



**OSTC** OaklandSchools **OSTC Student/Parent Handbook 2022-2023**  
TECHNICAL CAMPUSES

OaklandSchools



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Note: The content of the 2022-2023 Student/Parent Handbook may be superseded by an Executive Order issued by the Governor, or a change in federal, state or local law and/or regulation. Oakland Schools will comply with any such changes and such changes may result in Oakland Schools amending the 2022-2023 Student/Parent Handbook. Amendments to the Student/Parent Handbook may also result from changes due to business necessity. Students and Parents will be notified, if necessary, of any changes or amendments. Complete copies of all policies referenced in the Student/Parent Handbook can be obtained from each Campus' Main Office.

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## WELCOME!

The Oakland Schools Technical Campuses (“OSTC”) offer unique environments that provide the best structure possible for you to receive the technical, academic, and workplace skills necessary to pursue your career pathway. You will notice a number of differences between OSTC and most other schools. These differences include the following:

### Enrollment Eligibility

An eligible Student may only enroll in one session per semester. Sessions are held in the morning, afternoon and on a limited basis in the evening. Please refer to [Policy 8040 – Technical Campus Enrollment](#) for more information on Student eligibility.

### Programs

Our educational and training opportunities are structured within offerings we call programs. These programs are developed around broad occupational areas and contain many different but related career training options for Students.

These programs are staffed by a team of specialized instructors who possess both a Michigan Teaching Certificate and Career Technical Education Authorization. This ensures that the instructional team has both the technical expertise and the knowledge of best instructional methodologies. These

instructional teams are supported by or include academic staff. The programs are designed to facilitate learning, not just deliver a sequence of instruction. This allows the Student to better manage their instruction plan, work cooperatively with other Students and progress at their own pace. Programs allow OSTC to provide the highest level of curriculum, meet the needs of a diverse student population and maintain the highest level of quality possible.

## ACADEMIC COURSE OFFERINGS

Students can receive embedded math and science academic credit as part of their OSTC curriculum. These courses are delivered using the collaborative teaching model of highly qualified academic instructors and highly qualified Career Technical Education (“CTE”) Instructors right in their career program. This additional academic credit must be requested by the Student through their high school counselor.

### AdvancED

Oakland Schools and the four campuses are accredited through AdvancED, which is the global parent organization of several of the larger US-based accreditation agencies. AdvancED brings together more than 100 years of experience and expertise in school accreditation and serves more than 27,000 public and private schools and districts across the United States and 69 countries, encompassing more than 15 million students.

The Michigan AdvancED works closely with the State of Michigan to coexist with its accreditation and school improvement policies. The AdvancED accreditation process is a comprehensive program supported by research-based standards designed to help schools, districts, and education providers continuously improve. For more information about AdvancED, visit: [www.advanc-ed.org](http://www.advanc-ed.org).

### Direct Engagement of the Business Community, Colleges and Universities

OSTC is directly engaged with hundreds of regional businesses in Oakland County and advisory committees for curriculum and instruction that provide: sharing of technology, training opportunities for Students in the workplace, sponsorship of student organizations, donations, mentors, coaches, alignment of training programs that may provide advanced placement opportunities and national licensing and/or certification for students. Due to these relationships, Students will be directly involved with technical and professional level experts in the classroom and field throughout the year.

# ADMINISTRATION AND SERVICES

## Administrative Office

All visitors to an OSTC must report to the administrative office (“Main Office”) upon entering the building to sign-in and to sign-out prior to leaving. Main Office hours are 7:00 AM to 3:30 PM during the school year. Hours may be adjusted to accommodate after-hours enrichment activities and programs. Please refer to [Policy 9400 – Visitors](#) for detailed information concerning visitors of an OSTC.

## Student Support Team

OSTC’s Counselor, Student Support Specialist, Special Populations Consultant, and the School-to-Career Coordinator (“Student Support Team”) are available for counseling, school-to-career experiences, learning resources, assessment, and other essential services.

- **Counseling/career guidance** - OSTC staff provides support to Students, coordinates resources and services such as educational planning, career planning, and/or provides support for issues or challenges. Students should contact their Student Support Team for these services.
- **Academic support** - Academic support, remediation or advanced levels of study are available to Students. Students may be referred for service by their OSTC Instructor, OSTC Counselor, Sending School counselor, or other Sending School support person.

# SCHOOL-TO-CAREER OPPORTUNITIES

## Work-based Learning

Paid and unpaid Work-based Learning opportunities (“WBL”) are available to Students through OSTC who meet qualification requirements (interest, technical knowledge and skills, attendance, and behavior).

**Paid opportunities** – Field experience, Internship, School-to-Registered Apprenticeship, Cooperative Education (provided by Sending School).

**Unpaid opportunities** – Job Shadowing, Coaching, Mentorship, and Externships.

Students on a WBL placement are expected to maintain a “C” or better average in class, attend and perform job duties as outlined in the Training Agreement & Training Plan, and turn in timesheets weekly. Failure to remain in compliance with the job duties as outlined in the Training Agreement & Training Plan may cause suspension and/or termination of the Training Agreement.

Students participating in WBL must have both a signed Training Agreement & Training Plan. These documents require the signatures of the Dean, Instructor, School to Work Coordinator, employer, parent/legal guardian (“Parent”) and Student.

Students cannot receive placement in a WBL until all required applications, approvals, consent procedures, and documents are completed.

Transportation to and from a WBL site shall be the responsibility of the Student and Parent (documented in the Training Agreement). Students driving to and from WBL sites are expected to have dependable transportation, a valid driver’s license, a good driving record, and current automobile insurance. The mode of transportation, beginning and ending travel locations, and who will provide transportation must be documented in the Training Agreement.

OSTC WBL is designed to provide the Student the experience of preparing for a career; however, no guarantee of employment is promised upon completion.

## Student Leadership Experiences

OSTC provides Students with a variety of leadership and competitive experiences with state and nationally approved student professional organizations. OSTC also participates in technical skill competitions and industry-based professional organization events including American Welding Society (AWS), Business Professionals of America (BPA), DECA, FIRST Robotics, Health Occupation Student Association (HOSA), Michigan Industrial and Technology Education Society (MITES), Micro-Electric Vehicle Competition, National FFA Organization (FFA), National Technical Honor Society (NTHS), Oakland County Competitive Robotics Association (OCCRA), ProStart, SkillsUSA, and VEX Robotics.

## Grades, Credit, Certificates and Certification

Students who attend OSTC have the opportunity to earn a letter grade, a listing of achieved technical competencies, high school credit, and certificates. Additionally, Students may qualify for college credit and may earn occupational certification/licensing from state and national organizations or agencies.

## Career Ready Practices

Career Ready Skills are a set of behaviors and attitudes applicable to all programs and career options. Career Ready Habits are developed through observation, evaluation, and feedback to the Student. Career Ready Skills are part of the grading process and is computed as 30% of the Student grade (problem solving, communication, collaboration, personal management) by their Instructors.



## Make-up Work

It is the Student's responsibility to obtain make-up work and timelines for completion from the Instructor when they are absent from OSTC. Missed tests or assignments scheduled with the Student prior to the absence must be completed on the day of return to school, under the Student's individual plan, or at the Instructor's discretion.

Students with chronic absenteeism (missing at least 10% of school days) in a school year for any reason, verified or unverified, and/or tardiness will be referred to the Dean or Student Support Specialist to be placed on an Attendance Success Plan. Unverified Absences – Grades may be reduced based on missed tests, projects, assignments, and/or quizzes.

## Grades

Grades are based on demonstration of technical knowledge, and academic (70%) and Career Ready Skills (30%). Course credit is recommended when a Student earns a passing grade (A, B, C, D) for the final mark in a course.

A Student can experience a grade reduction by receiving a series of poor knowledge and Career Ready Skills evaluations. Evaluations are issued by the Instructor and are based on effort, amount and accuracy of work completed, and behavior.

## Credit

OSTC will recommend high school credit for Students based on the local district requirement (generally 1.5 credits per semester/1 credit per trimester) upon successful completion of the program requirements. All recommended credits will be compiled by the Sending School for graduation requirements. Articulated and direct credits for college courses may be available based on agreements with many post-secondary institutions. Credit awards for Students will be based on Student achievement and the agreement with the particular post-secondary institution.

## Incompletes

In extenuating circumstances, a Student may receive a grade of "incomplete" for a marking period. In these cases a Student will be allowed to complete unfinished work (within an agreed upon timeline) and be re-issued a grade for the marking period. In these cases, the Student will be informed of the specific work requirements and the timeline for submitting the completed work.

## Skill-based Certificate

Students may qualify for a Certificate of National Skills Standards.

A National Skills Standard Certificate signifies that the Student has demonstrated competency in all performance skill standards related to National Skill Standards, licensing and/or certification requirements. This includes the successful completion of any national industry-based evaluations.

# GENERAL INFORMATION

## Security Cameras and Electronic Monitoring

The District recognizes it must balance the rights of personal privacy with its duty to provide a safe environment to learn and work and its responsibility to safeguard District property and equipment.

### **Use of security cameras may occur in any District building or on any District property for non-instructional purposes:**

- To monitor and protect District property;
- To foster the safety and security of Employees, Students, and visitors while at work or participating in school functions; and
- To assist with investigations.

Security cameras shall not be used in areas where there is a reasonable expectation of privacy such as locker rooms and restrooms, unless such placement is permitted by law and deemed necessary by the Superintendent to protect the safety of Employees, Students, Visitors and District property.

The Board authorizes the Superintendent to install monitors in locations that may be accessible to public viewing for the purpose of monitoring live video feed from security cameras. Please refer to [Policy and Administrative Rule 4115 – Security Cameras and Electronic Monitoring](#).

## Student Audio and Video Recording

Unless authorized by law, policy, the Dean or as necessary to accommodate a Student's disability pursuant to their IEP or 504 Plan, recording by a Student on District property, when in a District vehicle, or when at a District function is not allowed. Recording includes still photographs, video, audio, and other similar data captures in any medium.

Permitted recordings may only be used by Student for personal academic purposes and may not be shared or disseminated without written consent of the Dean. In addition, a Student may record a District function as a spectator if the recording is made in a manner permitted by the District for the public.

For example, Students may record functions for their personal use in a manner similar to Parents or other spectators, but Students remain subject to the District's acceptable use and Student discipline policies. Any recording must comply with applicable laws, codes of conduct, and Board Policy. No recordings may be taken or made in restrooms, locker rooms, or other areas where there is a reasonable expectation of privacy.

## **Student Transportation to/from OSTC**

Students may choose the bus services provided by their Sending School or provide their own transportation. It is the Student's responsibility to make sure they arrive on time to ride the bus. The normal courtesy expected on any commercial bus is expected on school buses. Bus riding is a privilege and the privilege to ride the bus may be revoked if the Student violates the rules and regulations for bus riders as specified by their Sending School.

Students who ride the bus will not be penalized if their bus arrives after the start of class, but Students providing their own transportation will be marked tardy when arriving late. Students are encouraged to use the transportation services provided by their Sending School.

Students who elect to drive their personal motorized vehicle ("Vehicle") to OSTC shall assume all responsibilities connected with transportation. If a Student elects to drive, the Student must have on file with the District a Student Driving/Parking Agreement Form signed by their Parent. A \$5.00 fee is required prior to the issuance of the parking permit for their Vehicle.

### **Rules governing the use of Vehicles by Students shall include but not limited to:**

1. The Student driving the Vehicle must hold a valid driver's license.
2. The Vehicle is currently registered.
3. The Student driving is insured under a motor vehicle liability insurance policy.
4. The Student driven Vehicle is registered with the Main Office.
5. The District parking permit issued to the Student is attached to the rear view mirror facing forward.
6. The Student shall comply with the established speed limit at all times.
7. The Student shall only park in areas designated for Students.
8. Change in license numbers or Vehicles shall be reported by the Student to Main Office upon arrival to OSTC.
9. The Student-driven vehicle may be subject to searches if reasonable suspicion indicated that the vehicle may contain items in violation of Board policy and/or administrative rules of the District, as permitted by law.
10. Students shall immediately report all accidents to the nearest Employee. Employee shall report to the Dean as soon as practical.

