

Board Operating Policies

Branch Line School

16360 Hubbard Street

Livonia, MI 48154

(734) 335-0663

www.branchlineschool.org

Board Policies

Branch Line School

ADOPTION RESOLUTION

RESOLVED that the policies printed and codified in the comprehensive document entitled "Board Policies of the Branch Line School Board of Directors" are hereby adopted and that all Board Policies previously adopted by the Branch Line School Board of Directors are hereby rescinded; further be it

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

Take notice that the foregoing resolution was adopted by the Branch Line School Board of Directors at a public meeting held at Livonia, Michigan on December 18, 2013

0000	BOARD OPERATING POLICY	
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 the Educational Service Provider	
0132.2	Administrative Procedures	BP
0133	Judicial	
0140	Membership	
0144.11	Reimbursement of Expenses	L
1000	ADMINISTRATION	
1240	Evaluation of the Educational Service Provider	BP
1420	Academy Administrator Evaluation	L
1422	Nondiscrimination and Equal Employment Opportunity	L
1623	Section 504/ADA Prohibition against Disability Discrimination in Employment	L
1662	Anti-Harassment	L
2000	PROGRAM	
2112	Parent Involvement in the Academy Program	L
2260	Nondiscrimination and Access to Equal Educational Opportunity	L
2260.01	Section 504/ADA Prohibition Against Discrimination Based on Disability	L
2261.03	Federal School Improvement Plan	L
2416	Student Privacy and Parental Access to Information (FERPA)	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
3000	STAFF	
3000	Educational Service Provider Statement	

Legend:

L = Legally Required (if applicable)

BP = Best Practice

5000 STUDENTS

5111	Admission of Students	L
5111.01	Homeless Students	L
5111.02	Educational Opportunity for Military Children	L
5112	Entrance Age	L
5320	Immunization	L
5330	Use of Medications	L
5330.01	Epinephrine Auto-Injections	L
5516	Student Hazing	L
5517	Anti-Harassment	L
5517.01	Bullying	L
5530	Drug Free Environment	L
5532	Performance-Enhancing Drugs/Compounds	L
5610	Emergency Removal, Suspension and Expulsion of Nondisabled Students	L
5630.01	Student Seclusion and Restraint	L
5771	Search and Seizure	BP
5830	Student Fund-Raising	L

6000 FINANCES

6320	Purchasing	L
6321	New School Construction, Renovation	L
6420	Conflict of Interest – Legal Counsel, Advisors, or Consultants	L
6700	Fair labor Standards Act (FLSA)	L
6850	Public Disclosure and Reporting	L

7000 PROPERTY

7217	Weapons	L
7434	Use of Tobacco on Academy Premises	L
7540	Computer Technology and Networks	L
7540.02	Academy Web Page	BP
7540.03	Student Network and Internet Acceptable Use and Safety	L
7540.04	Staff Network and Internet Acceptable Use and Safety	L
7540.07	Personal Internet Account Privacy – Students	L
7540.08	Personal Internet Account Privacy – Staff	L
7542	Network Access from Personally-Owned Computers and/or Other Web-Enabled Devices	L

Legend:

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

8000 OPERATIONS

8120	Iran Economic Sanctions Act Compliance	L
8142	Criminal History Record Check	L
8310	Public Records	L
8310.01	Enhanced Access to Public Records	L
8321	Criminal Justice Information Security	L
8330	Student Records	L
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
8405.01	Integrated Pest Management	L
8420	Emergency Situations at the Academy	L
8431	Preparedness for Toxic Hazards and Asbestos Hazard	L
8453.01	Control of Blood-Borne Pathogens	BP
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 F: Wellness Policy Board Resolution	
8800	Religious/Patriotic Ceremonies and Observances	L

9000 RELATIONS

9160	Public Attendance at Academy Events	L
9211	Academy Support Organizations	BP
9250	Parent/Guardian Review of Instructional Materials and Observation of Instructional Activities	L

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

Adopted 12/18/13
Revised 10/29/14; 8/27/15

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

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 (MPSERS)

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

0000 **BOARD OPERATING POLICY**

0120 **Powers and Philosophy**

0121 Authority

0122 Board Powers

L

0130 **Functions**

0131 Legislative

0131.1 Charter Contract Bylaws and Board Operating Policies

0132 Executive

0132.1 Selection of the Educational Service Provider

0132.2 Administrative Procedures

0133 Judicial

BP

0140 **Membership**

0144.11 Reimbursement of Expenses

L

Adopted 12/18/13

Revised 8/27/15

POWERS AND PHILOSOPHY

Reference: MCL 380.503, 380.504a, 380.1225, 423.217

0121 Authority

The supervision of this Academy shall be conducted by the Board of Directors, hereinafter referred to as *the Board*, constituted and governed by the laws of the State of Michigan and the Charter Contract.

MCL 380.1201 et seq.

0122 Board Powers

This Academy shall operate as a public school academy, pursuant to the provisions of the Charter Contract and applicable laws. The Board of Directors has all of the rights, powers, and duties expressly stated in the law and the Charter Contract. The Board may exercise power incidental to, or appropriate to, the operation of the Academy, including, but not limited to, all of the following:

- A. Educate Students. In addition to educating students in the grades and subjects authorized in the Charter Contract, the Board may operate preschool, adult education, and GED testing preparation programs, if specified in the Charter Contract.
- B. Provide for the safety and welfare of students while at the Academy, at an Academy-sponsored activity, or while en route to or from the Academy or an Academy-sponsored activity.
- C. Acquire, construct, maintain, repair, renovate, dispose of, or convey Academy 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 Academy operations. The Board may contract with an Educational Service Provider to provide educational, administrative and other services and to exercise certain of said powers. The rights, responsibilities and obligations of the school and the Educational Service Provider are set forth in the agreement between the Board and the Educational Service Provider. The Academy's policies and procedures are not intended to modify any of the terms of such a contract.
- E. Receive, account for, invest, or expend Academy money; borrow money and pledge Academy funds for repayment; and qualify for State-School Aid and other public or private money from local, regional, State, or Federal sources.

The Board may enter into agreements or cooperative arrangements with other entities, public or private and may join organizations that assist in performing the functions of the Academy.

This Academy is a corporate body governed by a Board of Directors. An act of this Board is not valid unless approved by a majority vote of the Directors of the Academy present at a noticed meeting at which a quorum is present.

The Board has authority, based on statute, to make decisions or delegate some its decision-making authority to an Educational Service Provider, regarding the following subjects:

- The policyholder of the Academy's group insurance program (if the Board employs staff.)
- The starting day for the school year and the amount of student contact time to receive full State school aid.
- The composition of the Academy's site-based, decision-making groups or school-improvement committee(s).
- Contracting with outside parties for non-instructional support services including the procedures for obtaining a contract, the identity of the outside party, and the impact on individual staff members.
- Use of volunteers.
- 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.
- 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).
- Any decision regarding the placement of teachers, or the impact of that decision on an individual employee (if the Board employs staff).
- 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. .
- Decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such decision (if the Board employs staff).
- Decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher (if the Board employs staff).
- 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.
- Decisions about how performance evaluation is used to determine the performance-based compensation for teachers and administrators (if Board employs staff).

- 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).
- 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).

Adopted 12/18/13

FUNCTIONS

0131 Legislative

0131.1 Charter Contract Bylaws and Board Operating Policies

Policies that are not dictated by statute or rules of the State Department of Education, ordered by the State Board of Education, or directed 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, modification, repeal, or suspension of an Academy's 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 or effect as a policy.

Board policies that are neither dictated by the statutes or rules of the State of Michigan nor ordered by either the Charter Contract of the authorizing institution or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board

- A. provided the proposed adoption, amendment, or repeal was proposed at a previous Board of Directors meeting and, once proposed, remained on the agenda of each succeeding Board of Directors meeting until approved or rejected.
- B. except upon a vote and with compelling reasons, the Board may adopt, amend, or suspend board policy contained herein, provided the amendment, adoption, or suspension does not conflict with the law or the Academy's Charter Contract. Any resolution that adopts, amends, or suspends a Board policy under this provision shall expire automatically at the next public meeting of the Board of Directors, unless the Board moves to adopt the resolution in final form.

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 Educational Service Provider

The Board of Directors shall exercise its executive power, in part, by contracting with an Educational Service Provider, who shall enforce the statutes of the State of Michigan, the rules of the State Department of Education, the terms of the Charter Contract, and the policies of this Board, in accordance with the agreement between the Board and the Educational Service Provider.

0132.2 Administrative Procedures

The Board shall delegate to the Educational Service Provider the responsibility to specify required actions and design the detailed arrangements under which the Academy will operate. These detailed arrangements shall constitute the Administrative Procedures governing the Academy and shall be consistent with State of Michigan statutes or regulations of the State Department of Education, the policies of this Board, the provisions of the Charter Contract, and the contractual agreement with the Educational Service Provider

When issued and approved, such Administrative Procedures shall be binding on the staff and the students of this Academy.

The Board shall delegate authority to the Educational Service Provider to take necessary action in circumstances not provided for in Board policy or Administrative Procedures, provided such action, if material, shall be reported to the Board at the next meeting following such action.

0133 Judicial

The Board of Directors may delegate jurisdiction to the Educational Service Provider over any dispute or controversy arising within the Academy and concerning any matter in which authority has been vested in the Board, by statute, rule, contract, or policy of this Board, except where such delegation is prohibited by law. However, the Board reserves its right to legal redress in any and all matters concerning this Academy.

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

Adopted 8/27/15

1000 **ADMINISTRATION**

1240	Evaluation of the Educational Service Provider	BP
1420	Academy Administrator and School Leadership Evaluation	L
1422	Nondiscrimination and Equal Employment Opportunity	L
1623	Section 504/ADA Prohibition Against Disability discrimination in Employment	L
1662	Anti-Harassment	L

Adopted 12/18/13

Revised 8/27/15

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 Academy 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.

Adopted 8/27/15

ACADEMY ADMINISTRATOR AND SCHOOL LEADERSHIP EVALUATION

Reference: MCL 380.1249

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

The School Leadership shall conduct annual evaluations of all other academy administrators in accordance with MCL 380.1249(3) and applicable law.

Adopted 12/18/13
Revised 8/27/15

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

It is the expectation of the Board of Directors that the Educational Service Provider will prohibit 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.

Academy Compliance Officers

The Board designates the following individuals to serve as the Academy'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 Academy'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.]

Operations Manager
16360 Hubbard Street
Livonia, MI 48154
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The names, titles, and contact information of these individuals will be published annually in the staff handbooks.

