a survey or questionnaire to students or staff, unless the instrument and the proposed plan are submitted in advance to the School Administrator for approval. If the survey or questionnaire is approved, a copy of the results and the proposed manner of their communication must be provided to the School Administrator for review and approval before they are released.

Students shall not be required to complete surveys to provide marketing information to vendors, or distribute to vendors any personal information of students, including but not limited to names, addresses, and telephone numbers, except as may be required by law. In addition, the School shall not enter into any contract for products or services, including electronic media services, where personal information will be collected from the students by the providers of the services.

See also Policy 2416 and AG 2416

Revised 8/13/12

ADVERTISING AND COMMERCIAL ACTIVITIES

The purpose of this policy is to provide procedures for the appropriate and inappropriate use of advertising or promoting of commercial products or services to students and parents in the schools.

"Advertising" comes in many different categories and forums and is defined as an oral, written or graphic statement made by the producer, manufacturer, or seller of products, equipment, or services which calls for the public's attention to arouse a desire to buy, use or patronize the product, equipment, or services. This includes the visible promotion of product logos for other than identification purposes. Brand names, trademarks, logos or tags for product or service identification purposes are not considered advertising.

The Board of Directors may permit advertising in school facilities or on school property in the following categories or forums in accordance with the procedures set forth herein:

- A. Product Sales:
 - 1. product sales benefiting a school or student activity (e.g., the sale of beverages or food within schools);
 - 2. exclusive agreements between the School and businesses that provide the businesses with the exclusive right to sell or promote their products or services in the school (e.g. pouring rights contracts with soda companies);
 - 3. fundraising activities (e.g., short term sales of gift wrap, cookies, candy, etc.) to benefit a specific student population, club or activity where the school receives a share of the profits.
- B. Direct Advertising/Appropriation of Space:
 - 1. signage and billboards in schools and school facilities;
 - 2. corporate logos or brand names on school equipment (e.g., marquees, message boards or score boards);
 - 3. ads, corporate logos, or brand names on book covers, student assignment books, or posters;
 - 4. ads in school publications (newspapers and yearbooks and event programs);
 - 5. media-based electronic advertising (e.g., Channel One or Internet or web-based sponsorship);

6. free samples (e.g., of food or personal hygiene products).

C. Indirect Advertising:

1. corporate-sponsored instructional or educational materials, teacher training, contests, incentives, grants or gifts;
2. the Board approves the use of instructional materials developed by commercial organizations such as films and videos only if the education value of the materials outweighs their commercial nature.

The films or material shall be carefully evaluated by the School Administrator for classroom use to determine whether the films or materials contain undesirable propaganda and are in compliance with the procedures as set forth above.

D. Market Research:

1. surveys or polls related to commercial activities;
2. internet surveys or polls asking for information related to commercial activities;
3. And other Market Research as approved by the School Administrator.

It is further the policy of the Board that its name, students, staff members and school facilities shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit or other non-school agency or organization, public or private, without the approval of the Board or its designee.

Any commercial advertising shall be structured in accordance with the General Advertising Procedures set forth below.

General Advertising Procedures

The following procedures shall be followed with respect to any form of advertising on school grounds:

- A. When working together, schools and businesses must protect educational values. All commercial or corporate involvement should be consistent with the School's educational standards and goals.
- B. Any advertising that may become a permanent or semi-permanent part of a school requires prior approval of the Board.
- C. The Board reserves the right to consider requests for advertising in the schools on a case-by-case basis.

- D. No advertisement shall promote or contain references to alcohol, tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene, pornographic or illegal materials or activities, gambling, violence, hatred, sexual conduct or sexually explicit material, X or R rated movies, or gambling aids.
- E. No advertisement shall promote any specific religion or religious, ethnic or racial group, political candidate or ballot issue and shall be non-proselytizing.
- F. No advertisement may contain libelous material.
- G. No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.
- H. No advertisement shall be false, misleading or deceptive.
- I. Each advertisement must be reviewed in advance for age appropriateness.
- J. Advertisements may be rejected by the School if determined to be inconsistent with the educational objectives of the School, inappropriate, or inconsistent with the guidelines set forth in this policy.
- K. All corporate support or activity must be consistent with the Board's policies prohibiting discrimination on the basis of race, color, national origin, religion, sex, disability, or age, and must be age-appropriate.
- L. Students shall not be required to advertise a product, service, company or industry.
- M. Advertising will not be permitted on the outside or the inside of school buses.
- N. The School Administrator or designee is responsible for screening all advertising.
- O. The School Administrator or designee may require that samples of advertising be made available for inspection.
- P. The inclusion of advertisements in school publications, in school facilities, or on school property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.
- Q. Final discretion regarding whether to advertise and the content and value of the materials will be with the Board.

Accounting

Advertising revenues must be properly reported and accounted for.

Adopted 8/13/12

VOLUNTEERS

The Board of Directors recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The School Administrator shall be responsible for recruiting volunteers, reviewing their capabilities, and making appropriate placements. S/He shall not be obligated to make use of volunteers whose abilities are not in accord with School needs.

Any person who volunteers to work with the School shall be screened through the Internet sites for the Sex Offenders Registry [SOR] list, the Internet Criminal History Access Tool [ICHAT] criminal history records check and the Offender Tracking Information System [OTIS] prior to being allowed to participate in any activity or program.

The School Administrator is to inform each volunteer that s/he:

- A. shall agree to abide by all Board policies and School guidelines while on duty as a volunteer; including signing, if appropriate, the School's Network and Internet Access Agreement Forms;
- B. will be covered under the School's liability policy but the School cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers compensation;

The School Administrator shall also ensure that each volunteer is properly informed of the School's appreciation for his/her time and efforts in assisting the operation of the School.

Revised 2/10/03; 4/9/07; 12/1/08