Violations of this Policy may result in disciplinary action pursuant to the Student Code of Conduct and/or suspension or revocation of driving privileges. Any Student who parks in violation of Policy does so at the risk of having their Vehicle towed away.

## Dress Code and Safety Requirements

The style and manner in which a Student dresses while attending OSTC shall be the responsibility of the Student and Parent. Dress requirements may be imposed where health, safety or employment issues dictate an appropriate type of dress in the classroom or training site location. The Dean or Student Support Team maintains the right to impose restrictions on Student dress.

- Students are not to wear clothing disruptive to the educational process or offensive to others. This includes clothing which has language, pictures, slogans, or designs which are: obscene, profane, lewd, vulgar, harassing, threatening, intimidating or which advertise illegal substances; or clothing that is tight and/or revealing, short shorts, pajama pants, or flip flops. (The final interpretation will be left to the Dean). If such clothing is worn to school, Students will be required to change or cover or turn said clothing inside out. Continued violation of the dress code will constitute insubordination and may result in the Student not being allowed to attend class until the Student has complied.
- Students will be expected to make modifications if the style of dress or grooming is detrimental to the health, safety and welfare of the Student or others, or the apparel is of the type which may cause physical damage to the school, plant or equipment. Any jewelry or clothing that poses a threat to Student safety will not be allowed.
- Students are not to wear hats, head gear, coats or jackets in class, or in the hallway during the class period unless warranted by the room condition and/or medical condition.

Many programs have specific dress codes that are enforced by the Instructors based on health, safety factors, and/or employment expectations. It is expected that Students who are enrolled in a program of this nature will comply with the dress code, uniform requirements and safety procedures for that program. Students may be required to wear safety glasses, uniforms, shop coats, hard-soled or safety shoes, protective aprons, or other types of safety attire for their protection.

Each Instructor will determine specific dress requirements for the health and safety of the Students enrolled.

## Assistance Animals for Students

The District is committed to fulfilling its obligations under state and federal laws, including providing reasonable accommodations to Students with

disabilities. The District also recognizes Students may experience mental health conditions that do not qualify as a disability but may benefit from additional support in the educational environment. The purpose of [Policy 8015 – Assistance Animals for Students](#) is to establish the conditions under which a service animal or emotional support animal is permitted in District sponsored and school related programs (“Programs”). The health and safety of the District’s Students and Employees are important concerns; therefore, each request for a service animal or emotional support animal will be considered on a case-by-case basis.

Requests are only valid for the current school year. A “pet” is not considered a service animal or emotional support animal.

## Service Animals

The District will accommodate the use of a service animal when there is an established need for such supportive aid in order to provide all Students with the same access and participation opportunities in Programs, activities and services. Certain restrictions may be applied when necessary due to allergies, health, safety, disability or other issues in the classroom or school environment. Confirmation of disability and need for a service animal to access the school programming may be required.

## Emotional Support Animals

An Emotional Support Animal (“ES Animal”), also known as a comfort animal or therapy animal, is an animal that has been prescribed by a qualified licensed mental health professional as part of a treatment program. An ES Animal provides necessary emotional support to a Student with a mental health or psychiatric disability. An ES Animal does not have special training to perform tasks that assist with an individual’s disability.

An ES Animal may only be permissible in a Program if the Student’s IEP or Section 504 Plan includes a requirement that an ES Animal is necessary for the Student to receive a free and appropriate education.

Additionally, the District may authorize the use of an ES Animal for a non-disabled Student. A non-disabled Student must be engaged in on-going therapy with a qualified licensed professional and the ES Animal must be identified as an essential treatment for the Student’s mental health condition that does not qualify as a disability.

**Request to use an Assistance Animal** - The Student and/or the Student’s Parent are requested to notify the Dean at least ten school days prior to the date proposed to bring the assistance animal onto District property by completing either a Request for Use of Service Animal or Request for Use of an Emotional Support Animal form. An assistance animal will not be permitted to be present

with the Student in the classroom without the prior written approval of the Executive Director of Student Services or the Deputy Superintendent.

**Exclusion of an Assistance Animal from School Property** - The Dean may recommend to the Executive Director of Student Services that an assistance animal be removed or excluded from District property, or District function. If an assistance animal is excluded, a Student will continue to be provided the opportunity to participate in programs, services, or activities of the District as required by law without having the assistance animal on District property or present at District functions.

## Rights of Non-Custodial Parents

Absent production of a court order that provides otherwise, the District will treat each Parent, regardless of custody or visitation rights, the same as to accessing Student records, meeting and conferring with the Employees, visiting their Student at the Technical Campus, and transporting their Student to or from the Technical Campus. Except as required by court order, the District is not responsible for enforcing visitation or parenting time orders to which the District is not a party.

# ACADEMIC CONDUCT

It is expected that Students only submit their own original schoolwork for credit. Academic misconduct occurs when a Student submits work which is not their own.

- **Homework** – Copying the homework of another Student and representing it as their own work violates this Policy.
- **Closed Book Quizzes, Tests, and Assignments** – The completion of closed book quizzes, tests, and assignments are limited to the designated testing period with no unauthorized verbal or nonverbal communication or assistance such as looking at another Student’s paper, having unauthorized material available for use including electronic devices, or securing test information from other Students.
- **Open Book Tests** – Excluding the specific resources an Instructor authorizes for use, the same rules governing closed book quizzes, tests, and assignments are applicable to open book tests.
- **Major Papers, Projects or Take Home Tests** – Plagiarism or the copying of information directly from other sources without proper citation is prohibited. Purchasing, borrowing, or obtaining materials and presenting it as the Student’s own work is also prohibited. The Instructor may authorize Students to collaborate on assignments with appropriate guidelines.
- **Unauthorized Access** – Gaining unauthorized access to test materials by going into Instructor files, looking through the Instructor’s desk, using electronic means, or obtaining information from an individual who has taken a test previously is prohibited.

- **Other Situations** – Students who provide or receive unauthorized assistance through written, verbal or electronic means are in violation of this Policy. A Student who shares their password or secures the password of another Student to access the Student’s work or materials is in violation of this Policy.

## STUDENT ATTENDANCE POLICY

All OSTC Students are expected to be motivated and sincerely interested in developing their talents. OSTC staff’s concern is with those Students who choose to be absent regularly and frequently.

Students who are frequently absent stifle their opportunity for development and limit their opportunity to gain skills and knowledge that may provide college credit, and career and employment advancement.

In keeping with the mandatory attendance laws of the State of Michigan, the expectations of employers who provide employment for Students and our own beliefs about learning, it is our expectation that all Students will attend school daily. Regular school attendance is the responsibility of the Student and Parent. Poor work habit evaluations may impact the Student’s grade.

Students with chronic absenteeism (missing at least 10% of school days) in a school year for any reason, verified or unverified, and/or tardiness will be referred to the Dean or Student Support Specialist to be placed on an Attendance Success Plan. Unverified Absences - Grades may be reduced based on missed tests, projects, assignments and/or quizzes.

### Student Responsibilities

- Attend school daily and be punctual.
- Understand the importance of good attendance for successful program outcomes.
- Understand the importance of good attendance/punctuality for success in the workplace.
- Be responsible for any missed work.
- Produce any documentation necessary to verify an absence within 24 hours of the absence.

### Parental responsibilities

- Parent must contact Main Office within 24 hours of the absence, or provide written documentation stating the reason for each day of absence to the Main Office on the day the student returns in order to have the absence verified.
- Partner with OSTC staff to encourage successful attendance and program outcomes.

- Be part of the intervention plan to improve attendance when necessary.
- Notify the Main Office of any changes in your contact information.

## OSTC Responsibilities

- Notify Parents daily if their child(ren) has an unverified absence in excess of 30 minutes.
- Be committed to a proactive approach to improving student attendance by implementing an Attendance Success Plan that includes Student, Parent, Instructor, and member(s) of the Student Support Team, when necessary.
- Provide an opportunity for Students to make up work.

## Attendance Success Plan

- Calls/contacts will be made to the Parent of any Student who is marked unverified on any given day.
- Instructor and Student Support Team intervention will occur with Students having excessive absences.
- Student Support Team will determine whether to meet with the Student, Counselor, and/or Parent to discuss the situation and initiate an Attendance Success Plan.
- Intervention will also occur when a Student's attendance negatively affects their performance (e.g. revoke or suspend driving privilege).

## Definition of Terms

**Verified absence** - For any absence to be classified as verified, the Student's Parent must call OSTC within 24 hours of the absence or provide written documentation on the day that the Student returns stating the reason for each day of absence.

Verified absences include: personal illness, family illness or family emergency, religious holidays, funerals, legal appearances, prearranged medical or dental appointments which cannot be scheduled outside of school hours.

**Unverified absence** - For any absence not authorized by OSTC or unconfirmed by Parent communication, the absence will be considered unverified.

**Late arrivals/early departures** - All Students arriving late or departing early must sign in or sign out at the Main Office. Students missing more than 30 minutes of class will be charged with an unverified absence.

*Exceptions: Extenuating circumstances approved by the Dean or Student Support Team member.*



## **Student Early Dismissal Procedure**

Students are to remain in their program/course/work area until they are dismissed by the Instructor or the sounding of the bell. Students who have a need or wish to leave OSTC during class time must make a request in the Main Office.

Approval of the Student's request shall comply with [Policy 8090 – Release of a Student During the School Day](#) and guidelines below.

### **Guidelines for Release of a Student During the School Day**

At the time of enrollment and admission to the OSTC, the Parent must complete the Student's Data Form that shall identify the Student's legal name and the name, address and telephone number of the Student's Parent(s).

No Student shall be released from OSTC to anyone whose signature authorizing such custody is not on file in the Main Office.

### **Release of a Student During the School Day**

In recognition of the District's obligation to Parents for the health, welfare and safety of Students, the Deans shall not release a Student during the school day except in emergencies, or to a Student's Parent as defined by state law. The identification of the Student's Parent shall be verified to the satisfaction of the Dean.

Before releasing a student during the school day, the Dean or designee shall be responsible for the verification of the identity of any lawful custodian or any representative seeking release of a student. If a lawful custodian, as indicated on the student's permanent record, is not recognized by sight, the Dean shall require identification to his/her satisfaction before such release. If there is doubt, he/she may refuse to grant the release.

In the case of a written or verbal authorization by a Parent of record, the Dean, shall verify to their satisfaction the message as being from the Parent by a return phone call or any other means at their disposal. If there is doubt, they may refuse to grant the release. If, in the granting of a release of a Student, a change in the record of the Student's Parent becomes apparent and is verified to the satisfaction of the Dean, such change shall immediately be entered on the Student's permanent record.

If one Parent has been awarded custody of the Student in a divorce settlement, as verified by the court, the custodial Parent shall inform the Dean, by furnishing, in writing, court documents establishing any limitations in the

rights of the non-custodial Parent. Absent such notice, the District will presume that the Student may be released into the care of either Parent. In the case of emergencies, a Student may be released in accordance with the Parent's instructions and in compliance with the facility's emergency plan.

No Student who has a medical disability that may be incapacitating may be released from OSTC without a person to accompany them.

If, in the granting of a release of a Student, a change in the record of the Student's lawful custodian(s) becomes apparent and is verified to the satisfaction of the Dean such change shall immediately be entered on the Student's permanent record.

### **Leaving OSTC Without Authorization**

Students leaving OSTC without approval/proper authorization as outlined above will be subjected to disciplinary action.