The COs are responsible for coordinating the Academy's efforts to comply with applicable Federal and State laws and regulations, including the Academy'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 Academy'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 Academy official so that the Board may address the conduct. Any administrator, supervisor, or other Academy 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 Academy community or a visitor to the Academy, 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 Educational Service Provider or oversee the preparation of such recommendations by a designee. All members of the Academy 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 Academy employee or any other adult member of the Academy 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 Educational Service Provider or other Academy 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 Academy'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, Educational Service Provider, or other Academy 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, Educational Service Provider, or other Academy 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 Educational Service Provider.

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 Educational Service Provider 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. The CO may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

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

If the Educational Service Provider requests additional investigation, the Educational Service Provider 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 Educational Service Provider must issue a final written decision as described above.

If the Educational Service Provider 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.

The decision of the Educational Service Provider shall 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 Academy 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 Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider or designee shall provide appropriate information to all members of the Academy community related to the implementation of this policy and shall provide training for Academy 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 12/18/13
Revised 8/27/15

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

It is the expectation of the Board of Directors that all Educational Service Provider personnel will fully comply with all provisions of the 504/ADA Prohibition Against Disability Discrimination in Employment.

Adopted 12/18/13

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 Academy 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 Academy 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 Academy 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, "Academy 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 Academy 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 Academy community at school-related events/activities (whether on or off Academy 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 Academy employee that:

- A. places a student or Academy 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 Academy.

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

Members of the Academy community or third parties who believe they have been unlawfully harassed by another member of the Academy 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 Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Educational Service Provider 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 Academy. 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 Academy's Section 504 and Title IX Coordinators.]

Denise Ryba
Operations Manager
16360 Hubbard St.
Livonia, MI 48154
734-455-5388

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 Academy 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 Academy community or a visitor to the Academy, 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 Academy 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 Educational Service Provider or will oversee the preparation of such recommendations by a designee. All members of the Academy 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 Academy community or third party (e.g., visitor to the Academy) 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 Academy 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 Academy 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 Academy employee, any other adult member of the Academy 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 Educational Service Provider.

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 Academy's informal complaint procedure is designed to provide employees, other members of the Academy 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, Educational Service Provider, or other Academy 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, Educational Service Provider, or other Academy 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 Educational Service Provider.

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. A School Leader 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 Educational Service Provider 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. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

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

If the Educational Service Provider requests additional investigation, the Educational Service Provider 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 Educational Service Provider must issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Educational Service Provider may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the date of the Educational Service Provider 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 Academy 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 Academy 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 Academy 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 Educational Service Provider 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 Academy community, all subsequent sanctions imposed by the Board and/or Educational Service Provider 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 Academy teacher or Academy 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 Educational Service Provider.

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 Educational Service Provider or designee shall provide appropriate information to all members of the Academy community related to the implementation of this policy shall provide training for Academy 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 12/18/13

0000 **BOARD OPERATING POLICY**

0120 **Powers and Philosophy**

0121 Authority

0122 Board Powers

L

0130 **Functions**

0131 Legislative

0131.1 Charter Contract Bylaws and Board Operating Policies

0132 Executive

0132.1 Selection of the Educational Service Provider

0132.2 Administrative Procedures

0133 Judicial

BP

0140 **Membership**

0144.11 Reimbursement of Expenses

L

Adopted 12/18/13

Revised 8/27/15

POWERS AND PHILOSOPHY

Reference: MCL 380.503, 380.504a, 380.1225, 423.217

0121 Authority

The supervision of this Academy shall be conducted by the Board of Directors, hereinafter referred to as *the Board*, constituted and governed by the laws of the State of Michigan and the Charter Contract.

MCL 380.1201 et seq.

0122 Board Powers

This Academy shall operate as a public school academy, pursuant to the provisions of the Charter Contract and applicable laws. The Board of Directors has all of the rights, powers, and duties expressly stated in the law and the Charter Contract. The Board may exercise power incidental to, or appropriate to, the operation of the Academy, including, but not limited to, all of the following:

- A. Educate Students. In addition to educating students in the grades and subjects authorized in the Charter Contract, the Board may operate preschool, adult education, and GED testing preparation programs, if specified in the Charter Contract.
- B. Provide for the safety and welfare of students while at the Academy, at an Academy-sponsored activity, or while en route to or from the Academy or an Academy-sponsored activity.
- C. Acquire, construct, maintain, repair, renovate, dispose of, or convey Academy 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 Academy operations. The Board may contract with an Educational Service Provider to provide educational, administrative and other services and to exercise certain of said powers. The rights, responsibilities and obligations of the school and the Educational Service Provider are set forth in the agreement between the Board and the Educational Service Provider. The Academy's policies and procedures are not intended to modify any of the terms of such a contract.
- E. Receive, account for, invest, or expend Academy money; borrow money and pledge Academy funds for repayment; and qualify for State-School Aid and other public or private money from local, regional, State, or Federal sources.

The Board may enter into agreements or cooperative arrangements with other entities, public or private and may join organizations that assist in performing the functions of the Academy.

This Academy is a corporate body governed by a Board of Directors. An act of this Board is not valid unless approved by a majority vote of the Directors of the Academy present at a noticed meeting at which a quorum is present.

The Board has authority, based on statute, to make decisions or delegate some its decision-making authority to an Educational Service Provider, regarding the following subjects:

- The policyholder of the Academy's group insurance program (if the Board employs staff.)
- The starting day for the school year and the amount of student contact time to receive full State school aid.
- The composition of the Academy's site-based, decision-making groups or school-improvement committee(s).
- Contracting with outside parties for non-instructional support services including the procedures for obtaining a contract, the identity of the outside party, and the impact on individual staff members.
- Use of volunteers.
- 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.
- 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).
- Any decision regarding the placement of teachers, or the impact of that decision on an individual employee (if the Board employs staff).
- 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. .
- Decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such decision (if the Board employs staff).
- Decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher (if the Board employs staff).
- 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.
- Decisions about how performance evaluation is used to determine the performance-based compensation for teachers and administrators (if Board employs staff).

- 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).
- 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).

Adopted 12/18/13

FUNCTIONS

0131 Legislative

0131.1 Charter Contract Bylaws and Board Operating Policies

Policies that are not dictated by statute or rules of the State Department of Education, ordered by the State Board of Education, or directed 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, modification, repeal, or suspension of an Academy's 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 or effect as a policy.

Board policies that are neither dictated by the statutes or rules of the State of Michigan nor ordered by either the Charter Contract of the authorizing institution or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board

- A. provided the proposed adoption, amendment, or repeal was proposed at a previous Board of Directors meeting and, once proposed, remained on the agenda of each succeeding Board of Directors meeting until approved or rejected.
- B. except upon a vote and with compelling reasons, the Board may adopt, amend, or suspend board policy contained herein, provided the amendment, adoption, or suspension does not conflict with the law or the Academy's Charter Contract. Any resolution that adopts, amends, or suspends a Board policy under this provision shall expire automatically at the next public meeting of the Board of Directors, unless the Board moves to adopt the resolution in final form.

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 Educational Service Provider

The Board of Directors shall exercise its executive power, in part, by contracting with an Educational Service Provider, who shall enforce the statutes of the State of Michigan, the rules of the State Department of Education, the terms of the Charter Contract, and the policies of this Board, in accordance with the agreement between the Board and the Educational Service Provider.

0132.2 Administrative Procedures

The Board shall delegate to the Educational Service Provider the responsibility to specify required actions and design the detailed arrangements under which the Academy will operate. These detailed arrangements shall constitute the Administrative Procedures governing the Academy and shall be consistent with State of Michigan statutes or regulations of the State Department of Education, the policies of this Board, the provisions of the Charter Contract, and the contractual agreement with the Educational Service Provider

When issued and approved, such Administrative Procedures shall be binding on the staff and the students of this Academy.

The Board shall delegate authority to the Educational Service Provider to take necessary action in circumstances not provided for in Board policy or Administrative Procedures, provided such action, if material, shall be reported to the Board at the next meeting following such action.

0133 Judicial

The Board of Directors may delegate jurisdiction to the Educational Service Provider over any dispute or controversy arising within the Academy and concerning any matter in which authority has been vested in the Board, by statute, rule, contract, or policy of this Board, except where such delegation is prohibited by law. However, the Board reserves its right to legal redress in any and all matters concerning this Academy.

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

Adopted 8/27/15

2000 **PROGRAM**

2112	Parent Involvement in the Academy Program	L
2260	Nondiscrimination and Access to Equal Educational Opportunity	L
2260.01	Section 504/ADA Prohibition Against Discrimination Based on Disability	L
2261.03	Federal School Improvement Plan	L
2416	Student Privacy and Parental Access to Information (FERPA)	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

Adopted 12/18/13
Revised 10/29/14; 8/27/15

PARENT INVOLVEMENT IN THE ACADEMY 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 Academy. 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**

providing volunteer opportunities for families to support their children's school activities;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 Academy-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 Academy initiatives and community-based programs that encourage and support families' participation in their children's education, growth, and development.^{1,2}

Implementation

The Educational Service Provider 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 Academy'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 Academy plan.

¹Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

²Indicates Title I Section 1118 parent involvement requirements

Adopted 12/18/13

CURRICULUM DEVELOPMENT

Reference: MCL 380.1282

The Board of Directors recognizes its responsibility for the quality of the educational program of the Academy. To this end, the Academy's curriculum shall be developed, evaluated, aligned and adopted on a continuing basis, following the plan for curriculum growth established by the Michigan Curriculum Framework.

Across all academic and nonacademic content areas, the Academy's curriculum shall prepare a student to achieve the following:

- A. *Gather Information:* Research and retrieve information from a wide range of primary and secondary sources in various forms and contexts.
- B. *Understand Information:* Understand, synthesize, and evaluate information in an accurate, holistic, and comprehensive fashion.
- C. *Analyze Issues:* Review a question or issue by identifying, analyzing, and evaluating various considerations, arguments, and perspectives.
- D. *Draw and Justify Conclusions:* Draw and justify conclusions, decisions, and solutions to questions and issues by using reason and evidence; specifying goals and objectives; identifying resources and constraints; generating and assessing alternatives; considering intended and unintended consequences; choosing appropriate alternatives; and evaluating results.
- E. *Organize and Communicate Information:* Organize, present, and communicate information through a variety of media in a logical, effective, and comprehensive manner.
- F. *Think and Communicate Critically:* Read, listen, think, and speak critically about any subject, with clarity, accuracy, precision, relevance, depth, breadth, and logic.
- G. *Learn and Consider Issues Collaboratively:* Engage in shared inquiry processes, in a collaborative and team-based fashion with persons of diverse backgrounds and abilities.
- H. *Learn Independently:* Engage in learning in an active, exploratory, independent, and self-directed fashion.
- I. *Create Knowledge:* Create knowledge by raising and identifying previously unconsidered or unidentified questions and issues; creating new primary knowledge; and creating new approaches to solving or considering questions and issues.
- J. *Act Ethically:* Adhere to the highest intellectual and ethical standards in conducting all of the above.

The Board directs that all courses of study contained in the curriculum of this Academy accomplish the following:

1. provide instruction in the curriculum required by statute and State Department of Education regulations;
2. ensure, to the extent feasible, that special learning needs of students are considered in the context of the regular program or classroom and provide for effective coordination with programs or agencies needed to meet those needs that cannot be met in the regular program or classroom;
3. convey consistency with the Academy's philosophy and goals and ensure the possibility of their achievement;
4. incorporate State-recommended performance standards for students as the basis for determining how well each student is achieving the academic outcomes for all areas of the Academy's core curriculum;
6. foster the development of individual talents and interest, recognizing that learning styles of students differ;
7. foster continuous and cumulative learning through effective communication at all levels of those skills identified as essential and life-role skills;
8. utilize a variety of learning resources to accomplish the educational goals;

The Educational Service Provider shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

The Educational Service Provider shall make progress reports to the Board periodically.

The Educational Service Provider may conduct innovative programs deemed necessary to the continuing growth of the instructional program. Such programs should also improve the accomplishment of the Academy's educational goals and alignment with Michigan Curriculum Frameworks.

Prior to initiation, Educational Service Provider shall report each such innovative program to the Board along with its objectives, evaluative criteria, alignment with Michigan Curriculum Frameworks, and costs. The Educational Service Provider shall not initiate any new program without approval of the Board.

Any and all changes in curriculum guides and alignments of the curriculum must be approved by the Board.

The Board encourages participation in programs of educational research that is feasible and conducive to the best interests of the Academy.

The Board directs the Educational Service Provider to actively pursue State and Federal aid in support of the Academy's innovative activities.

Adopted 10/29/14

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. The Board will not permit discrimination of the employment practices of its Educational Service Provider as they relate to students, and will 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 Academy, or social or economic background, to learn through the curriculum offered in this Academy. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Educational Service Provider 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

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;
2. 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 Academy 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. Academy Support

verify that like aspects of the entire Academy 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.

Academy Compliance Officers

The Board designates the following individuals to serve as the Academy'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 Academy'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.]

Operations Manager
16360 Hubbard Street
Livonia, MI 48154
(734) 335-0663

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

The Academy 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 Academy's efforts to comply with applicable Federal and State laws and regulations, including the Academy'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 Educational Service Provider shall annually attempt to identify children with disabilities, ages 0-25, who do not receive a 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 Academy 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 Academy 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 Academy community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other Academy official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other Academy employee or official who receives such a complaint shall file it with the CO within two (2) school days.

Members of the Academy 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 Academy community or a visitor to the Academy, 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 Educational Service Provider or oversee the preparation of such recommendations by a designee. All members of the Academy 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 an Academy employee or any other adult member of the Academy 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 Educational Service Provider or other Academy-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 Academy'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, Educational Service Provider, or another employee who works at another school or at the Academy 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, Educational Service Provider, 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 Educational Service Provider.

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 Educational Service Provider 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. The CO may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

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

If the Educational Service Provider requests additional investigation, the Educational Service Provider 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 Educational Service Provider shall issue a final written decision as described above.

If the Educational Service Provider 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.

The decision of the Educational Service Provider shall 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 Academy 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 Educational Service Provider 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 Academy community, all subsequent sanctions imposed by the Board and/or Educational Service Provider 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 Educational Service Provider or designee shall provide appropriate information to all members of the Academy community related to the implementation of this policy and shall provide training for Academy 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 Academy will endeavor to assist the student and/or his/her parents in their access to Academy 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 District shall not deny a student the opportunity for instruction in Braille, reading, and writing solely because the student has some remaining vision.

Adopted 12/18/13
Revised 8/27/15

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/ADA"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, 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 Academy.

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 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 (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 Academy'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 Academy 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) Academy Compliance Officers, there should always be a Compliance Officer available to investigate a claim that pertains to the other Compliance Officer.]

Instructional Lead
16360 Hubbard Street
Livonia, MI 48154
(734) 335-0663

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

The Compliance Officer(s) is/are responsible for coordinating the Academy'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(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 Educational Service Provider will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. (See below). The Educational Service Provider 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(s) will also oversee the training of employees in the Academy so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, Administrative Procedures 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 Academy'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 Academy will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the Academy 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 Academy with persons who are not disabled to the maximum extent appropriate. Generally, the Academy 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 Academy 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 Academy 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(s) will be posted throughout the Academy, and published in the Academy's recruitment statements or general information publications.

The Educational Service Provider shall develop Administrative Procedures for the proper implementation of this policy.

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 12/18/13
Revised 8/27/15

FEDERAL SCHOOL IMPROVEMENT PLAN

Reference: 20 USC § 6316; 34 CFR § 200.41

If the Academy 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 12/18/13

STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

Reference: Family Educational Rights and Privacy Act ("FERPA"), 20 USC §§ 1232g, 1232h; 34 CFR §§ 99.7, 99.31

The Board of Directors respects the privacy rights of parents and their children. Without prior written consent of the student, (if an adult or an emancipated minor) or his/her parents (if an un-emancipated minor), no student shall be required, as a part of the Academy program or the Academy's curriculum, to submit to or participate in any survey, analysis, or evaluation that-reveals information concerning the following:

- 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. sexual 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 with 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 Educational Service Provider shall ensure that procedures are established whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Upon request, parents shall have the right to inspect a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the Academy to the student. The parent shall have access to the survey/evaluation within a reasonable period of time after the request is received by the School Leader.

To ensure the right of parents, the Board directs the Educational Service Provider, to perform the following:

- A. Provide timely, written notification to parents about any surveys, analyses, or evaluations that may reveal any of the information identified in A-H above. Such notification shall inform parents about their right to inspect the survey, analysis, or evaluation prior to the initiation of the activity with students.
- B. Allow the parent the option of excluding their student from the activity.

- C. Report collected data in a summary that 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 confidential information in accordance with Policy 8350.

Upon written request, parents have the right to inspect any instructional material used as part of the educational curriculum of the student. Parents will have access to the instructional material within a reasonable period of time after the written request is received by the School Leader. The term *instructional material* means any learning materials 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 selling that information (or otherwise providing that information to others for that purpose).

The Educational Service Provider shall provide notice directly to parents of students enrolled in the Academy 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 Educational Service Provider shall notify parents of students in the Academy, 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. activities involving 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 other person legally responsible for the welfare of the child).

The Educational Service Provider shall develop Administrative Procedures for the implementation of this policy.

Adopted 12/18/13

OPERATION OF A CHILD CARE CENTER OR BEFORE/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 Academy, the Board, in consultation with the director of the program and/or the Educational Service Provider shall develop, adopt, and annually review policies and Administrative Procedures 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 Academy operates a child care center, it shall develop and implement the following written policies:

- A. a screening policy for all staff and volunteers, including parents, who have contact with children;
- B. a policy regarding supervision of volunteers, including volunteers who are parents of a child in care;
- C. an age-appropriate policy regarding the discipline of children, which shall be provided to staff and parents;
- D. 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
- E. a fee policy

Adopted 12/18/13

EDUCATION OF CHILDREN WITH DISABILITIES

Reference: 20 USC §§ 1412, 1413, 1418, 1464; 34 CFR §§ 300.156, 300.201, 300.209, 300.220, 300.224, 300.626, 300.646

The Academy shall assume primary responsibility for the administration and delivery of special education programs and services to students with disabilities. The Academy is committed to the provision of a continuum of special education programs and services to disabled students in cooperation with the Wayne RESA. Placement options shall follow a continuum of services model to ensure that each disabled person is provided a free and appropriate public education in the least restrictive environment. To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments, such as resource rooms, self-contained categorical classrooms, or settings outside the Academy will be considered only after consideration has been given by the individual educational plan as to the feasibility of placement in the regular classroom.

The Educational Service Provider shall adopt Administrative Procedures that are consistent with State laws and regulations to coordinate services for children with disabilities.

The Educational Service Provider shall take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities.

Adopted 12/18/13

LEAST RESTRICTIVE ENVIRONMENT POSITION STATEMENT

Reference: IDEA, 20 USC 1400, et. seq.

It is the philosophy and position of the Board of Directors that the primary responsibility for the administration and delivery of special education programs and services should be within the Academy and at the Academy a student would regularly attend, whenever appropriate.

Further, the Board endorses a commitment to the provision of a continuum of special education programs and services to disabled students in cooperation with the Wayne RESA. Placement options shall follow a continuum of services model to ensure that each disabled person is provided a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments such as: resource rooms, self-contained categorical classrooms, or settings outside of the Academy will be considered only after consideration has been given by the I.E.P. as to the feasibility of placement in the regular classroom.

The Educational Service Provider shall develop Administrative Procedures for the proper implementation of this policy.

Adopted 12/18/13

3000 STAFF

All staff of the Branch Line School are employees of Advance HR, the employer of record, as per the contractual agreement between the Branch Line School Board of Directors and Advance HR. All employees, therefore, are subject to all personnel policies and regulations established by Advance HR.

It shall be the responsibility of Advance HR to ensure that all Federal and State employment regulations are in full compliance. Further, Advance HR shall respond to any inquiries or complaints promptly in full accordance with law.

Adopted 12/18/13

5000 **STUDENTS**

5111	Admission of Students	L
5111.01	Homeless Students	L
5111.02	Educational Opportunity for Military Children	L
5112	Entrance Age	L
5320	Immunization	L
5330	Use of Medications	L
5330.01	Epinephrine Auto-Injections	L
5516	Student Hazing	L
5517	Anti-Harassment	L
5517.01	Bullying	L
5530	Drug Free Environment	L
5532	Performance-Enhancing Drugs/Compounds	L
5610	Emergency Removal, Suspension and Expulsion of Nondisabled Students	L
5630.01	Student Seclusion and Restraint	L
5771	Search and Seizure	BP
5830	Student Fund-Raising	L

Adopted 12/18/13
Revised 10/29/14; 8/27/15

ADMISSION OF STUDENTS

Reference: MCL 380.502(3)(e)(iii); MCL 380.504

The Board of Directors will allow students who reside in Michigan to enroll in the Academy in accordance with limits established by the Board of Directors. Because space is limited, each student must enroll each year. Preferences will be in writing and given to currently-enrolled students and siblings of enrolled students.