### **District-sponsored Student Leadership Organizations**

All District-sponsored Student leadership organizations shall be curriculum related. Only Students actually enrolled in and attending OSTC may participate in any District-sponsored Student leadership organizations, co-curricular events, or extra-curricular offerings of the District.

Membership in all Student leadership organizations shall be open to all Students of OSTC without regard to sex, race, color, national origin, religion, height, weight, marital status, sexual orientation (subject to the limits of applicable law), age, or disability. All District-sponsored Student leadership organizations shall operate within a framework of state and federal law, Board policy and administrative rules and procedures. Persons who are not Students admitted in accordance with District policies shall not be allowed membership in any District-sponsored Student leadership organization.

The Dean shall establish regulations for the operation of District-sponsored leadership organizations. Such leadership organizations shall operate for the welfare and in the best interests of the Students and the campus. District-sponsored leadership organizations are those directly under the supervision of a campus Employee. By way of limited example, a "District-sponsored, curriculum related Student leadership organization" would be those such as: Skills USA; Health Occupation Student Association (HOSA); Business Professional Association (BPA); Oakland County Competitive Robotics League (OCCRA); and For Inspiration and Recognition of Science and Technology (FIRST); or the like.

Every District-sponsored Student leadership organization must have an Employee sponsor appointed and approved by the Dean. All meeting times

and places of the Student leadership organization must have the advance approval of the Employee sponsor and the Dean, and the Employee sponsor or designated representative must be present at all meetings. Every District-sponsored leadership organization shall have on file in the Main Office a constitution, bylaws, or operating procedures approved by the Dean.

The Dean may deny requests for forming a District-sponsored Student leadership organization where the requirements of Board policy and administrative rules have not been met. When a request has been denied, the Students shall be informed of the reasons for the denial.

The Students may submit a written request to the Superintendent within ten calendar days of the notice of denial for a review of the Dean's decision. The Superintendent's decision shall be final. The Student Code of Conduct and all other Board policies and administrative rules and regulations will be in full force and effect during all meetings or functions of any District-sponsored leadership organizations.

## Student Publications

The District reserves the right to prohibit the distribution of publications that are not protected by the right of free expression. "District-sponsored Student publication" means any publication which is composed, compiled, published, or distributed under the official supervision of an Employee sponsor.

Students are exposed to diverse opinions on an infinite number of topics through the various forms of mass media. Students who have facts and opinions should be allowed to express them in print as well as through oral communication.

However, Student writers must observe the same legal responsibilities as those imposed upon conventional newspapers and communication media. Thus, no Student shall distribute on District property any Student publication that:

1. Is obscene as to minors according to current legal definitions.
2. Is libelous according to current legal definitions.
3. Creates a material or a substantial disruption of the normal Technical Campus activity or the operation of the Technical Campus.

District-sponsored Student publications shall be under the supervision of the Dean. All material published in District-sponsored publications must have the prior approval of the Employee sponsor. The Employee sponsor shall inform the Dean of any material that is contemplated for publication that may be controversial given the age of the Student and the content involved. The final decision on content for District-sponsored Student publications shall rest with the Superintendent.

# STUDENT CODE OF CONDUCT

The Board believes that an effective instructional program requires an orderly school environment which is, in part, reflected in the conduct of Students.

The Superintendent will develop and maintain a Student Code of Conduct (“Code”) applicable for each Board approved District program that shall:

1. Provide rules governing the conduct of Students,
2. Prevent activities that interfere with or threaten Student programs, operations, or safety, and/or which are prohibited by law or Board policy,
3. Addresses the responsibilities of Students,
4. Include proactive and preventative approaches to discipline and reinforce positive behaviors,
5. Promote a supportive school environment,
6. Endeavor to prevent disparities in the administration of discipline, and
7. Consider and be cognizant of the impact of disciplinary action on Students.

All Administrators and Employees of the District are required to comply with the Code. The Code shall be mandatory and enforced uniformly throughout each District program.

The Code will not limit the legal authority of the Administration and Employees to deal appropriately with types of Student conduct not specifically described in Code.

## What Is a Student Code of Conduct?

It is very important that all Students attending the Technical Campuses are given an opportunity to pursue a course of study in a safe, well-ordered school environment free of any and all situations and misconduct that threatens the educational process. The Student Code of Conduct (“Code”) assures that all Student programs, activities and events of the Technical Campuses are administered and carried out in an appropriate and orderly fashion for the common good of all Students, Parents, Employees, District Invitees, and Visitors.

The Code applies to Students while attending classes on a Technical Campus, on District property, in District Vehicles, and at District-sponsored activities and events. It also applies to behavior on or off District property which affects the safety and welfare of all Students, Parents, Employees, District Invitees, and Visitors, if this behavior would or does materially and substantially disrupt the operation of the school environment or educational process.

There are six non-exclusive disciplinary categories that illustrate the kind of behavior or conduct that can result in disciplinary action. These categories

are not all-inclusive and any violation could result in maximum discipline depending upon circumstances and District discretion. What follows lists each disciplinary category and likely disciplinary actions applicable to that category.

## Category I

**The following are examples of violations in Category I:**

- Discussing inappropriate subject matters
- Showing an excessive/inappropriate display of affection
- Wandering the hallways
- Being out of class during class time
- Being in a classroom or other District location without permission
- Loitering, remaining or lingering on District Property without a legitimate purpose and/or without proper authority
- Having or consuming food or drinks during class time or where prohibited without permission
- Throwing objects
- Disrupting the educational process
- Wrestling or horseplay in class or on District property
- Wearing inappropriate attire for a school/work setting
- Being in unauthorized areas
- Academic dishonesty including plagiarism, cheating, claiming another's work as your own, copyright violations
- Falsifying of information
- Use of electronic communication devices during instructional time (including but not limited to devices such as cell phones, including those with cameras, iPods, MP3 players, CD players, and laptops) disrupting the educational environment

## Category I Disciplinary Action

Students guilty of violating any offenses in Category I will subject themselves to at least one or more of the following actions or combination of actions:

- Warning - verbal or written warning issued to Student
- Parent contact
- In-school suspension

## Category II

**The following are examples of violations in Category II:**

- Leaving class, Technical Campus, or District property without permission
- Talking inappropriately and/or disrespectfully to Employees or other Students

- Engaging in verbal communication which is abusive, profane, obscene, or threatening
- Violating District tobacco/nicotine policy
- Possessing, using, distribution, advocacy or sale of electronic cigarettes/vaping devices
- Insubordination, as when a Student refuses to honor the reasonable requests or appropriate directives of an Employee
- Refusing to identify themselves when requested by an Employee
- Disrespectful behavior, as when a Student uses obscene language and/or gestures directed toward Employees or visitors
- Violation of safety procedures/guidelines (including inappropriate use of lasers)
- Refusing to wear required safety glasses and/or safety required uniforms and shoes
- Stealing property, equipment, or personal property of another Student, Employee or the District
- Discriminating against, harassing or intimidating Students on the basis of or related to a Student's race, color, national origin, gender, religion, age, height, weight, marital status, sexual orientation (subject to the limits of applicable law) or disability or in an inappropriate manner
- Use of profane or obscene language
- Gang activity
- Sending, receiving or possessing sexually explicit or otherwise inappropriate pictures, images, or language commonly known as "sexting"
- Gambling
- Forgery
- Habitual disregard for classroom rules
- Defacing, destruction or abusing District property including equipment, tools, books, furniture, or systems and processes
- Abusing or damaging supplies, equipment or materials belonging to another Student or Employee
- Cruelty to or abuse of any animal
- Violation of the Technology Code of Conduct, Acceptable Use Policy for Oakland Schools Internet, or the Children's Internet Protection Act
- Driving violations including careless/reckless or negligent driving on or to and from District property
- District parking violations such as parking without a parking pass and/or in a lot other than the Student lot without permission

## Category II Disciplinary Action

**Students guilty of violating any offenses in Category II may subject themselves to Category I Disciplinary Actions and at least one or more of the following actions:**

- A Student/Parent conference may be necessary
- Counselor referral
- Restorative Practices

- Student Success Plan
- May be placed on a short-term suspension for one to ten days
- Demand for payment or restitution
- Possible police contact and report
- Employee may not recommend Student for employment or awards
- District granted Student Vehicle access, and/or parking and/or driving privileges revoked

## Category III

**The following are examples of violations in Category III:**

- Possessing, using, delivering, distributing, selling or being under the influence of alcohol or the advocating or facilitating thereof
- Possessing, using, delivering, distributing, selling or being under the influence of a controlled substances or illegal drugs or the advocating or facilitating thereof,
- Possessing, using, delivering, distributing, or selling intoxicating or addictive substance paraphernalia or the advocating or facilitating thereof
- Bullying, including cyberbullying
- Making verbal and/or written threats to or engaging in acts of intimidation toward Students, or District invitees
- Major violations of the Technology Code of Conduct , Acceptable Use Policy for Oakland Schools Internet, Children’s Internet Protection Act such as hacking, visiting pornographic sites, installation of damaging software
- Stealing District property, equipment, or Student/Employee property or equipment with an estimated value of \$250 or more per item or in the aggregate
- Physical altercation/fighting
- Multiple or repeated Category I and/or Category II violations

## Category III Disciplinary Action

**Students guilty of violating any offenses in Category III may subject themselves to Category I and Category II Disciplinary Actions and the following action:**

- May be reported to local law enforcement

## Category IV

**The following are examples of violations in Category IV:**

- Computer crimes such as taking, possessing, disseminating, transferring, or sharing of obscene, pornographic, lewd or otherwise illegal images or photographs or any material of a sexual nature, whether by electronic data transfer (commonly called texting, sexting, email, etc.) or by any other means regardless of whether the action violates state or federal law

- Instrument or object used by a Student as a weapon and is not defined as a dangerous weapon
- Gun paraphernalia (e.g., gun case, ammunition, targets)
- Incendiary devices (e.g., smoke bombs, fireworks)
- Bomb threats or similar threats
- Verbal threat at school against an Employee, volunteer or contractor
- Physical assault against another Student
- Criminal sexual conduct against another enrolled Student at a Technical Campus
- Guilty of gross misdemeanor or persistent disobedience (for example, multiple or repeated Category I, II or III violations), and Administration believes suspension or expulsion is in the interest of the District

## Category IV Disciplinary Action

**Students guilty of violating any offenses in Category IV may subject themselves Category I, Category II and Category III Disciplinary Actions and at least one or more of the following actions:**

- Prior to recommending a suspension or expulsion of a Student for a Category IV violation, the District shall consider the Disciplinary Factors (See section identified as Disciplinary Factors)
- The Student will be removed from the District pending an investigation and the outcome of any hearing conducted by the Student's Sending School
- Appropriate law enforcement and state agencies will be notified of any of the above actions
- Petition for suspension or expulsion with Sending School for violation of statutory policy
- Suspension or expulsion from a Technical Campus for violation of Board policy or Code

## Category V

**The following are examples of violations of Category V:**

- Possession of a dangerous weapon\*
- Arson in a District building or on District grounds
- Criminal sexual conduct in a District building or on District grounds
- A Student pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another enrolled Student in the District
- Physical assault at a Technical Campus against an Employee or District Invitee or contractor

*\*(Dangerous weapons are defined as: a firearm, dagger, dirk, stiletto, knife with a blade three inches or more in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.)*



**A Student is not required to be expelled for possessing a weapon if the Student establishes in a clear convincing manner at least one of the following:**

- The object or instrument possessed by the Student was not possessed by the Student for use as a weapon, or for direct or indirect delivery to another individual for use as a weapon
- The weapon was not knowingly possessed by the Student
- The Student did not know or have reason to know that the object or instrument possessed by the Student constituted a dangerous weapon
- The weapon was possessed by the Student at the suggestion, request, direction of, or with the express permission of the District, Sending School or law enforcement