When maximum enrollment for a grade has been reached, applicants shall be placed on a waiting list and admitted on the basis of a lottery system.

The Board authorizes the School Leader to deny admission to any student who has a record of behavior s/he believes would constitute a threat to the safety and well being of fellow students and staff. Any such denial shall be reported to the Board at its next regular meeting

Any pupil enrolled in a school identified as a “Persistently Dangerous School” shall be allowed to attend a safe school within the local District in which a public school academy is located. The Board of Directors shall offer the pupils attending a school identified as a Persistently Dangerous School the opportunity to transfer to a safe public school within the local District within ten days of receiving the official complaint.

The Educational Service Provider shall develop Administrative Procedures for the proper implementation of this policy.

Adopted 12/18/13

HOMELESS STUDENTS

Reference: 42 USC 11431 et. seq.

Children who meet the Federal definition of "homeless" will be provided a free and appropriate public education in the same manner as all other students of the Academy and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on a lack of proof of residency. 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.

Homeless students will be provided services comparable to other students in the Academy, including the following:

- A. transportation services;
- B. educational services for which the homeless student 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;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students; and
- E. Academy nutrition programs.

The Board, at its annual organization meeting, will appoint a Liaison for Homeless Children to perform the duties as assigned. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth and with community and Academy personnel responsible for the provision of education and related services to homeless children and youth.

Adopted 12/18/13

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 Educational Service Provider shall develop Administrative Procedures for implementation of this policy which are consistent with the Compact and State law.

These procedures shall apply to children of military families within the state as well as between member states.

Adopted 12/18/13

ENTRANCE AGE

Reference: M.C.L. 380.1147, 380.1561, 388.1606, 388.1705 & 1705c
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. Prekindergarten

A child is eligible for entrance into the Academy's prekindergarten program if s/he attains the age of four (4) on or before December 1st of the year in which s/he applies for entrance and has not yet attained the age at which s/he will be admitted to kindergarten. Children attending prekindergarten shall be charged tuition in accordance with Board policy.

B. Kindergarten

A child who is at least five (5) years of age on or before September 1st of the school year of enrollment 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.

C. Early Entrance

A child who 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 Academy of intent to enroll the child for that school year.

Adopted 12/18/13
Revised 8/27/15

IMMUNIZATION

Reference: MCL 333.9201 et seq., 380.1177, 380.1177a
AC 325.176

The Board believes 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) regulations.

However, students who do not meet the immunization requirements shall be admitted in accordance with 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.
- 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 Academy 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 Academy 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.

The School Leadership shall develop Administrative Procedures to ensure the proper implementation of this policy.

Adopted 8/27/15

USE OF MEDICATIONS

Reference: MCL 37.1211(a); 20 USC §§ 5812, 7114; 41 USC § 702; 42 USC §§ 12114, 12210; 28 CFR § 35.131; 29 CFR §§ 825.112, 1630.3; 49 CFR §§ 382.121, 382.401, 382.601

Neither the Board of Directors nor the School Leader shall 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 non-prescribed (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 that 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 from the child's physician and the written authorization of the parent.

Before any non-prescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent. Medications will be administered by the Academy in accordance with the School Leader's procedures.

Only medication in its original container that is labeled with the date (if a prescription), the student's name, and exact dosage may 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 training on appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with knowledge of the Academy's policy and procedures and knowledge of the administration of medications or treatment.

All medication shall be kept in a locked storage case in the Academy's office.

The Board shall permit only trained staff to administer any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician.

Students who may require the administration of an emergency medication may have such medication in accord with the School Leader's Procedures.

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 the school, on school-sponsored transportation, or at any school-sponsored activity in accordance with the Administrative Procedures, 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 School Leader 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 Academy 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 Procedures developed to establish appropriate procedures shall be implemented in such a manner to comply with Academy'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 Leader shall prepare Administrative Procedures to ensure the proper implementation of this policy.

Adopted 12/18/13

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 Operations Manager to be sure that the supply of Epi-Pens is maintained at the appropriate level and they have not expired. The qualified individual as designated by Access Pointe 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, 911, and the Operations Manager, 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 Operations Manager. 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 Operations Manager 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 know to be subject to severe allergic reactions.

Adopted 8/27/15

STUDENT HAZING

The Board of Directors believes 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 Academy-sponsored event.

For purposes of this policy, hazing shall be defined 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 does not lessen the prohibitions contained in this policy.

Hazing involves conduct such as, but not limited to the following:

- 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; and/or
- G. undressing or otherwise exposing the person being hazed.

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 personnel of the Academy shall be alert particularly to possible situations, circumstances, or events that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer regarding the prohibitions contained in this policy and shall be ordered to end all hazing activities immediately. All hazing incidents shall be reported immediately to the School Leader. 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 Leader shall distribute this policy to all students and school employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in-service programs developed by the Educational Service Provider.

Adopted 12/18/13

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 Academy 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 Academy 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, "Academy 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 Academy 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 Academy community at school-related events/activities (whether on or off Academy 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 Academy employee that:

- A. places a student or Academy 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 Academy.

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 Academy 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. 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 Academy 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 Academy 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 Academy community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, an administrator, supervisor or other Academy official so that the conduct may be addressed before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other Academy employee or official who receives such a complaint shall file it with the Academy's Anti-Harassment Compliance Officer within two (2) school days.

Members of the Academy 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 Leader 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 Leader 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 Leader shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the School Leader 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 Academy. 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 Academy's Section 504 and Title IX Coordinators.]

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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 Academy 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 Academy 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 Academy community or a visitor to the Academy, 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 Educational Service Provider or will oversee the preparation of such recommendations by a designee. All members of the Academy 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.

Academy 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 Academy 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 Academy 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 Academy employee or any other adult member of the Academy 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 Educational Service Provider 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 Academy'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 Academy employee at the student's school, the Compliance Officer, Educational Service Provider, or another Academy 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, Educational Service Provider, or other Academy 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 Educational Service Provider.

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 Educational Service Provider 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 Educational Service Provider 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. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the Educational Service Provider must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Educational Service Provider's final decision will be delivered to both the Complainant and the Respondent.

If the Educational Service Provider requests additional investigation, the Educational Service Provider 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 Educational Service Provider shall issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Educational Service Provider may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Educational Service Provider'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 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 Academy 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 Academy 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 Leader 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 Academy community, all subsequent sanctions imposed by the Board and/or Educational Service Provider, 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 Academy teacher or Academy 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 Educational Service Provider.

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 Educational Service Provider, or designee shall provide appropriate information to all members of the Academy community related to the implementation of this policy and shall provide training for Academy 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 12/18/13
Revised 8/27/15

REPLACEMENT POLICY—SPRING 2015 **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 School Leadership. Complaints against the School Leadership 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 School Leadership 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.

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 Leadership 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.

Adopted 12/18/13
Revised

DRUG FREE ENVIRONMENT

Reference: MCL 37.1211(a); 20 USC §§ 5812, 7114; 41 USC § 702; 42 USC §§ 12114, 12210; 28 CFR § 35.131; 29 CFR §§ 825.112, 1630.3; 49 CFR §§ 382.121, 382.401, 382.601

The use, manufacture, possession, distribution, or dispensation of alcoholic liquor or the illegal use, manufacture, possession, distribution or dispensation of drugs or drug paraphernalia is strictly prohibited on school property, on school provided transportation, or at school-sponsored events. The Academy shall maintain a drug-free environment at all times.

Students found in possession of alcohol or illegal drugs (including drug paraphernalia), or found to be under the influence of such substances, shall be subject to discipline pursuant to the Academy Code of Conduct.

The School Leader shall establish a drug-free awareness program consistent with this policy and all applicable law. Such a program may include reasonable guidelines and procedures designed to ensure that an individual who has formerly engaged in the illegal use of drugs is no longer engaging in the illegal use of drugs.

Students of the Academy shall be provided with a copy of the standards regarding alcoholic liquor and illegal drugs, including drug paraphernalia, and shall be informed that compliance with these standards is mandatory.

Adopted 12/18/13

PERFORMANCE-ENHANCING DRUGS/COMPOUNDS

Reference: MCL 333.26301 et seq., 380.1318

The Board of Directors recognizes the use of dietary supplements containing 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 any dietary supplement containing 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 such a dietary supplement by a student with whom he/she 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.

Adopted 12/18/13

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 this 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;
- E. Obey authority and respond to those who hold authority.

The School Leader 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;
- C. Be directed, where possible, to reduce the effects of any harm which may have been caused by the student's 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.

In recognition of the negative impact on a student's education, the Board encourages the Academy's administrators to view suspensions, particularly those over ten (10) days, and permanent expulsions as discipline of last resort, except where these disciplines are required by law (Policy 5610.01). Alternatives to avoid or to improve undesirable behaviors should be explored when possible prior to implementing or requesting a suspension or expulsion.

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 Leader may suspend a student for a period not to exceed 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.

The School Leader may recommend to the Board a long-term suspension or that a student be expelled.

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 he/she may be given a short-term suspension by the School Leader. 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 Leader 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.

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

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.

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."

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, the Board shall expel any student (unless as noted below) who possesses a dangerous weapon in the Academy's weapon-free school zone in violation of State law or commits either arson or criminal sexual conduct in a school building or on school property, including school buses and other Academy transportation.

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 if the student can establish 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 Leader or the police.

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 Leader 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 Leader shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with federal law, the School Leader 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 Leader 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 Leader.
- E. Within ten (10) school days, the School Leader shall submit the request, together with any other information he/she 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 this 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 in accordance with the procedures set forth above or upon any standards and with any procedures it determines appropriate under the circumstances.

The School Leader 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 Leader for offenses found in the Student Code of Conduct.

The School Leader 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 Leader 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 Leader 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 Leader 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 Leader 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.

Adopted 12/18/13

STUDENT SECLUSION AND RESTRAINT

Reference: MDE Standards for the Emergency Use of Seclusion and Restraint (2006)

Professional staff members may need to restrain and seclude students under certain emergency circumstances. This must be done only as a last resort if students pose a threat to themselves or others.

All such intervention shall only be done in accordance with procedures developed by the Educational Service Provider which shall be based on the Standards adopted by the State Board of Education regarding the use of student restraint and seclusion.

Training will be provided to all professional staff and to substitute teachers, as well as the support staff determined appropriate by the Educational Service Provider. Training will be in accordance with the State's Standards.

Adopted 12/18/13

SEARCH AND SEIZURE

Reference: MCL 380.1306
US Constitution, 4th Amendment

The Board of Directors has charged Academy authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, Academy authorities may search school property such as lockers and computers used by students and/or the students' personal property, including vehicles, in accordance with the following policy:

Academy Property

The Board acknowledges the need for in-school storage of students' 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 to prevent examination by a Academy official. The Board directs the School Leader 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 against Board policy.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the School Leader has reasonable suspicion that illegal drugs or devices may be present in the Academy. This means of detection shall be used only to determine the presence of drugs in locker areas and other places in the 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 a student and 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 Academy policies or Administrative Procedures 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 Leader's Administrative Procedures, 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 School Leader. He/she 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 School Leader in the presence of the student and another staff member. 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 School Leader shall be responsible for the prompt recording, in writing, of each student search, including the following information: reasons for the search; information received that established the need for the search; 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 School Leader shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The Educational Service Provider shall prepare Administrative Procedures to implement this policy.

Adopted 10/29/14

STUDENT FUNDRAISING

Reference: 7 CFR Parts 210 and 220

The Board of Directors acknowledges the solicitation of funds from students must be limited, because a student is a “captive donor” due to compulsory attendance laws and because solicitations disrupt the program of the Academy.

For purposes of this policy *student fundraising* shall include the solicitation and collection of money from students for any purpose and 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 fundraising by students in the Academy, on school property, or at any school sponsored event only when the profit is to be used for school purposes or for an activity connected with the Academy.

Fundraising by approved Academy organizations (with funds managed by the Academy) may be permitted in the Academy by the School Leader. Such fundraising off school grounds may also be permitted by the School Leader. 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.

Fundraising by students on behalf of school-related organizations (with funds not managed by the Academy) may be permitted on school grounds by the Educational Service Provider. All other fundraising shall be done in accordance with Board Policy 9700.

The Educational Service Provider shall establish Administrative Procedures for the solicitation of funds which shall accomplish the following:

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation, without placing 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 fundraising events.

The School Leader shall distribute this policy and the procedures that implement it to each organization granted permission to solicit funds.

Adopted 8/27/15

6000 **FINANCES**

6320	Purchasing	L
6321	New School Construction, Renovation	L
6420	Conflict of Interest – Legal Counsel, Advisors, or Consultants	L
6700	Fair labor Standards Act (FLSA)	L
6850	Public Disclosure and Reporting	L

Adopted 12/18/13

PURCHASING

Source: MCL 380.1267, 380.1274 et seq.

Each year the State of Michigan informs the Academy 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 Educational Service Provider adhere to when the purchase of, and contract for, single items of supplies, materials or equipment is less than the amount allowed by State statute, but exceeds \$ 10,000.00 the Administrator shall whenever possible, have at least three (3) competitive bids.

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 M.C.L.A. 18.1263.

Bids shall be sealed and shall be opened by the Operations Manager 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 Academy;
- D. delivery terms;
- C 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.

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 Educational Service Provider 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 Educational Service Provider is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the Academy 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 Academy, the Board requires that the Educational Service Provider 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 Educational Service Provider 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 Academy. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

- A. opportunity be provided to as many responsible suppliers as possible to do business with the Academy;
- B. a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;
- C. where the requisitioner has recommended a supplier, the Educational Service Provider, may make alternate suggestions to the requisitioner if, in his/her judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order;
- D. upon the placement of a purchase order, the Educational Service Provider shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

The Educational Service Provider shall determine the amount of purchase which shall be allowed without a properly signed purchase order. Employees may be held personally responsible for anything purchased without a properly signed purchase order or authorization.

The Board may acquire office equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

Adopted 12/18/13

NEW SCHOOL CONSTRUCTION, RENOVATION

Reference: MCL 380.1267

Before beginning construction of a new school building, or an addition, repair or renovation of an existing school building, except emergency repairs, the Board of Directors, 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. By submitting the request for bids for placement on the Michigan Department of Management and Budget's website for school organizations, including a link to the Academy's 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 Educational Service Provider of the Academy. 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 Academy 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 C of this policy.
- F. At a public meeting identified in the advertisement for bids described in subsection C 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 M.C.L.A. 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:

- 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. The competitive bid threshold amount specified in this policy (\$20,959 for 2009) is 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 twelve (12) months ending August 31st of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31st 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. The current exempt amount must be confirmed with the Michigan Department of Education prior to issuing contracts for construction, renovation, or repair which exceed the amount listed in this policy.

Adopted 12/18/13

CONFLICT OF INTEREST - LEGAL COUNSEL, ADVISORS, OR CONSULTANTS

Reference: M.C.L. 380.1203

A person serving as the legal counsel to the Academy 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 Academy does not alone constitute a conflict of interest or financial interest in a contract or other financial transaction of the Academy.

See Bylaw 0144.3

Adopted 12/18/13

FAIR LABOR STANDARDS ACT (FLSA)

Reference: 29 USC 201 et seq.
29 CFR 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 directs the Educational Service Provider to fulfill all FLSA requirements in its hiring and compensation practices. 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.

Adopted 12/18/13

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 Academy 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 Academy 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 Academy 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 Academy
 - 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 Academy
 - 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 Leader of the Academy 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 Academy's financial and pupil accounting records conducted at least annually at the expense of the Academy.

The Academy'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 Academy 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 Academy 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 Academy's web address where the required financial data is posted. The Academy 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 Academy 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 Academy 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 Academy 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.

The Educational Service Provider shall ensure the proper implementation of the requirements of this policy and law through its Administrative Procedures.

Adopted 12/18/13

7000 **PROPERTY**

7217	Weapons	L
7434	Use of Tobacco on Academy Premises	L
7540	Computer Technology and Networks	L
7540.02	Academy Web Page	BP
7540.03	Student Network and Internet Acceptable Use and Safety	L
7540.04	Staff Network and Internet Acceptable Use and Safety	L
7540.07	Personal Internet Account Privacy – Students	L
7540.08	Personal Internet Account Privacy – Staff	L
7542	Network Access from Personally-Owned Computers and/or Other Web-Enabled Devices	L

Adopted 12/18/13
Revised 8/27/15

WEAPONS

Reference: 18 USC. 922
MCL. 28.425o
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 for the purpose of school activities approved and authorized by 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.

State law establishes a "Weapon-Free School Zone" that extends 1,000 feet from the boundary of any school property.

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 weapons, ammunition, and explosives.

The School Leader shall refer a visitor who violates this policy to law enforcement officials and may take any necessary steps to exclude the visitor from Board property and Board-sponsored events.

Exceptions to this policy include weapons under the control of law enforcement personnel.

These restrictions shall not apply in the following circumstances to persons who are properly licensed to carry a concealed weapon:

- A. A parent or legal guardian of a student of the Academy, may carry a concealed weapon while in a vehicle on school property, if s/he is dropping the student off at the school or picking up the child from the school.
- B. A county corrections officer, a member of a Sheriff's posse, a police or sheriffs reserve or auxiliary officer, or a State Department of Corrections parole or corrections officer, a private investigator, a Michigan State Police motor carrier officer or Capitol security officer, a State court judge, a security officer required by the employer to carry a concealed weapon while on the premises.
- C. A retired police or law enforcement officer or a retired State court judge.

The Educational Service Provider shall take the necessary steps to prosecute for a violation of the Weapon-Free School Zone.

Adopted 12/18/13

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 use of tobacco products of any kind, including but not limited to cigarettes, cigars, pipes, and chewing tobacco, and by any person, is prohibited on school property (including grounds, buildings, and vehicles) and during any school-sponsored activity or event.

In order to protect students and staff 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 Academy.

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.

Tobacco advertising or promotion is prohibited on signs, clothing (including hats or bags), or sponsorship of Academy events.

The School Leader shall:

- A. Communicate the Academy's Tobacco-Free Policy to students, staff, family members, and visitors, at Academy events, through signage, and in the student code of conduct;
- B. Develop and implement procedures for consistent and fair enforcement;
- C. Develop educational alternatives to suspension;
- D. Treat violators who are students or staff with disciplinary action in the same magnitude and manner as violations of other Academy policies;
- E. Ensure that visitors who violate the policy discontinue using the tobacco product or leave the premises;
- F. Include the expectation that the prohibition will be enforced in contracts with outside groups who use the building; and

- G. Coordinate with local law enforcement agencies on enforcement of the Youth Tobacco Act and the Michigan Penal Code related to tobacco use.

The Academy may provide access to developmentally-appropriate tobacco cessation programs or information about community cessation programs.

The Educational Service Provider employed by the Board, shall develop Administrative Procedures to ensure the proper implementation of this policy.

Adopted 12/18/13

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 Academy'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 Educational Service Provider 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 Academy'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 Academy 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 Academy's network, provided such access has an educational purpose for which the instructional staff member has the prior approval of the School Leader.

However, personal access and use of social media, blogs, or chat rooms from the Academy'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 Academy's network to increase awareness of Academy 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 Leader.

The Educational Service Provider shall review the STP and recommend the approval of any changes, amendments or revisions to the Board annually.

Adopted 12/18/13

ACADEMY WEB PAGE

The Board of Directors authorizes the creation of Web sites by staff and students of the Academy to be published on the Internet. The creation of Web sites by students must be done under the supervision of a professional staff member. These Web sites must reflect the professional image of the Academy, its personnel, and students. The content of all pages shall be consistent with the Board's Mission Statement and subject to prior approval of the Educational Service Provider.

The purpose of such Web sites is to educate, inform, and communicate. The following criteria should be used to guide the development of Web sites:

- A. Content should be suitable and usable for students and teachers to support the curriculum and the Board's educational goals and objectives as listed in the Board's Strategic Plan.
- B. Content should inform the community about the Academy, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.
- C. Content should provide an avenue to communicate with the community.

The information contained on the Web site should reflect and support the Board's Mission Statement, Educational Philosophy, and the School Improvement Process.

When the content includes a photograph or information relating to a student, the Board will abide by the provisions of Policy 8330 - Student Records.

All links included on the pages must also meet the above criteria and comply with State and Federal laws (e.g., copyright laws, Children's Internet Protection Act), ADA, Children's Online Privacy Protection Act (COPPA). Nothing in this paragraph shall prevent the Academy from linking the Board's website to (1) recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites) or (2) to websites that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party websites may contain age appropriate advertisements that are inconsistent with the requirements of Policy 9700.01, AG 9700B, and State and federal Law..