**An expulsion of a Student for possession of a weapon is not justified if both of the following criteria are met:**

- The Superintendent determines in writing that at least one of the above factors has been established in a clear and convincing manner
- The Student has no history of suspension or expulsion

## **Category V Disciplinary Action**

**Students guilty of violating any offenses in Category V may subject themselves to Category II, Category III and Category IV Disciplinary Actions and at least one or more of the following actions:**

- Prior to recommending expulsion of a Student for a Category V offense, the District shall consider the Disciplinary Factors (See section identified as Disciplinary Factors)
- The Student will be removed from a Technical Campus pending an investigation and the outcome of a hearing conducted by the Student's Sending School
- Appropriate law enforcement and state agencies will be notified of any of the above actions
- Petition for expulsion with Sending School for violation of statutory policy
- Suspension from a Technical Campus and Sending School for violation of statutory policy
- Suspension from a Technical Campus for violation of Board policy, or Code

## **Category VI**

**The following are examples of violations of Category VI:**

- Possession of a firearm in a weapon-free school zone

## Category VI Disciplinary Action

**Students guilty of violating an offense in Category VI will subject themselves to one or more of the following actions:**

- The Student will be removed from a Technical Campus pending an investigation
- Appropriate law enforcement and state agencies will be notified of any of the above actions
- Petition for expulsion with Sending School for violation of statutory policy
- Suspension from a Technical Campus for violation of Board policy or Code
- Rebuttable presumption is not available (A rebuttable presumption is a presumption that can be overcome by sufficient evidence to the contrary.)
- Disciplinary Factors may not be considered

*NOTE: Under state law, a Student who possesses a firearm in a weapons-free zone within the meaning of MCL §380.1311 (d)(3) on District property is required to be permanently expelled from all public schools in the State of Michigan. This may also be true for other offenses as well.*

*Firearm means: (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silence; or (D) any destructive device. Such term does not include an antique firearm (defined in Title 18 of the United States Code, 18 USC 921).*

*Weapon free school zone means: school property and a vehicle used by a school to transport students to or from school property (defined in the Michigan penal code, MCL 750.237a).*

### **Students Eligible for Services Under IDEIA or Section 504**

A recommendation for disciplinary action shall consider whether a Student with a disability is eligible for services under IDEIA or Section 504 and whether the Student's alleged misconduct was a manifestation of the Student's disability as provided under federal and state law. Discipline of a Student with a disability shall be in accordance with all applicable law.

### **Disciplinary Actions and Due Process for Suspensions and Expulsions**

The District shall determine the appropriate Instructor or administrative disciplinary action(s) based on the type and severity of behavior or violation committed while recognizing the importance of safeguarding a Student's constitutional rights, particularly in disciplinary proceedings. The District adheres to what is termed legally as Due Process in administering the disciplinary policy. This simply means that the Student is afforded the

opportunity for a fair and reasonable determination of their case. Due Process is available for disciplinary actions that include suspension or expulsion.

### **Instructor Disciplinary Actions**

Discipline begins in the classroom. Therefore, the Instructor will endeavor to help the Student change their behavior in a fair and reasonable manner to prevent a violation or an additional violation. Instructors have the authority to utilize various classroom management techniques to generate positive Student behavior. Instructors are authorized to address incidents of minor misbehavior so long as such techniques do not violate Board policy and/or applicable law.

Classroom management by an Instructor may include: verbal or written warning, Parent contact, Student consultation, Student/Parent conference, Counselor referral, applying Restorative Practices, not recommending the Student for employment, awards, or regulation of Student activities and events. An Instructor shall document a Student's record with disciplinary action(s) taken.

For all other conduct, the Instructor must refer the matter for an administrative disciplinary action.

### **Administrative Disciplinary Actions**

#### **Student Success Plan**

This action requires the Student and Parent to agree to a written Student Success Plan ("Plan") designed to eliminate unacceptable behaviors and increase desirable behavior in accordance with the Code. The Plan will describe the violation, what happened as a result of the violation, and a set of actions by the Student, Parent, Employee, Sending School, and Technical Campus to correct the problem. The Plan will be monitored for its effectiveness over a specified time period. Necessary modifications will be made. The Plan must be authorized by the Dean. Failure to adhere to the Plan can be grounds for discipline or implementation of any discipline avoided or delayed by the Plan.

#### **In-School Suspension**

This action is the denial of the Student's access to a regular class or Student program for up to three school days. The Student is removed from class and assigned to a specific room where classroom assignments will be completed and monitored. An in-school suspension is authorized by the Dean.

#### **Due Process for In-School Suspension**

When the Student's conduct cannot be remedied in the classroom, the Instructor will make a referral to the Dean describing the situation and what

remedial attempts have been made. Occasionally, other Employees will observe Code violations outside of the classroom and will make a direct referral to the Dean.

- The referred Student will meet with the Dean and the circumstances or details will be reviewed. (The Instructor may or may not be present, at the Dean's discretion.) The Student will have the opportunity to give an explanation and provide evidence on their behalf.
- If a Student is found to be in violation of the Code, they will be informed of the consequences and/or the action plan to address the violation.
- The Dean will attempt to notify the Parent and the Student's Sending School of the action. The Dean will determine the need for a Parent conference. If, however, the Parent requests a conference, the Dean will honor this request.

### **Short-Term Suspension**

A short-term suspension occurs when a Student is temporarily removed from a Technical Campus up to a maximum of ten school days. During a short-term suspension, the Student's right and privileges at the Technical Campus, including Student activities and events are suspended. The Dean may impose a short-term suspension immediately upon a Student after notification to the Parent. The Dean may proceed with the suspension without affording a hearing to the Student or prior notice to the Parent if the presence of the Student endangers other persons or property or substantially disrupts, impedes or interferes with the operation of the District.

- **Make-up work** - Students are allowed to make-up work or tests for credit missed as a result of an in-school suspension or short-term suspension. It is the Student's responsibility to take the initiative in arranging for make-up work and tests and completing these in a timely manner.

### **Due Process for Short-Term Suspension**

No short-term suspension shall be imposed upon a Student without giving the Student oral or written notice of the charges, the disciplinary action being taken, the reason for the suspension, and an opportunity to respond. If feasible, the notice and hearing should precede the Student's removal from the District. If the Student's presence poses a danger to persons or District property or threatens to disrupt the academic process, prior notice of the hearing may not be feasible. In this case, a hearing should follow the Student's removal from the District as soon as possible.

The hearing may be conducted informally but shall include the following procedural due process requirements: (a) the right of the Student to be present at the hearing; (b) the right of the Student to be informed of the charges; (c) the right of the Student to be informed of the basis for the accusation; and (d) the right of the Student to make statements in defense of the charges or accusations or to tell their side of the story.

There shall be no appeal process beyond the District for in-school or short-term suspensions.

### **Long-Term Suspension**

A long-term suspension is when a Student is removed from a Technical Campus for more than ten school days and fewer than 60 school days. The Dean shall promptly notify the Executive Director of Student Services of the recommendation for the Student's long-term suspension. During a long-term suspension, the Student's right and privileges at a Technical Campus, including Student activities and events, are suspended.

The District will recommend to the Student's Sending School the suspension of the Student for the commission of a Category IV or V action as provided in this Code and in accordance with applicable law. The Student may be removed from a Technical Campus pending an investigation and the outcome of the hearing conducted by the Student's Sending School. Should the Student's Sending School determine that the Student's conduct does not violate state law, the District reserves the right to suspend the Student from its programs.

Should a suspension be imposed for a number of days exceeding the remaining days in a semester, the days remaining on the suspension will commence with the beginning of the next semester unless otherwise determined by the Deputy Superintendent.

*NOTE: If a Student is suspended from the Sending School, the Student may also be suspended from a Technical Campus program. Although the District is not responsible for disciplinary action taken by the Sending School, the District recognizes and supports such action when it occurs. Likewise, suspension from the District may also result in suspension from the Sending School.*

- **Make-up work** - Students may not be permitted to make-up practical work for credit missed or participate in work-based learning during a long-term suspension. A Student may not be awarded credit for the semester(s) the Student is on long-term suspension.

## **Expulsion**

Expulsion of a Student means that the Student is excluded for 60 or more school days from a Technical Campus and all other Student programs. The Dean shall promptly notify the Executive Director of Student Services of the recommendation for a Student's expulsion. The District will recommend to the Student's Sending School the expulsion of the Student for the commission of a Category IV, V, or VI action as provided in this Code and in accordance with applicable law. The Student may be removed from a Technical Campus pending an investigation and the outcome of the hearing conducted by the Student's Sending School. Should the Student's Sending School determine that the Student's conduct does not violate state statutory law; the District reserves the right to expel the Student from a Technical Campus.

- The expulsion of Students by action of the Sending School may result in Students being prevented from attending any other public school in the state of Michigan.
- Appropriate law enforcement and state agencies will be notified of any of the above actions.

## **Due Process for Long-Term Suspension and Expulsion**

When a Student engages in conduct within Categories IV through VI, the Dean shall refer the Student to their Sending School with a recommendation for a hearing for long-term suspension or expulsion as governed by state law, Board policy and this Code. Long-term suspension or expulsion will result in the permanent removal of a Student from all District programs. The Dean shall give a written notice of the recommendation for a long-term suspension or expulsion and the charges upon which the long-term suspension or expulsion recommendation is based to the Student subject to long-term suspension or expulsion and to their Parent(s). Any notice of a recommendation for a long-term suspension or expulsion shall inform the student that they will be afforded an opportunity for a formal hearing with their Sending School. Any appeal of the long-term suspension or expulsion shall also be the responsibility of the Sending School.

The District may participate in the Student's long-term suspension or expulsion hearing conducted by the Student's Sending School. Should the Student's Sending School determine a violation of the statutory policy did not occur, the District reserves the right to suspend the Student from its programs. The District's reservations of rights shall be included in the Student's original long-term suspension or expulsion notice. In such cases, hearings and appeals for the long-term suspension or expulsion shall conform to the following:

A written notice of any proposal for a long-term suspension or expulsion, and the charges upon which the long-term suspension or expulsion is based, shall

be given to the Student and to the Parents. Any notice of a proposed long-term suspension or expulsion shall state the time, date, and place that the Student will be afforded an opportunity for a formal hearing before the Executive Director of Student Services. It shall also inform the Student of the right to be represented by counsel, to produce witnesses, submit evidence on their behalf, and to cross-examine any adult witnesses who may appear against them.

The hearing before the Executive Director of Student Services shall not be held later than ten calendar days after the date of the notice and shall be recorded.

Upon the conclusion of any District formal hearing, which results in a long-term suspension or expulsion, the Executive Director of Student Services shall make a written report of the findings and results. The report shall be directed to the Superintendent, Deputy Superintendent and to the Dean and shall be open to the inspection of the Student who is suspended or expelled, and, if the Student has not attained 18 years of age, to the Student's Parents and counsel.

### **Formal Hearing Procedure: Long-Term Suspension and Expulsion**

Any formal hearing provided shall be conducted in accordance with the following procedures:

- The right of the Student to have counsel of their own choice present and to receive the advice of counsel.
- The right of the Student's Parent(s) to be present at the hearing.
- The right of the Student, Parent(s) and counsel, to hear or read a full report of testimony of witnesses against the Student.
- The right of the Student and his or her counsel to confront and cross-examine witnesses who appear in person at the hearing.
- The right of the Student to present their own witnesses.
- The right of the Student to testify in their own behalf and give reasons for their conduct.
- The right of the Student to have an orderly hearing.
- The right of the Student to a fair and impartial decision based on substantial evidence presented at the hearing.
- The hearing will be recorded.

### **Appeals of Long-Term Suspensions/Expulsions**

Any Student or Parents of a Student who has been suspended for a long-term or expelled may appeal only to the Superintendent by filing a written notice of the appeal with the Superintendent within ten calendar days after receiving written notice of the decision. The appeal does not stay the suspension or expulsion determination.

The Student may present reasons the Superintendent should reverse or modify the long-term suspension or expulsion. The Executive Director of Student

Services or the Dean shall respond. The Superintendent shall have the right to question witnesses and review documents. The Superintendent may affirm, reverse or modify the long-term suspension or expulsion.

*NOTE: If the Student's conduct is severe enough (such as to cause a substantial disruption to District programs) or if the Student's conduct is judged to be dangerous to others, or there is evidence of illegal activity on the part of the Student, then such a Student may be removed from the program immediately until a formal hearing can be convened. The Parent(s) will be notified to remove the Student from the Technical Campus. Law enforcement may also be notified to assist in the process.*

### **Reinstatement**

Students permanently expelled, may submit a petition for reinstatement with their Sending School after 150 school days. Reinstatement, if granted, is not permitted before the expiration of 180 school days after the date of expulsion. Should the Sending School decide to reinstate the Student, with or without conditions, the District reserves the right to either accept the decision of the Sending School and re-enroll the Student or require the Student to petition for reinstatement with the District.

### **Use of Restorative Practices**

The use of Restorative Practices will be considered before suspension or expulsion of any Student. Use of Restorative Practices may be appropriate as an alternative to, or in addition to, a suspension or expulsion; it may also be appropriate for lesser violations of the Code not rising to the level of a suspension or expulsion.

Restorative Practices will be the first consideration to remediate offenses such as, but not limited to, interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, harassment, and cyberbullying.

Restorative Practices may include victim-offender conferences ("Peer Mediation Circle") facilitated by a Student Support Specialist. The purpose of the Peer Mediation Circle is to provide an opportunity to the offender to accept responsibility for the harm caused to those affected by the misconduct and to participate in setting consequences to repair the harm. A Peer Mediation Circle shall only be used when initiated by the Student subjected to the violation. A Peer Mediation Circle may not be appropriate in all circumstances such as complaints of harassment. A Peer Mediation Circle shall adhere to the District's established protocol.



## **Disciplinary Factors**

Violations of this Code are subject to many disciplinary actions of which suspension and expulsion are the most severe.

Prior to a Technical Campus suspending a Student for any duration or expelling a Student, the following seven disciplinary factors (“Disciplinary Factors”) will be taken into consideration for that Student unless the conduct is for the possession of a firearm:

- The Student’s age
- The disciplinary history
- Whether the Student has a disability
- The seriousness of the violation or behavior
- Whether the violation committed by the Student threatened the safety of any Student or Employee
- Whether the Restorative Practices will be used to address the violation or behavior
- Whether a lesser disciplinary consequence or intervention would properly address the violation or behavior

## **Rebuttable Presumption**

- In-School and Short-Term Suspension - For a suspension of ten or fewer days, there is no rebuttable presumption, but the District shall consider the Disciplinary Factors.
- Long-Term Suspension and Expulsion - Unless the violation relates to firearms, in the case of a long-term suspension or expulsion resulting from violations or behavior identified in Categories IV through V, a rebuttable presumption exists that a suspension or expulsion is not justified unless the Superintendent can demonstrate that each of the Disciplinary Factors was considered. The method used for consideration of the Disciplinary Factors is at the sole discretion of the Superintendent.

## **Personal Protection Order**

If a Student obtains a personal protection order against another Student in the same Technical Campus, either the Student or the Student’s parent should notify the Dean and provide a copy of the order. The Dean or designee may work with the families to change class schedules, lockers, or bus assignments of either Student .

The existence of a personal protection order does not diminish a Student’s rights under the Individuals with Disabilities Education Act.

The existence of a personal protection order alone is not a sufficient basis to exclude a Student from school. The District reserves the right, to determine the educational placement of a Student who is the subject of a personal protection order.

### **Law Enforcement Involvement**

Law enforcement shall be notified of all cases of Student misconduct which are defined as criminal under state and federal laws, as applicable.

For the safety of our school community, when the Administration is informed by law enforcement of alleged Student involvement, beyond the school day, in criminal activity including but not limited to, arson; drug or alcohol possession, distribution or use; or possession or use of weapons; or criminal sexual conduct, the administration reserves the right to restrict the Student's participation in Student activities and events.

### **Seclusion and Restraint**

The Board authorizes the use of emergency seclusion and emergency physical restraint ("Seclusion and Restraint") of Students enrolled in a Student program as a last resort intervention consistent with state law. This authorization shall only extend to Employees as designated by the Superintendent. Please refer to [Policy 8310 – Emergency Seclusion and Emergency Physical Restraint](#).

### **Corporal Punishment**

The Board prohibits corporal punishment as an acceptable method of disciplining Students.

An Employee is authorized to use reasonable physical intervention when, in their professional judgment, the physical intervention is necessary to prevent a Student from harming themselves, others or doing harm to property.

## **CAMPUS PROCEDURES**

### **Field Trip Guidelines**

Field trips should be primarily academic in nature and related to the curriculum. All field trips are to be approved in advance by the Superintendent. All overnight field trips and out-of-state field trips are to be approved in advance by the Superintendent and by the Board. In cases of emergencies, the Board President may approve overnight field trips and out-of-state field trips. Such emergency approvals shall be reported to the Board at its next regularly scheduled meeting.

Each Student must submit all necessary parental consent forms signed by the Student's Parent before being allowed to attend a field trip. Deans must ensure that Students are adequately supervised and chaperoned by a responsible and authorized adult at all times during field trips. The Board prohibits one-to-one Instructor-Student ratio for all overnight field trips.

A chaperone must adhere to all District volunteer requirements, including [Policy 9850 - Volunteers](#). All chaperones must be at least age 21. A chaperone is prohibited from drinking alcoholic beverages or using non-prescribed controlled substances at any time during the field trip. The District may deny or terminate a chaperone's assignment for any lawful reason.

A student's failure to comply with Board policy, the Student Code of Conduct, and any other applicable rules or behavioral expectations while on a field trip may result in disciplinary action and removal or exclusion from the trip. The District shall assume the costs of required field trips that are directly related to the District's curriculum.

## **Fundraising**

Fundraising for school-related activities may be undertaken by Students or Instructors when the profit is to be used for educational purposes or for an activity connected with the Campus, but must not take place during instructional time. Fundraising projects occurring on an OSTC must be pre-approved by the Dean. Fundraising occurring off-District property or at any District-sponsored event must be pre-approved by the Superintendent or designee. No Student is permitted to raise funds by selling on a door-to-door basis.

## **Fees, Fines and charges**

OSTC staff is authorized to collect fees, fines, charges, and deposits. Each Technical Campus shall prepare and make available upon request a complete list of Student fees, charges, deposits and fines.

## **Fee Schedule**

At the beginning of each school year, Deans will distribute a schedule of fees, fines, charges and deposits to all Students. Main Office shall be authorized to collect the fees, fines, charges and deposits. The schedule shall include:

1. A detailed list of all items for which a charge is to be collected.
2. The amount of such charges.
3. The date due.
4. Classifications of Students exempt from the fee or charge.
5. A system for accounting for and disposing of such fees.
6. An appeal procedure to be used by Students or Parents to claim exemption from paying the fees or charges.

## Fees

The District may charge fees or deposits for:

1. Extracurricular activities on a pay to participate basis.
2. A reasonable and refundable deposit on textbooks to cover damages.
3. A reasonable and refundable locker fee.
4. District-sponsored educational trips not directly related to the curriculum.
5. Summer school courses or programs not part of a scheduled year- round program.

The District shall not charge fees for:

1. Textbooks, workbooks, laboratory supplies, or other supplies necessary for participation in any instructional course.
2. Field trips required as part of a basic educational program or course.
3. Special safety equipment or protective clothing required for courses.

## Fines

Students shall be notified in writing of any charges assigned to them and that failure to pay the fee, fine, or charge may result in sanctions until restitution is made. Opportunity shall be given for the Student and/or Parent to meet with the Dean to discuss any fines or fees levied against the Student. The District shall not withhold any Student record because of nonpayment of fines or fees.

## Care of Personal Property and Valuables

Students must exercise extreme caution in the handling of their personal property. It is recommended that uniforms, shoes, safety glasses, kits and other personal items belonging to the Student be labeled with a permanent marker or engraved with the Student's name for identification purposes.

**Personal property should not be left unattended. OSTC is not responsible for Students' personal property. Unnecessary amounts of money should not be brought to school.**

Any theft or attempt at theft or extortion should be reported to the Main Office immediately. While OSTC cannot assume financial responsibility for such losses, it is vitally concerned that Student property be protected and that efforts will be made to stop such activities. Students carrying valuable items should take them to the Main Office for safe keeping during instructional time.

## Visitors

All visitors to District facilities, including OSTC, must register at the Main Office upon entering and prior to leaving the District facility. Procedures governing the entry of visitors on District property shall be posted conspicuously at the main entrance to each District facility or near the entrance to such facilities or property if there are no formal entrances.

The Superintendent and Dean have the authority to prohibit the entry of any person to a District facility or to expel any person when there is reason to believe the presence of such person would be harmful to the good order of the District facility or the safety of Students and Employees. If an individual refuses to leave the District property or creates a disturbance, the Superintendent or Dean is authorized to contact local law enforcement. Loitering in and on District property is also prohibited. The Dean is responsible for all Visitor approval to OSTC.

### **Guidelines for Visitors to District Facilities and OSTC**

All Visitors must use the designated front entrance to enter and exit a District facility. If it is necessary for a Visitor to use an entrance other than the front entrance, the visitor must be escorted by an Employee.

All Visitors to OSTC or facilities housing Students must register with the Main Office and pick up a visitor's badge. The visitor's badge must be worn at all times. Upon leaving OSTC, all Visitors must return their visitor's badge to and sign out at the Main Office

No person may see a Student at a Technical Campus unless it is with the specific approval of the Dean. If an emergency situation requires that a Student be called to the Main Office to meet with a Visitor, an Employee should be present during the meeting. A Student is never to be permitted to leave the Technical Campus with anyone who is not clearly identified as their Parent(s) or an appropriately authorized person as established in the Release of Student during the School Day policy and guidelines.

### **Classroom Visits**

Classroom visits need to be carefully planned so as not to be disruptive. Parent visits shall be scheduled with the Instructor and the Dean. Classroom visits are intended to acquaint the Parent with instruction, programs, Employees, operation, and/or the facility. Parents shall refrain from giving directions or making evaluations of Employees or operating procedures during their visits. If a visit to an OSTC leaves a Parent with a concern, this concern should be discussed with the Dean or the Executive Director of Student Services.

### **Requirements for OSTC Student visitors:**

- Visitors must obtain prior approval from the Dean, Instructor or Campus Operations Supervisor.
- Visitors must be 14 years or older.
- Babies and toddlers are not permitted.
- Arrangements must be made at least three days in advance.
- The Visitor's Sending School is not in session.

## **Parents are welcome to visit the classroom, but are asked to:**

- Obtain prior approval from the Dean.
- Enter and leave the classroom as quietly as possible.
- Refrain from conversing with the Students, Instructor and/or instructional aides during class session.

## **Fire, tornado & school safety drills**

Fire and tornado safety drills will be conducted during school. An intermittent alarm is used for fire drills. The public address system is used for tornado drills. Specific instructions will be provided prior to practice drills by the classroom Instructor. In the event of a school safety threat, the Dean will conduct “lock-down” drills so that Students can quickly and safely find shelter within the school.

## **Illness**

If a Student wishes to leave OSTC due to illness, they **MUST REPORT TO THE MAIN OFFICE** and follow the **SIGN-OUT PROCEDURE**.