Under no circumstances is a Web site to be used for commercial purposes advertising, political lobbying, providing financial gains or any solicitation for the benefit of any individual. Included in this prohibition is the fact no webpages contained on the Academy's website may: (1) include statements or other items that support or oppose a candidate for public office or a ballot proposal, the investigation, prosecution or recall of a public official, or passage of a tax levy or bond issue; (2) link to a website of another organization if the other website includes such a message; (3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization; or communicate a political position or advocate for an issue..

Under no circumstances is a staff member-created webpage/site including personal webpages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. The board maintains its own website (e.g., [Progressbook]) that employees are required to use for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal webpages/sites (including, but not limited to, their Facebook or MySpace pages) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

If a staff member creates a webpage/site related to his/her class, it must be hosted on the Board's server.

Unless the webpage/site contains student personally identifiable information, Board websites that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users will generally be given full access to the sites created pursuant to this policy.

Such Web sites should address both internal and external audiences who will view the information. Academy Web sites must be located on Board-affiliated servers.

The Board retains all proprietary rights related to the design of Web sites and/or pages hosted on the Board's servers, absent written agreement to the contrary.

Students who want their class work to be displayed on the Board's Web site must have written parental permission and must expressly license the display without cost to the Board. Prior written parental permission is necessary for a student to be identified by name anywhere on the Board's Web site.

The Educational Service Provider shall prepare Administrative Guidelines defining the standards permissible for Web site use.

Adopted 8/27/15

STUDENT EDUCATION TECHNOLOGY ACCEPTABLE USE AND SAFETY

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

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board 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 Academy'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 Academy'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).

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 Leader, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Academy also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors.

However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on students to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the classroom teacher. The Educational Service Provider 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 Educational Service Provider is directed to prepare procedures which address students' safety and security while using e-mail, chat rooms and other forms of direct electronic communications, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors online.

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

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. the consequences of unauthorized access (e.g., "hacking") 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 the Educational Service Provider to implement procedures regarding the appropriate use of technology and online safety and security as specified above. Furthermore, the Educational Service Provider will implement monitoring procedures for the online activities while students are at school.

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

The Educational Service Provider is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of 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 procedures.

Students and staff members are responsible for good behavior on the Academy'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 procedures.

Students shall not access social media for personal use from the Academy'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 Educational Service Provider as the persons responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to the use of the Academy's Education Technology and the Internet for instructional purposes.

Adopted 12/18/13
Revised 8/27/15

STAFF EDUCATION TECHNOLOGY ACCEPTABLE USE AND SAFETY

Source: 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 Academy'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 Academy'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 Academy 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, ~~will~~ 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 Educational Service Provider, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board 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 Operations Manager.

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 Educational Service Provider 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 Educational Service Provider may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

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

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

- A. the safety and security of students while using e-mail, chat rooms, social media and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;

- C. the consequences of unauthorized access (e.g., "hacking"), 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 the Educational Service Provider to cause to provide instruction for students regarding the appropriate use of technology and online safety and security as specified above, and the Educational Service Provider will implement monitoring procedures for the online activities while students are at school.

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

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

The disclosure of personally identifiable information about students online is prohibited. Educational Service Provider is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that guidance will be provided and instruction offered to students in the appropriate use of the 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 procedures.

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

With prior approval from the Educational Service Provider, staff may direct students who have been issued Academy-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 Academy personnel to be responsible for good behavior when using the Academy'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 Academy's network, and shall access social media for educational use only after submitting a plan for that educational use and securing the School Leader's approval of that plan in advance.

General Academy 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 Academy'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 Academy's Mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes Academy personnel online conduct that occurs off school property, including from the Academy's personal or private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

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

The Board designates the Educational Service Provider as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to the use of the Academy's Education Technology.

Adopted 12/18/13
Revised 8/27/15

PERSONAL INTERNET ACCOUNT PRIVACY - STUDENTS

Reference: Michigan Internet Privacy Information Act, PA 478 of 2012
M.C.L. 37.271 et. seq.

The Academy 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 Academy 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 Academy.
 - b. An account or service provided by the Academy 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 12/18/13

PERSONAL INTERNET ACCOUNT PRIVACY – STAFF

Reference: Michigan Internet Privacy Protection Act, PA 478 of 2012
M.C.L. 37.271 et. seq.

The Academy 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 Academy may:
 - 1. request or require an employee to disclose access information to the Academy 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 Academy'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 Academy'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 Academy has specific information about an unauthorized transfer of the Academy'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 Academy or while using the Academy'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 Academy'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 12/18/13

NETWORK ACCESS FROM PERSONALLY-OWNED COMPUTERS AND/OR OTHER WEB-ENABLED DEVICES

Academy Board members, staff members, students, as well as contractors, vendors, agents, of the Academy may use their personal computer or web-enabled device of any type to access the Academy's server and internal network while they are on-site at any Academy facility, provided the computer and web-enabled device meets the established standards for equipment used to access said server and network, and the individual granted access complies, without exception, with the established standards for appropriate use of the Academy's server and network.

The necessary standards for connecting to the Academy's server and network shall be developed. Access to the standards for connecting to the Academy's server and network using a personal computer or web-enabled device of any sort shall be provided upon request for all to whom this policy applies.

Establishment, and subsequent enforcement, of the standards is intended to minimize the potential exposure to the Academy from damages, including, but not limited to, the loss of sensitive Academy data, illegal access to confidential data, damage to the Academy's intellectual property, damage to the Academy's public image, and damage to the Academy's critical internal systems, from unauthorized use.

Any Board member, staff member, student contractor, vendor, agent of the Academy who violates the established standards, who violates the Academy's Acceptable Use policy, or who accesses the server and network without authorization may be subject to disciplinary action, up to and including expulsion, if a student, termination of employment if a school employee, denial of access if a Board member, or cancellation of the contract with the Academy if a contractor, vendor or agent. Further, the Board member, staff member, student, contractor, vendor, and agent of the Academy who violates the established standards or who violates the Academy's Acceptable Use policy may be denied access to the Academy's server and network in the future.

Adopted 12/18/13

8000 **OPERATIONS**

8120	Iran Economic Sanctions Act Compliance	L
8142	Criminal History Record Check	L
8310	Public Records	L
8310.01	Enhanced Access to Public Records	L
8321	Criminal Justice Information Security	L
8330	Student Records	L
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
8405.01	Integrated Pest Management	L
8420	Emergency Situations at the Academy	L
8431	Preparedness for Toxic Hazards and Asbestos Hazard	L
8453.01	Control of Blood-Borne Pathogens	BP
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 F: Wellness Policy Board Resolution	
8800	Religious/Patriotic Ceremonies and Observances	L

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

Adopted 12/18/13
Revised 10/29/14; 8/27/15

IRAN ECONOMIC SANCTIONS ACT COMPLIANCE

Reference: M.C.L. 329.311 – 329.316

The Academy 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 Academy shall require a person that submits a bid on a request for proposal with the Academy to certify that it is not an Iran linked business.

If the Academy determines, using credible information available to the public, that a person has submitted a false certification, the Academy 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 Academy 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 Academy 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 12/18/13

CRIMINAL HISTORY RECORD CHECK

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

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

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

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

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

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

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

For substitute teachers or substitute bus drivers currently working in another district, public school academy or non-public school in the State, the School Leader may use a report

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.

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

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

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

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

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

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

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

An applicant must submit, at no expense to the Academy, 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 Academy employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days until the accuracy of the information can be verified. Thereafter, only information about felony convictions or misdemeanor convictions involving physical or sexual abuse may be disclosed in reference to a FOIA request.

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

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

Adopted 8/27/15

PUBLIC RECORDS; FREEDOM OF INFORMATION ACT COMPLIANCE

Reference: MCL 15.231 et seq.
MCL 445.81 et seq.
Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

It is the responsibility of the Board to maintain the public records of this Academy and to make such records available to residents of Michigan for inspection and reproduction in accordance with the requirements of the Michigan Freedom of Information act (FOIA).

The public records of this Academy include any writing or other means of recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the Academy, its Board, officers, or Educational Service Provider employees subject to certain exemptions according to the FOIA.

Any person may make a written request for any public records of the Academy. The person may inspect, copy, or receive copies of the public record requested. The Academy shall respond to such requests within five (5) working days after receipt, unless otherwise permitted by FOIA. A person seeking to obtain public records from the Academy pursuant to FOIA must complete and submit to the Academy the FOIA Request Information Outline which is attached hereto, made a part of this policy, all of which shall be maintained and made available on the Academy website at www.mcoventacademy.org.

An individual may purchase copies of the Academy'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.

The Board authorizes the Educational Service Provider to provide, upon written request, enhanced (i.e. immediate) access to any public record which the Academy has stored in an electronic database and is not confidential or exempt from disclosure by State or Federal statute. Such a record may be provided by means of a computer disk provided by the requestor, electronic mail, or a modem providing the requestor has paid the fee established for such transmission.

Personal and confidential information provided to and retained by the academy 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 Academy'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.

The Educational Service Provider 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 Academy records.

The Educational Service Provider 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 Muskegon Area Intermediate School District (MAISD) and the Center for Educational Performance and Information (CEPI).

The Educational Service Provider shall established Administrative Procedures to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

Adopted 12/18/13
Revised 8/27/15

ENHANCED ACCESS TO PUBLIC RECORDS

Reference: MCL 15.443 [**Note:** If the Board elects to provide enhanced access to public records of the School by passage of a formal resolution to that effect, the following policy shall apply]

The Academy shall provide enhanced access to public records in accordance with the Enhanced Access to Public Records Act, 1996 PA 462, as amended.

The Educational Service Provider shall be charged with compliance with the Act and with this policy. Public records obtained pursuant to the Act shall be provided at a reasonable fee, established by the Educational Service Provider.

Educational Service Provider shall develop Administrative Procedures to ensure compliance with this policy.

Adopted 12/18/13

CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)

Reference: Criminal Justice Information Services - Security Policy (Version ~~5.0, 2014~~ 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 Academy 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 Academy and contractors, vendors and their employees who work on a regular and continuous basis in the Academy. 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 Leader shall review, approve, sign and date all such corrective actions.

Local Agency Security Officer (LASO)

The Operations Manager shall be designated as the Academy'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 Academy 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 Academy's LASO shall be designated on the appropriate form as prescribed and maintained by the Michigan State Police.

Agency User Agreements

The Academy 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 Academy. The LASO shall be responsible for the Academy'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 Leader (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 Academy.
- 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 Academy 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 Academy employees, including contractors and vendors who act on behalf of, and work on a regular and continuous basis in, the Academy, 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

¹ For purposes of Section 4(G), contractors and vendors are individuals who act on behalf of the Academy, work on a regular or continuous basis in the Academy, and are involved in the hiring process of Academy 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 Academy, or to access criminal justice information for the contractor's or vendor's own review.

allowed to an authorized individual.