## **Accidents**

Employees have certain responsibilities in case of accidents or injuries that occur in a Campus. The responsibilities, subject to the judgment of the Employee(s) present, extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration, notification of Parents, and the filing of accident reports. In all cases, the appropriate Dean shall be informed of the accident. Employees should administer first aid within the limits of their knowledge of recommended practices and board policies and rules. The Superintendent will provide appropriate first aid, CPR and AED training for designated and volunteer employees. Regardless of the seriousness of any accident, the Employee providing assistance shall submit an accident report to the Executive Director of Auxiliary Services, Maintenance and Facility Operations or their designee.

Any Employee who discovers an accident involving a Student on District Property shall report the accident to the Dean. Similarly, students involved in an accident or who are aware of an accident should report the information to their Instructor, Counselor or Dean. The Dean shall maintain the list of all designated and voluntary employees trained in first aid, CPR and AED. Deans and Employees must comply with directives of the Parent(s) with religious objections including the use of medications. In case of serious accident or illness, or when in the judgment of the Employee in charge at the scene, the Parent(s) will be notified. The Parent(s) will then make a decision relative to the care of the injury or illness. If the Parent(s) cannot be reached, the family

physician or alternate physician if permitted by Parent(s) of the student should be notified. In the event a Student accident or injury appears to require medical treatment other than emergency first aid, all Employees will follow the Emergency Plan developed by the District to cover such emergencies.

### **School Closing Procedure**

Conditions, such as inclement weather, equipment failures and power outages, may make it necessary to temporarily alter the operation of the District and/or its OSTC. Changes in District operations may involve late start or an early closing time of one or more OSTC.

In the event of a District or facility closure, Students shall not report to their designated OSTC but may be required to report to their Sending School as determined by the sending district. In the absence of such notification, Students are required to report to their designated OSTC.

Students and Parents shall also be responsible for checking on OSTC closures using social media, the OSTC website, as well as the following Detroit area television and radio stations by 6:30 AM.

TV channels/Radio stations:

- WXYZ-Channel 7
- WDIV-Channel 4
- WWJ-950 AM
- WJBK-Channel 2
- WJR-760 AM

### **Change of Address/Telephone Number**

Parent(s) and/or Students are to inform Main Office of any change of address and/or telephone number. This is necessary in providing assistance in job placement, follow-up reports, and emergency situations.

### **Telephone Usage and Acceptance of Messages**

A Student may use a phone in the Main Office with authorization for school-related purposes. Students may be permitted to use a school phone at the discretion of OSTC staff.

### **Administration of Medication**

The administration of medication is governed in [Policy 8670 – Administration of Medications by Campus Employees](#). The administration of prescribed medication to a Student during school hours will be permitted only when failure to take such medicine would jeopardize the health of the Student, or the Student would not be able to attend school if the medicine was not

made available during school hours. Deans, or their designees, or certified Instructors may administer over-the-counter and/or prescribed medications to enrolled Students in accordance with administrative rules and pursuant to state law. Before any medication is administered to any Student, the Dean shall require the written prescription and written sets of instructions from the Student's physician accompanied by the written request of the Parent. Only medication in its original container, labeled with the date of prescription, the time the medication is to be administered, the route of administration, Student's name and the exact dosage will be administered.

## **Definitions**

**"Medication"** includes both prescription and non-prescription medications including those taken by mouth, inhaler, injection, rectally, patch and application as drops to eye, ear or nose, or application to the skin.

**"Self-administration"** means that the Student is able to consume or apply prescription and non-prescription medication in the manner directed by the physician without additional assistance or direction from Employees.

**"Self-possession"** means that a Student may carry medication on their person to allow for immediate and self-determined administration.

## **Mandatory Disclosure of Medication**

The safety of Students and Employees are paramount to the District. To provide a safe education and work environment, it is necessary to require the disclosure of medications taken by Students enrolled in certain courses as medications may have certain side effects that may impact a Student's ability to safely operate machinery, tools, instruments, equipment or other items. The Dean shall notify Students and Parents of the District's policy at least bi-annually and provide a medication disclosure form prior to the commencement of each semester. Students must submit the completed medication disclosure form at the commencement of the each semester. If a Student begins taking medication during the semester, the Student shall disclose the use of the medication immediately after commencement of use or prescribed by a physician using the medication disclosure form.

## **OSTC Administration of Medications – Prescription**

Medication that must be taken by Students at OSTC requires a written request from the Parent together with a written set of instructions from the physician prescribing the medicine. The Student's name, the name of the medicine, the dosage, the specific time of administration, the expected duration of the treatment, possible side effects, and special instructions, shall be listed clearly by the doctor. This request is to be kept on file in the Main Office.



Any change in medication, dosage, or time of administration must be accompanied with a Parent's and physician's written instructions and permission. Parent shall immediately inform the District in writing if the medication is no longer required.

### **Storage and Access to Medications in OSTC**

The prescription medication shall be in a container prepared by a pharmacy or physician, with a printed label specifying the Student's full name; name of the medication and the dosage; time of day medication should be administered; and, name of the physician.

Only limited quantities of a prescription medication may be kept at OSTC, and the Parent shall be solely responsible for any prescription refills.

A Parent's request/permission and a physician's instructions for administration of medications shall be renewed every campus year. No changes to medication dosage or time of administration will be made except by instruction from a physician. Medications must be claimed by Parent at the end of the school year. If this is not done, the Employee who administers the medication will dispose of the medication and record this disposal on the medication log. This procedure shall be witnessed and initialed by a second adult Employee.

### **Student Self-administration of Medications**

Upon the written request of the Parent, and with written instructions from the physician, and with the approval of the Dean, Students may self-possess a daily dosage of prescription medication for self-administration, unless the medication is a narcotic or a controlled substance, such as Ritalin, which must be dispensed through the Main Office.

Students are not required to provide written authorization for non-prescription medication that they self-administer/self-possess. Any exception to this Policy regarding student-self administration of medications must be pre-approved by the Superintendent in writing. Students are required to comply with mandatory disclosure of medication in accordance with this Policy.

All self-possessed medications must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration.

### **Self-possession and Self-administration**

Students and Parent shall adhere to the following guidelines concerning the self-possession and self-administration of medications:

1. The Student's Parent must submit a completed District permission form for prescribed medication, signed by the Parent(s) and the physician, giving permission to self-possess and self-administer, to the Dean. (Forms are not necessary for Students who self-possess and self-administer non-prescription medication except as otherwise required in this Policy). The form must be renewed annually, or more often, if necessary. Written instructions must include the Student's name and phone number, physician's name and phone number, name of medication, dosage, time to be administered, form of medication, method of administration, restrictions and/or possible side effects, special handling instructions, duration of administration and the physician's instruction that the Student may self-possess and self-administer the medication.
2. Medication shall be maintained exclusively and at all times under the Student's control while in the school setting.
3. Students who receive authorization to self-administer their medication shall not convey, transfer, or otherwise distribute the medication to other Students; Students who violate this conduct standard shall be subject to disciplinary penalties as specified in the Student Code of Conduct.
4. The Dean, at their sole discretion, may discontinue the Student self-possession/self-administration privilege if there is misuse following a consultation with the Parent. If a Student is under an Individualized Educational Program (IEP) or a Section 504 Plan, the action must be taken in accordance with Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act requirements.

Any bio-hazardous wastes produced by the Student in the process of self-administration are to be properly disposed of by the Student in accordance with District procedures.

All necessary written permission forms detailed above for administration of medications must be obtained and filed by the Dean prior to possession, storage, or self-administration by a Student.

### **Epinephrine Auto-Injectors (Epi-Pens)**

The possession of Epinephrine Auto-Injectors (Epi-Pens) is governed in [Policy 8671 – Epinephrine Auto-Injectors \(Epi-Pens\)](#). A Student may possess an Epi-Pen at a Technical Campus, on District-sponsored transportation, or at any activity, event, or program sponsored by the District or in which the Student's OSTC is participating, provided that:

- The Student has written approval to possess and use the Epi-Pen from the Student's physician or other health care provider authorized by law to prescribe an Epi-Pen, and, if the Student is a minor, from the Student's Parent.
- The Dean, or their designee, of the student's Technical Campus has received a copy of each written approval required for the Student.

- There is on file at the Student’s Technical Campus a written emergency care plan that contains specific instructions for the Student’s needs, that is prepared by a physician licensed in this state in collaboration with the Student and the Student’s Parent and that is updated as necessary for changing circumstances.

### **Do-Not-Resuscitate Orders**

Employees will honor a Do-Not-Resuscitate Order (“DNR”) or physician orders for scope of treatment form (“POST”) executed pursuant to the Michigan Do-Not-Resuscitate Procedure Act or Public Health Code if they have actual notice of the DNR or POST.

Within five school days of receiving a request that life-sustaining care be withheld from a Student, the Executive Director of Student Services, Dean or Special Populations Consultant will convene a group of people knowledgeable about the Student’s medical and health needs to develop an emergency response plan, including an individualized resuscitation plan, for the Student. The Executive Director of Student Services, Dean or Special Populations Consultant will ensure that all Employees responsible for providing instructional or non-instructional services to a Student with an individual emergency response plan receive, if applicable, actual notice of the DNR or POST and timely and appropriate training.

Upon actual notice that a DNR or POST form has been revoked, the Executive Director of Student Services, Dean or Special Populations Consultant will provide actual notice to all Employees responsible for providing instructional or non-instructional services to the Student of the revocation, at which time personnel will no longer honor the DNR or POST form.

The Superintendent, Deputy Superintendent and Executive Director of Legal Affairs shall be promptly notified any time the District receives a request that life-sustaining care be withheld from a Student.

For purposes of this Policy, “actual notice” includes the physical presentation of an order, revocation of an order, or another written document authorized under the Michigan Do-Not-Resuscitate Procedure Act.

For additional information, please refer to [Administrative Rule 8608 – Do-Not-Resuscitate Orders](#).

### **Prohibition of Abortion Referrals**

The District shall not engage in Sex Education Instruction as defined by the Revised School Code Section 1507. Nevertheless, Board members and Employees shall comply with Revised School Code Section 1507 (sex education) and are prohibited, while on District property or acting within the scope of

their respective board duties or employment, from referring a Student for an abortion or assisting a Student in obtaining an abortion. This prohibition does not apply to a person who is the Parent of that Student.

If a Parent of a Student enrolled in the District believes that a District Board member and/or Employee has violated this Policy, they may file a complaint with the Superintendent, who will investigate the complaint and, within 30 days after the date of the complaint, provide a written report of their finding to the complainant and to the superintendent of public instruction in accordance with State law. If a violation is substantiated, the Superintendent or the Board will discipline that person in accordance with Board policy and any applicable collective bargaining agreement or employment contract.

### **Head Lice Policy**

If a Student is found to be infested with head lice, or to have nits, they will be sent home for treatment and a notification letter will be transmitted to the Parent. The Student's Sending School shall be notified immediately. The Student shall not be readmitted to OSTC until the Student/Parent can show proof, acceptable to the Superintendent, of an approved treatment. The Student must remain nit-free upon inspection at OSTC. If the Student is found to still have nits after returning to OSTC, the Parent will be notified and the Student will be sent home for nit removal.

### **Communicable Diseases**

The District is committed to providing educational services in a safe and healthy environment. The identification, management and reporting of disease in the public school setting is required for the safety and welfare of Students and Employees, while also recognizing the rights and needs of the Employee or Student.

Whenever a physician has diagnosed an Employee or Student as having a communicable disease, the Employee or Student is expected to voluntarily report the diagnosis and nature of the disease to Human Resources, or in the case of a Student, to the Dean. An Employee or Student with a communicable disease that is deemed a threat to public health by the Oakland County Health Division may be required to withdraw from active employment or OSTC for the duration of the illness in order to give maximum health protection to other Employees and Students.

All Employees shall maintain the strictest confidence of an individual's status to the extent permitted without compromising the health and safety of other individuals. An Employee or Student with a communicable disease has all rights, privileges and services as provided by law and District policies.