To the extent possible, electronic media (e.g., hard drives and removable 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 Leader 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 Academy 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

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.

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.)

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 Academy and the Michigan State Police.

If CHRI is received from another Academy, 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 Academy 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 8/27/15

STUDENT RECORDS

Reference: MCL 380.1135
Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education
34 CFR 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 of Directors 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 other information requested by a person who the Academy reasonably believes knows the identity of the student to whom the education record relate.

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 achievement tests.
- D. authenticated information provided by a parent or eligible student concerning achievements and other school activities which the parent or student wants to make a part of the record
- E. verified reports of serious or recurrent behavior patterns
- F. attendance records
- G. health records
- H. custodial arrangements

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 Educational Service Provider 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 as 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 this 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. 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;
- C. 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;
- D. release de-identified records and information in accordance with Federal regulations;
- E. 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 instructions;

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.

This written agreement must include:

- 1. specification of the purpose, scope, duration of the study, and the information to be disclosed;
- 2. a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study;

3. a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization
4. a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

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.

- F. 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)
- G. 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*).

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, marking, 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;

Parents and eligible students may refuse to allow the Academy to disclose any or all of such "directory information" upon written notification to the Academy within fourteen (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 Board shall not permit 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 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 Educational Service Provider 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 this 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 of Directors 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 of Directors. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Adopted 8/27/15

ANIMALS ON ACADEMY 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 Academy 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 Academy by a service or therapy animal in accordance with Federal and State law and this policy.

This policy applies to all animals on Academy 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.

Vaccination, Licensing and/or Veterinary Requirements

Animals housed on or brought on to Academy property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on to Academy property on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and County regulation/ordinance, including but not limited to rabies vaccination or other inoculations required to be properly licensed.

Non-Service Animals in the Academy and Elsewhere on Academy Property

Animals permitted in the Academy and elsewhere on Academy 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 Educational Service Provider permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member seeking approval to have a non-service animal in his/her classroom 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 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 Academy property or at Academy-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 Leader is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from the Academy.

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 Academy property.

The Educational Service Provider 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 Educational Service Provider's decision to remove and/or exclude a service animal from Academy 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 Academy'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 Academy's facilities with their service animals should notify the Educational Service Provider that their service animal will accompany them during their visit.

An individual with a disability who attends an Academy event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 - Public Attendance at Academy Events.

Adopted 12/18/13
Revised 8/27/15

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 of Directors 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.

Michigan 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 School Leader shall take the necessary steps so that an individual eighteen (18) years of age or older, who is a registered sex offender and resides, works, or loiters in violation of the Student Safety Zone, is reported to the local authorities.

The Educational Service Provider 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 Leader, members of the Board of Directors, 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 Educational Service Provider 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 School Leader 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 School Leader 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*. Reporting such information is subject to Section 444 of subpart 4 of part C of the General Education Provisions Act, Title IV of Public Law 90-247, 20 USC 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

If a student is involved in an incident reported to law enforcement officials, pursuant to the *School Safety Information Policy Agreement*, then, upon request by Academy officials, the student's parent or legal guardian shall execute any waivers or consents necessary to allow Academy officials access to Academy, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

Required Reporting

The Educational Service Provider 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 Educational Service Provider 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 School Leader 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.

Law Enforcement Information Network (LEIN)

The Board authorizes the School Leader 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 School Leader 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 Educational Service Provider shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the Academy is identified as “persistently dangerous,” students attending the Academy shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Educational Service Provider, shall

- A. discuss at the annual meeting the Academy’s designation as a “persistently dangerous” school, review the School Safety Plan, and suggest a plan of corrective action to be developed and implemented to reduce the number of these incidents in the subsequent year.
- B. convene a meeting of the School Leadership, representative(s) of the local law enforcement agencies and any other individuals deemed appropriate for the purpose of developing a plan of corrective action to reduce the number of these incidents in the subsequent year.
- C. If a school in a neighboring Local Educational Agency is identified as “persistently dangerous” and there is not another school in that Local Educational Agency, the Academy will admit students from that school in accordance with Board Policy 5113.02.

Victims of Violent Crime

Despite the diligent efforts of the Educational Service Provider and staff to provide a safe school environment, the Board recognizes that an individual student may be a victim of a violent crime in the Academy, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law, the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02, if applicable.

Adopted 12/18/13
Revised 8/27/15

FIRE SAFETY AND FIRE DEPARTMENT NOTIFICATION

Reference: Michigan R 29.1908(3); R 29.2009(3)

The Educational Service Provider shall develop written procedures that provide for all of the following:

- A. The designation of a staff member on each shift to be responsible for notifying the local fire department in the event of a fire;
- B. The availability at all times of a non-pay telephone for designated employees to notify the local fire department;
- C. The conspicuous posting of the telephone number of the local fire department near the telephone;
- D. A requirement that notification of the fire department is incorporated into all fire drills.

Adopted 12/18/13

ENVIRONMENTAL HEALTH AND SAFETY ISSUES

The Board of Directors recognizes its responsibility relative to student, staff, 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 Academy 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 Educational Service Provider shall develop and implement a positive, proactive environmental health and safety program that integrates responsibilities within the Academy 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 Academy-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 Academy 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 Academy.
- 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 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 Academy community.
- F. Procedures that detail plans for foreseeable emergencies and fire prevention.

Phase-out/Banned Products

The Educational Service Provider 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 Academy 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 Academy 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 Educational Service Provider shall develop Administrative Procedures for properly monitoring factors that contribute to excessive moisture and for developing mitigation plans when, and if, problems with IEQ are identified.

Pollution Control and Prevention

In an effort to comply with environmental policy and applicable regulations, the Academy 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 Evacuation of Schools
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 12/18/13

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 Academy 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 Academy's IPM program written under this policy states the Academy's goals regarding the management of pests and the use of pesticides. It reflects the Academy's site-specific needs and includes the following elements as required by law:

- A. Site evaluation, including site description, inspection, and monitoring and the concept of threshold levels;
- B. Consideration of the relationship between pest biology and pest management methods;
- C. 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;
- D. Pest controls methods selection, including consideration of the impact on human health, especially for children, and the environment; and
- E. Continued evaluation of the integrated pest management program.

The Educational Service Provider or designee for the Academy shall be responsible for ensuring that an IPM program is developed and is in compliance with MCL 324.8316.

Education /Training

The Academy 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 Academy 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 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 Leader or IPM Coordinator of the Academy 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 Educational Service Provider will report to the Academy Board on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Educational Service Provider is responsible to develop Administrative Procedures for the implementation of this policy.

Adopted 12/18/13

EMERGENCY SITUATIONS AT THE ACADEMY

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 Academy 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 Academy facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

Academy 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 Academy 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 Academy 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 Academy 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 Educational

Service Provider shall seek input from local public safety officials on the nature of the drills to be conducted under this subsection.

4. Each Academy 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 Leader 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 Leader shall notify the county emergency management coordinator of the rescheduled date for the drill.

C. Drill Result Publication

1. The School Leader 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 Academy
 - 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 Leader 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 Leader.

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.

Adopted 8/27/15

PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

Reference: MCL 324.8316, 380.1256
15 USC 2601
20 USC 4022
20 USC 4014
20 USC 4011
20 USC 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 comply with all Federal and State statutes and regulations concerning hazards resulting from industrial accidents beyond the control of Academy officials and/or from the presence of asbestos materials used in previous construction.

Toxic Hazards

These hazards exist in chemicals, pesticides, and other substances used in school settings such as laboratories, science classrooms, and kitchens. Such toxins are also found in the cleaning supplies for the school's rooms and equipment. The Educational Service Provider will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will be responsible for the following:

A. *Hazard Determination*

Identifying 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 School Leader 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 making certain 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 main office.

MSDSs will be available for review by all employees. Copies will be available upon request of the Toxic Hazard Preparedness Officer. Posters will be displayed, identifying the person responsible for monitoring MSDSs and where MSDSs are located at the main office. When new MSDs are received, notification posters for employees will be displayed in the same location.

The Toxic Hazard Preparedness Office shall contact the supplier, in writing, if a required MSDS is not received and shall promptly procure the MSDS before releasing the material for use.

If he/she is unable to obtain an MSDS from a supplier, he/she should contact MIOSHA's Occupational Health Division (OHD) or General Industry Safety Division for assistance in obtaining the MSDS.

Multi-Employer Work Sites – Informing Contractors

Informing contractors and their employees of any hazardous substances to which they may be exposed; determining measures to be employed to control or eliminate exposure; labeling system for container and pipes used onsite; and informing staff where applicable MSDSs can be reviewed or obtained. Whenever employees may potentially be exposed to hazards brought on site by contractors, the THP Officer will obtain information from the contractor pertaining to the chemicals brought on-site, and the measures that should be taken to control or eliminate exposure the chemicals.

Employee Information and Training

Providing information and conducting a training program for all employees on topics such as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the plan for communication and labeling. Information given to employees shall include the following:

- A. regulations of MIOSHA's hazardous communication standard;
- B. all operations in the employee's work area in which hazardous chemicals are present;
- C. location and availability of written hazardous communication policy and program, with the list of hazardous chemicals and the MSDSs in the Academy.

Employee training should include the following:

- A. techniques used to detect the presence or release of hazardous chemicals in a work area;
- B. physical and health hazards of hazardous chemicals;
- C. measures the employees should take to protect themselves from these hazards;
- D. details of the hazardous communication program including an explanation of the labeling system and MSDSs and how employees can obtain and use hazard information.

Employees shall be informed of the employer's anti-discrimination/discharge policy for employees accessing hazard information and how the employee can contact the Michigan Department of Industry and Consumer Services, Bureau of Safety Regulation and Occupational Health for assistance in obtaining an MSDS if he/she is unable to obtain the MSDS from the employer.

Records of each employee's hazardous communication training should be maintained, and all new employees should receive training regarding any hazardous chemicals with which they may potentially have contact as part of their job.

Hazardous non-routine tasks–

Before an employee is required to start a non-routine task (e.g., enter confined space), the employee will be given information about the hazards of the area, including specific chemical hazards, the procedures for protection or safety to lessen the hazard, and measures the company has taken to eliminate or control the hazard.

Any staff member or contractor who applies pesticides on school property shall meet the requirements of AG 8413A, in addition to requirements established by the State. He/She shall provide written notification each year, prior to any application, to all parents and staff members regarding the pesticide to be applied; the type of pesticide; its potential side effects; the location of the application; and the scheduled 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.