It is the District's prerogative to require a physician's statement indicating the Employee or Student is free of the communicable disease and may return to

work or school. As permitted by law, the District may require an examination by a physician of its choice at District expense to confirm freedom from the communicable disease of the individual wishing to return. The District will consider current recommended county, state and federal rules and guidelines on a case-by-case basis in reaching a decision regarding attendance at school or work.

In order to minimize the spread of communicable disease among Employees and Students, the District will refer all reportable communicable diseases to the Oakland County Health Division in accordance with Michigan statutory and administrative guidelines and will fully cooperate with the Oakland County Health Division to assist with adherence to the Michigan Public Health Code for the prevention, control, and containment of communicable diseases. The Superintendent shall be responsible for determining the information, if any, to be disseminated to Employees, Students, Parents, and community when a communicable disease is identified.

A decision to close a District facility due to communicable disease outbreaks is at the discretion of the Superintendent.

### **Advance Notification of Pesticide Management**

The District provides advance notice to Parents in the event that a pesticide is being applied for the purpose of preventing or managing weeds or common indoor or outdoor pests, such as ants. The notice will include the area being treated, date of application, purpose and contact information. The notice will be placed on the entrance of the Technical Campus being treated and the front page of the OSTC website.

Parents can also contact their school at any time to review the District's pest management program and records. Parents also can request a first-class mailing for a three-day advance notification of applications by contacting the Dean of their Student's Technical Campus.

### **Schools Free of Alcohol, Drugs, Smoking and Tobacco Products**

In the interest of providing a healthy, safe and productive environment, the Board prohibits any Student from engaging in the actual or attempted manufacture, sale, distribution, dispensation, possession, use, delivery, or transfer of, or from being under the influence (legal intoxication is not required) of any illicit substance on District property or at a District function. An illicit substance may be a substance that is topical, ingested, injected, or inhaled.

A controlled substance as defined by this policy includes alcohol, as one listed in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined in federal regulations at 21 C.F.R. 1308.11 – 1308.15. Despite Michigan law, marihuana is still a controlled substance

pursuant to Schedule I of Section 202 of the Controlled Substances Act and marijuana use, distribution, dispensation, possession or manufacturing, whether for medical or recreational purposes, is regulated by this policy.

In compliance with state law, the Board also prohibits the actual or attempted use, sale, possession, distribution, or dispensation of tobacco products, electronic cigarettes, vaporizers, and all electronic nicotine delivery systems by any Student at any time on all District property or at a District function. Signs designating the District “tobacco-free” or “smoke-free” will be prominently displayed on all District property.

The Board prohibits drug, cannabidiol, alcohol, smoking, or nicotine related paraphernalia, including but not limited to, scales, pipes, rolling paper, aerosols, vaping devices, electronic nicotine delivery system, and incendiary devices.

Any Employee, student intern, student teacher, or volunteer observing, knowing of or suspecting a Student is in violation of this Policy shall notify an Dean or Supervisor of Student Programs as soon as practical.

Any Student in violation of this Policy may be subject to disciplinary action in accordance with Board policy and the Student Code of Conduct. The Student may also be referred to law enforcement for prosecution. Substance abuse counseling and rehabilitation services/referrals may be available to Students through their Sending Schools.

## **Search and Seizure**

Searches of lockers (defined to mean any District provided storage area for Student use) motorized vehicles, Students, and Students’ personal property shall be conducted under the appropriate legal standard, to maintain the safety and security of Students, Parent(s), Employees, District Invitees, visitors, and District property. Students and Students’ personal property are subject to searches while on District property, as well as at any District-sponsored activity or event, regardless of its location. Searches shall be conducted by the Dean in the presence of another adult Employee.

## **Lockers**

Lockers are District property and may be made available for Student use. Lockers are assigned to Students on a temporary basis, and the District may revoke a Student’s locker assignment at any time. The District retains ownership of lockers notwithstanding Student use. Students have no expectation of privacy in their lockers. The Dean may inspect lockers without any particularized suspicion or reasonable cause and without advance notice. Upon the request of the Dean, law enforcement may assist with searching lockers.

During a locker search, Student privacy rights will be respected for any items that are not illegal or against policy.

## **Search and Seizure**

The Dean may search a Student and their belongings if there is a reasonable suspicion that the search will reveal contraband or evidence of a violation of law, policy or rule. In rare cases, the Dean may conduct a search without reasonable suspicion if there is an imminent threat of physical harm or death.

A reasonable suspicion search must be justified at its inception and reasonable in its scope. A search is justified at its inception when the Dean has reasonable grounds to suspect that the search will uncover contraband or evidence of a violation of law, policy or rule. A search is reasonable in scope when the measures used are reasonably related to the search objectives and are not excessively intrusive in light of the Student's age and sex and the nature of the infraction.

The Dean is not required to have reasonable suspicion to search lockers or other District property. The District may use detection dogs to search for contraband on District property.

Strip searches are prohibited.

The Dean will turn over to law enforcement illegal items and dangerous weapons, as defined in [Policy 9310](#), and may store in a secure place any other contraband or evidence seized from a search until a disciplinary hearing. This Policy does not apply to any outside entity that may require drug or breath alcohol testing as a condition of participation.

## **Use of Metal Detection Devices**

The use of metal detection devices are permitted to conduct a search of a Student for the reasons set forth in this Policy.

## **Notification to Parent(s)**

The Student's Sending School and the Parent(s) of Students who are searched will be promptly notified by the Dean that a search has been conducted or canines have been used in the detection of illegal drugs or devices. The Dean will call the Parent(s) at the telephone number(s) provided on the Student's contact information.

## **Reporting**

The Dean shall be responsible for promptly documenting each Student search conducted and each use of canines for detection purposes.

Violations of this Policy by Students attending Oakland Schools Technical Campuses may be subject to disciplinary action in accordance with the Code.

For Students enrolled in either Oakland Accelerated College Experience (ACE) or an Early College Program, the Student's sending District's search and seizure policy or its equivalent shall apply in connection with all high school level courses and the Student's college search and seizure policy or its equivalent shall apply in connection with all college-level courses consistent with applicable law. All Students enrolled in ACE or in an Early College Program will be subject to this Policy.

For purposes of this Policy, Dean shall mean Dean or designee. The Board directs the Superintendent to include this Policy in the Student Code of Conduct and to distribute it to Parents.

## **TECHNOLOGY CODE OF CONDUCT**

### **District Technology and Acceptable Use**

Computers, devices, networks, electronic information systems, and other related equipment are essential resources for accomplishing the District's mission and goals. The District may grant Students, Employees, and any other authorized users access to these resources in support of accomplishing the District's mission and goals. These resources are a valuable asset to be used and managed responsibly to ensure their integrity, security, and availability for appropriate educational and business activities. Use of the computers, networks, computer equipment, and electronic information systems shall be consistent with applicable law, policies, administrative rules, standard procedures, and guidelines adopted by the District.

#### **Security**

The Board authorizes the Superintendent in concert with Technology Services, to employ hardware and software security to endeavor to protect the integrity of the system and data and prevent unauthorized access to District data.

#### **Access**

The District reserves the right to monitor any and all activity involving the District's technology including, but not limited to, searching data or email stored on all District-owned technology at any time and for any reason. As such, users of the District's technology have no right of privacy in such data. The District reserves the right to terminate or modify, in full or in part, the technology offered by the District. The District further reserves the right to terminate the privilege of any user to access the (computer system) on its own authority.



## **Education and Instruction**

The Superintendent shall ensure all Students and Employees are informed on the ethical and permissible uses of data and District technology.

## **District Internet**

The District provides access to the Internet for educational and business activities and requires compliance with all applicable law, policies, administrative rules, standard procedures, and guidelines. The District is concerned about the safety of users and appropriate use of the Internet. To that end, the District has adopted Internet protection measures.

Any Student, Employee, and any other authorized users with access to the District's network or using a District Internet Connection, must comply with this Acceptable Use Policy, accompanying administrative rule and sign an Acceptable Use Agreement Oakland Schools Student/Parent Handbook (Students only), as well as any other documentation required by the District. Parent signature on the acceptable use form is also required if the student is a minor. A Parent may decline to authorize a Student's access to the District's technology.

## **Access by Others**

Requests for access to District technology by District Invitees or others shall be reviewed on a case-by-case basis, depending on need and availability by the Executive Director of Technology Services. Requests by a department to grant access to an independent contractor shall also be pre-approved by the Superintendent.

## **Liability and Disclaimer**

All individuals using the District's technology shall be responsible for damages to the technology (computer system, equipment and software) resulting from deliberate or willful acts. Illegal use of the network, intentional deletion or damage of files or data belonging to others, copyright violations, or theft of services will be reported to the appropriate legal authorities for possible prosecution.

The District will make every effort to provide appropriate technology resources and services, however, the District makes no warranties of any kind, whether expressed or implied, for the technology it is providing. The District shall not be responsible for any damages incurred by a user of the technology, including loss of data resulting from delays, non-deliveries, or service interruptions. The District does not endorse or guarantee the accuracy or quality of information obtained via the Internet or electronic mail.

In no event shall the District be liable for any damages (whether direct, indirect, special or consequential) arising out of the use of the Internet, accuracy or correctness of databases or information contained herein, or related directly or indirectly to any failure or delay of access to the Internet or other network application.

The District cannot and does not guarantee that users will not gain access, through the Internet, to information and materials that they, or where applicable their Parents, find inappropriate, offensive, objectionable, or controversial. Users, and where applicable their Parents, assume these risks by consenting to the user's access to the Internet.

## Data Privacy

Data privacy, including the protection and management of the various types of Student, Parent, Employee and District Invitee Personally Identifiable Information ("PII"), is a critical component of District operations. Computer systems and related devices collect and record data as required for educational delivery, management, and reporting purposes. This information should be protected from, and never be disclosed to, unauthorized individuals. The District will maintain privacy management practices which establish the criteria, means, and methods to protect the confidentiality, integrity, and availability of data and communication networks; establish the rules for the access of data and network infrastructure; and mitigate the risks associated with security threats to networks, data, and information resources.

## Children's Internet Protection Act Policy

The purpose of this Policy is to ensure that all Internet safety policies and technology protection measures comply with the provisions of the Children's Internet Protection Act (CIPA), 47 USC 254(h), as amended. Accordingly, the District shall take all actions necessary and appropriate to implement and enforce this Policy with respect to Student access to and use of the Internet through the District's computer network, and in accordance with Board policies and administrative rules.

All Student users and Parents are advised that the access to the electronic network, including the Internet and World Wide Web, may include the potential for access to materials inappropriate for Students. To that end, it is not possible to guarantee Students will not gain access through the Internet to information and communications that they and/or their Parents may consider inappropriate, offensive, objectionable or controversial. Parents of minors are the first and best source of guidance as to what materials to avoid and are responsible to establish standards and restrictions for their children.

If a Student finds that other users are visiting offensive or harmful sites, they should immediately report such use to a Dean or Student Support Specialist. The Superintendent shall be responsible to prepare guidelines which address Student's 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"), cyber bullying and other unlawful or inappropriate activities by minors online.

The Superintendent shall also be responsible to ensure Deans provide education to minors about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms, and cyber bullying awareness and response.

The District shall utilize filtering software and/or other technologies to endeavor to prevent both adults and Students from accessing visual depictions that are obscene, constitute child pornography, or with respect to use of the computers by minors, harmful to minors. The District shall also monitor the online activities of Students, through direct observation and/or technological means, to ensure that Students are not accessing such material or any other material, which is inappropriate for Students. Internet-filtering software or other technology-based protection systems may be disabled with the permission of the Executive Director of Technology Services, as deemed necessary and appropriate, for purposes of bona fide research or other educational projects being conducted by Students. Any Student who attempts to disable the technology protection measures will be subject to discipline.