At its discretion, the Board may appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

Asbestos

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA) and the Michigan Occupational Safety and Health Act (MIOSHA), the Board recognized its responsibility to:

- A. inspect the building for the existence of asbestos or materials containing asbestos;
- 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 materials containing asbestos.

The Educational Service Provider shall appoint a person to develop and implement the Academy's Asbestos-Management Program to ensure proper compliance with Federal and State laws and appropriate instruction of staff and students. Upon completion the Academy's Asbestos Plan must be submitted to the Michigan Department of Consumer and Industry Services, Occupational Health Division, Lansing, Michigan 48909.

When conducting asbestos abatement projects, the Educational Service Provider shall also ensure 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 may be a consequence of an accident, an equipment failure, a negligent act, or a deliberate act beyond the control of the Board or its officers and Educational Service Provider employees.

However, the Board may provide legal representation and indemnification against civil liability regarding claims or actions resulting from, or arising out of, negligence (or alleged negligence) of 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 Board 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 12/18/13

CONTROL OF BLOOD-BORNE PATHOGENS

Reference: 29 CRF 1910.1030

The Board of Directors directs the Educational Service Provider to protect staff members who may be exposed to blood-borne pathogens and other potentially infectious materials in their performance of assigned duties.

The Educational Service Provider shall implement Administrative Procedures that will do the following:

- 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 reporting, evaluating, and following-up any and all incidents of exposure;
- E. provide for record-keeping of all of the above that complies with both Federal and State laws;
- F. develop an exposure control plan.

Adopted 10/29/14

FOOD SERVICES

Reference: 7 CFR 210, 215, 220, 240

The Board of Directors may provide food service for the purchase and consumption of lunch for all students.

The Board may also provide a breakfast program in accordance with procedures established by the State Department of Education.

The provided 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 Dietary Guidelines for Americans 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 who are certified by a licensed physician to have a disability which restricts his/her diet, in accordance with the criteria set forth in 7 CFR 15(b)(3). To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the students diet; and
- C. the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

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. To qualify for such consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet; and
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

For non-disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent or guardian is required.

Lunches sold by the Academy may be purchased by students, staff members, and volunteers in accordance with the Administrative Procedures established by the Educational Service Provider.

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.

The Educational Service Provider shall establish Administrative Procedures for the conduct of the Academy food service program that shall provide for the following:

- A. the maintenance of sanitary, neat premises, free from fire and health hazards;
- B. the preparation and consumption of food;
- C. the purchase of foods and supplies, in accordance with law;
- D. complying with food holds and recalls in accordance with USDA regulations;
- E. the management (accounting and deposition) of food-service funds;
- F. the safety and safekeeping (storage) of food and food equipment;
- G. safety of students with allergies;
- H. procedures governing vending machines; and
- I. procedures governing any school stores.

No foods or beverages, other than those associated with the Academy's food-service program, are to be sold during food-service hours. The Academy shall serve only nutritious food as determined by the Food Service Program in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food-service program must comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may be vended in accordance with Board Policy 8540.

Adopted 8/27/15

SPECIFIC GOALS FOR NUTRITION

Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.

Adopted 12/18/13

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.

Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.

Adopted 12/18/13

SPECIFIC GOALS FOR OTHER ACADEMY-BASED ACTIVITIES DESIGNED TO PROMOTE STUDENT WELLNESS

- A. The schools shall provide at least 30 (thirty) minutes daily for students to eat.
- B. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
- C. Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.

Adopted 12/18/13

SPECIFIC GOALS FOR NUTRITION PROMOTION

With regard to nutrition promotion, 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:
- C. provide opportunities for students to develop the knowledge and skills for consuming healthful foods.

Rewarding children in the classroom should not involve candy and other foods that are deemed USDA competitive foods or that can undermine children's diets and health and reinforce unhealthy eating habits. A wide variety of alternative rewards can be used to provide positive reinforcement for children's behavior and academic performance.

Adopted 12/18/13
Revised 8/27/15

BOARD RESOLUTION

WHEREAS children need access to healthy foods and opportunities to be physically active in order to grow, learn and thrive; and

WHEREAS good health fosters student attendance and education; and

WHEREAS obesity is increasing rapidly in the United States, affecting adults and children of all races, ethnicities, and income levels; and

WHEREAS the prevalence of overweight children aged 6-11 has more than doubled in the last 20 years and the number of overweight adolescents aged 12-19 has more than tripled in that same time; and

WHEREAS overweight children and adolescents are more likely than not to remain overweight, become obese adults, and develop related chronic illnesses; and

WHEREAS reversing the obesity epidemic among children will require a long-term, well-coordinated approach to reach young people where they live, learn, and play; and

WHEREAS schools can effectively partner with other public, non-profit, and private sector organizations in an effort to re-shape social and physical environments and provide information and practical strategies to help children and adults adopt more healthy lifestyles; and

WHEREAS the Child Nutrition and WIC Reauthorization Act of 2004 established a new requirement that all Academies with a Federally-funded school meals program develop and implement wellness policies that address nutrition and physical activity no later than the beginning of the 2006 – 2007 school year;

THEREFORE BE IT RESOLVED that it is the intent of the Board of Directors of the Branch Line School to comply fully with 42 USC 1751 Section 204, which requires that any local educational agency participating in the National School Lunch Program establish a local school wellness policy; and

BE IT FURTHER RESOLVED that the Educational Service Provider shall seek the involvement of parents, students, representatives of the school food service program, the Academy board, Academy administrators, and the public as this Academy's wellness policy is developed, and shall recommend a policy to the Board not later than September, 2014 and

BE IT FURTHER RESOLVED that the Board reserves the right to modify the recommended policy as it deems necessary; and

BE IT FURTHER RESOLVED that said policy shall be adopted no later than October, 2014 and shall be effective on the first day of the school year beginning after July 1, 2006.

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 physical education teachers), 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.

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:

- A. distribute information at the beginning of the school year to families of Academy children;
- B. include information in the student handbook;
- C. and post the policy on the Academy's website, including the Wellness Committee's assessment of the implementation of the policy.

Adopted 12/18/13
Revised 8/27/15

RELIGIOUS AND 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 Academy 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 Academy 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 Academy.

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 Academy 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.

Adopted 12/18/13

9000 **RELATIONS**

9160	Public Attendance at Academy Events	L
9211	Academy Support Organizations	BP
9250	Parent/Guardian Review of Instructional Materials and Observation of Instructional Activities	L

Adopted 12/18/13
Revised 8/27/15

PUBLIC ATTENDANCE AT ACADEMY 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 Academy, but the Board also acknowledges its duty to maintain order and preserve the facilities of the Academy 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 Academy event. Academy administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave Academy property when reasonably requested. In accordance with Board Policy 7440, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

No qualified person with a disability will, because the Academy'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 Academy will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the Academy 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 Academy'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)

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 Academy 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 Academy. If the performance is of copyrighted material and the necessary license has not been secured in advance by the Academy, 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 Educational Service Provider to establish rules and procedures governing the use of non-school audio/visual recording equipment at any Academy 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 an Academy activity which is not a public event shall obtain prior permission from the School Leader.

The School Leader shall ensure that all notices, signs, schedules, and other communications about school events contain the following statement:

"Upon request to the Leadership Team the Academy shall make reasonable accommodation for a disabled person to be able to participate in this activity."

Adopted 12/18/13

ACADEMY SUPPORT ORGANIZATIONS

The Board of Directors appreciates the formation and efforts of organizations whose objectives are to enhance the educational experiences of students in the Academy, to help meet educational needs of students, and/or provide extra educational benefits not currently provided for by the Board.

The Board recognizes that parent-teacher organizations and other school-related organizations are channels through which Academy 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 Academy unless directly approved to do so by the Academy 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 Academy for any purpose whatsoever.

Upon request by an organization that wishes to affiliate with the Academy, the School Leader shall do the following and make a recommendation related to same to the Academy Board:

- A. review the objectives of a volunteer group to determine that relevant, genuine educational needs are being addressed;
- B. provide assistance to support organizations in planning their activities;
- C. monitor the plans and activities of support organizations to ensure compliance with laws, Board policies, and Administrative Procedures;
- D. communicate the needs and concerns of the Academy to the support organizations and the needs and concerns of these organizations to the Board;
- E. approve in-school fund-raising activities of support organizations;

A volunteer support organization recognized by the Academy Board shall work in cooperation with the School Leader and other staff members and, in the event it ceases to do so, its affiliation may be revoked by the Academy Board. The support organization shall abide by the policies of the Board and the procedures established by the Educational Service Provider.

The Educational Service Provider shall implement Administrative Procedures which ensure that each group's fund-raising activities are in compliance with Board policies and the funds are used for school-related projects that have the approval of the School Leader.

The Educational Service Provider shall ensure that the Board receives an annual accounting of each volunteer support organization's receipts and expenditures. However, neither the Academy nor the Academy Board are, or shall be, fiduciaries of such funds, nor shall the Academy or the Academy Board be responsible for auditing such receipts and expenditures. IN NO EVENT SHALL A SUPPORT ORGANIZATION USE THE ACADEMY'S FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN) FOR ANY PURPOSE WHATSOEVER, NOR SHALL IT HOLD ITSELF OUT AS AFFILIATED WITH THE ACADEMY FOR ANY REASON OTHER THAN AS A “BOOSTER” ORGANIZATION OR PTA/PTO, PROVIDED SUCH QUALIFICATIONS, IN FACT, EXIST.

Adopted 8/27/15

PARENT/LEGAL GUARDIAN REVIEW OF INSTRUCTIONAL MATERIALS AND OBSERVATION OF INSTRUCTIONAL ACTIVITIES

Reference: MCL 380.1137

Where the term “parent” or “parents” is used in this policy, it shall include legal guardians.

Parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. “Instructional materials” includes curricula, textbooks, teaching materials and other 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 material accessible through the Internet). “Instructional materials” does not include academic tests or academic assessments.

Parents also have the right to be present, to a reasonable degree, and at reasonable times and subject to reasonable restrictions, to observe instructional activity (excluding testing) in a class or course in which the parent’s pupil is enrolled and present.

The Educational Service Provider shall develop Administrative Procedures for addressing the rights of parents and to assure timely response to parental requests to review instructional material or to observe instructional activity. The procedures also shall address reasonable notification to parents and students of their rights pursuant to this policy.

This policy shall not supersede any rights provided under the Family Educational Rights and Privacy Act.

Adopted 12/18/13