For purposes of enforcing this Policy and other purposes related to the District's operation of its network, the District reserves the right to monitor, inspect, copy, review and store without prior notice any activity of the computer network and Internet access, and any information transmitted or received in connection with such usage. All such information files shall be and remain the property of the District, and no user shall have any expectation of privacy regarding such materials.

Users who violate this Policy may have their use privileges suspended or revoked, and be subject to disciplinary action. Users granted access to the Internet through the District's technology equipment assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by Board policy, administrative rules and guidelines.

## **DISCRIMINATION AND HARASSMENT**

### **Illegal Discrimination, Harassment**

Illegal discrimination and harassment of students are prohibited by federal and Michigan laws. Policy 8018- Illegal Discrimination, Harassment - Student is intended to promote compliance with these legal obligations and provide a safe,

positive and productive learning environment. This Policy applies to unlawful conduct occurring on District property or at a District activity at another location.

## **Prohibited Acts**

Students, Employees and other persons associated with the district are prohibited from discriminating against Students on the basis of race, color, national origin, gender, religion, age, height, weight, marital status, sexual orientation (subject to the limits of applicable law), or disability.

Employees, other persons associated with the district and Students are also prohibited from harassing Students on the basis of race, color, national origin, gender, religion, age, height, weight, marital status, sexual orientation (subject to the limits of applicable law) or disability.

Prohibited harassment occurs when a Student is subjected to unwelcome statements or behaviors related to their race, color, national origin, gender, religion, age, height, weight, marital status, sexual orientation (subject to the limits of applicable law) or disability and:

- Submission to the statements or behaviors is a condition of utilizing or benefiting from District services, activities, benefits, privileges or programs;
- Submission to or rejection of the statements or behaviors is used as a basis for a decision to limit or prevent the Student's access to District services, activities, benefits, privileges or programs; or
- The statements or behaviors substantially interfere with the Student's education to the extent they are effectively denied access to District services, activities, benefits, privileges or programs.

Examples of prohibited discrimination and harassment may include (but is not limited to) bullying, hazing, unwelcome advances, engaging in improper physical contact or touching, improper comments or otherwise creating an intimidating, hostile or offensive educational learning environment. All OSTC Students and staff are expected to conduct themselves with respect for the dignity of others.

Any Student who believes they have been subjected to prohibited discrimination or harassment shall immediately report the incident(s) to the Dean, a trusted Counselor or Instructor. Any Employee who receives an allegation of prohibited discrimination or harassment from a Student is required to immediately report the allegation to the Executive Director of Student Services and the Dean.

## **Prohibition Against Retaliation**

There shall be no retaliation by the District against any Student or a person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of discrimination or harassment. Students are required to immediately report allegations as set forth above and reports of retaliation will be investigated. Falsification of a complaint pursuant to this Policy shall not be tolerated.

## **Complaints**

The District provides a specified procedure for any person needing to file a discrimination/harassment complaint. The written procedure for filing a complaint may be obtained by contacting the Dean.

## **Disciplinary Action**

Any Employee found to be in violation will be subject to disciplinary action up to and including termination of employment. Any Student found to be in violation will be subject to disciplinary action up to and including expulsion from school.

*References: Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; and Title II of the Americans With Disabilities Act of 1990.*

## **Title IX Sexual Harassment**

The District prohibits unlawful sex discrimination, including harassment and retaliation, in any of its education programs or activities in accordance with Title IX of the Education Amendments of 1972 and corresponding implementing regulations.

This Policy only addresses allegations of sexual harassment under Title IX. Allegations of all other forms of sex discrimination should be addressed under the District's applicable non-discrimination or anti-harassment policies [5030 – Non-Discrimination and Equal Employment Opportunity](#), [5035 – Discriminatory Harassment of Employees](#), and [8018 – Illegal Discrimination, Harassment - Student](#). Allegations alleging both Title IX sexual harassment and other forms of unlawful discrimination and harassment (e.g., race, age, disability) that cannot be reasonably separated into two distinct complaints should be investigated under this Policy, and the Grievance Process described in [Administrative Rule 5032 – Title IX Sexual Harassment](#) will satisfy any investigation requirements in other anti-harassment or non-discrimination policies. Nothing in this paragraph limits the District's right to determine at any time during the Grievance Process that an allegation not involving Title IX sexual harassment should be addressed under other District Policies.

The Board directs the Superintendent to designate persons to serve as Title IX Coordinator, Investigator, Decision-Maker, and Appeals Officer. If a Formal Complaint is made under this Policy against the Superintendent, the Board President will designate the persons who will serve as the Investigator, Decision-Maker, and Appeals Officer and will work with the Title IX Coordinator to ensure that all other requirements of this Policy are met. If a Formal Complaint is made against the Board President, the Board Vice President will designate who will serve as the Investigator, Decision-Maker, and Appeals Officer. Please refer to [Administrative Rule 5032 – Title IX Sexual Harassment](#).

The name and contact information of the Title IX Coordinator is:

**Laura Richards-Farwell**  
**2111 Pontiac Lake Road**  
**Waterford, MI 48328**  
**248.209.2590**  
**[Laura.Richards-Farwell@oakland.k12.mi.us](mailto:Laura.Richards-Farwell@oakland.k12.mi.us)**

The Investigator, Decision-Maker, and Appeals Officer cannot be the same person on a specific matter, and the persons designated to serve in those roles may or may not be District Employees.

Inquiries about Title IX's application to a particular situation may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

For purposes of this Policy, "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

- a. An Employee conditioning the provision of a District aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- b. Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- c. Sexual assault, dating violence, domestic violence, or stalking, as defined by the Violence Against Women Act, 34 USC § 12291 et. seq., and the Uniform Crime Reporting System of the Federal Bureau of Investigation, 20 USC 1092(f)(6)(A)(v).
  - i. "Sexual assault" means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
  - ii. "Dating violence" means violence committed by a person who is or has been in a romantic or intimate relationship with the Complainant. The existence of such a relationship is based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction

between the persons involved in the relationship.

- iii. “Domestic violence” means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the Complainant, person with whom the Complainant shares a child, person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Michigan; or any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of Michigan.
- iv. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person’s safety or the safety of others; or (2) suffer substantial emotional distress.

Any person who witnesses an act of sexual harassment is encouraged to report it to an Employee. No person will be retaliated against based on any report of suspected sexual harassment or retaliation.

A person may also anonymously report an incident of sexual harassment or retaliation. The District will investigate anonymous reports pursuant to its investigation procedures described below.

A person who has been the subject of sexual harassment or retaliation may report that behavior to the Title IX Coordinator or any Employee. Any Employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator by the end of the next day.

A person may make a report at any time, including non-business hours. Reports may be filed in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that result in the Title IX Coordinator receiving the person’s verbal or written report.

*References: Education Amendments Act of 1972, 20 USC §§1681 - 1688; 34 CFR Part 106; Violence Against Women Act, 34 USC § 12291 et. seq.; Uniform Crime Reporting System of the Federal Bureau of Investigation, 20 USC 1092(f)(6)(A)(v)*

## **Bullying**

The Board is committed to preventing and prohibiting bullying at school, consistent with Section 1310b of the Revised School Code. Bullying and cyberbullying of a Student, whether by other Students, Parent(s), Employees, Board members, District Invitees, or Visitors is prohibited. All Students are protected under this Policy. Bullying and cyberbullying at school are prohibited without regard to its subject matter or the motive of the perpetrator or motivating animus.

## Definitions

**“Bullying,”** for purposes of this Policy, 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 or more Students, either directly or indirectly, by doing any of the following:

1. Substantially interfering with educational opportunities, benefits or programs of one or more Students.
2. Adversely affecting a Student’s ability to participate in or benefit from the District’s educational programs or activities by placing a Student in reasonable fear of physical harm or by causing substantial emotional distress.
3. Having an actual and substantial detrimental effect on a Student’s physical or mental health.
4. Causing substantial disruption in, or interference with, the orderly operation of the school.

**“Cyberbullying”** means any electronic communication intended or that a reasonable person would know is likely to harm one or more Students either directly or indirectly by doing any of the following:

1. Substantially interfering with educational opportunities, benefits, or programs of one or more Students.
2. Adversely affecting the ability of a Student to participate in or benefit from the District’s educational programs or activities by placing the Student in reasonable fear of physical harm or by causing substantial emotional distress.
3. Having an actual and substantial detrimental effect on a Student’s physical or mental health.
4. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

**“At school”** for purposes of this Policy 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.

At school includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if the telecommunications access device or telecommunications service provider is owned by or under the control of the District.

**“Telecommunication access device”** and **“telecommunications service provider”** mean those terms as defined in Section 219a of the Michigan Penal Code, 1931 PA 328, MCL §750.219a.



Bullying for purposes of this Policy shall hereinafter include both bullying and cyberbullying.

### **Bullying and Cyberbullying Not Occurring At School**

Bullying that does not occur at school, as defined above may be subject to disciplinary action in accordance with this Policy, other Board policies and applicable law.

### **Retaliation and False Reports**

The Board also prohibits retaliation or false accusation against a target of bullying, a witness or another person with reliable information about an act of bullying at school. Suspected retaliation should also be reported in accordance with the process set forth in this Policy. It is a violation of this Policy to knowingly report false allegations of bullying. Retaliation and making false reports of bullying by a Student may result in disciplinary action up to and including a recommendation for Student expulsion or suspension from a Student program. Retaliation or making false reports by an Employee may result in disciplinary action up to and including termination of employment. Retaliation or making a false report of bullying by a District Invitee or Visitor shall result in the termination of the individual's involvement with Student programs and/or restrictions to accessing District property.

### **Confidentiality**

The District shall, to the extent permitted by law, assure and maintain the confidentiality of the identity of the Students involved in an investigation including the victim, alleged perpetrator, witnesses and any individual who reports an act of bullying. Further, the identity of the Students involved shall only be disclosed internally to those Employees, Administrators or Deans deemed by the District to be necessary to investigate and resolve the complaint.

Under state law, the identity of an individual who reports an act of bullying or cyberbullying shall be kept confidential. The Administrator or Dean responsible for conducting the investigation shall ensure that the name of an individual who reports an act of bullying or cyberbullying is withheld from the alleged perpetrator and the alleged perpetrator's Parent(s) and is redacted from any report of bullying or cyberbullying that is publicly disclosed.

Notwithstanding, state law may require the District to disclose the identity of Students involved in a reported act of bullying or cyberbullying to a third-party such as law enforcement. Additionally, the identity of a Student may become known through other means not within the control of the District.

## **Reporting Complaints**

Every Student is encouraged to report any situation they believe to be bullying behavior directed toward themselves or another student to any of the following persons: an Instructor, a Counselor, a Dean, or other Employee. The method of reporting the complaint may be verbal or written, including electronic forms of communication, or voicemail.

Employees are required to immediately report to an Administrator or Dean, whenever they have reason to believe a Student has been subjected to bullying at school.

## **Notice of Bullying**

Upon receipt of a report of bullying, the Administrator or Dean is responsible to immediately notify the Superintendent and either the Executive Director of Student Services or the Deputy Superintendent.

The Administrator, Dean or Board member responsible for investigating the report of bullying shall also be responsible for issuing notifications as soon as practical. The Parent(s) of the alleged victim and perpetrator will be notified verbally and in writing that a report has been made; that the District will conduct an investigation; and that the District will communicate the results of the investigation to the extent the disclosure conforms to confidentiality requirements. The Sending School of both the victim and the perpetrator shall be similarly notified.

## **Investigation**

All reports of bullying at school shall be investigated promptly as the circumstances permit by the following individuals:

1. Complaints involving Students, Parent(s), Employees, District Invitees, or Visitors shall be investigated by an Administrator or appropriate alternative, unless the Administrator or Dean is the subject of the complaint. The findings of an investigation shall be reported to the Superintendent and either the Executive Director of Student Services or the Deputy Superintendent or the appropriate alternative if any of them is the subject of the complaint.
2. Complaints involving Administrators or Deans shall be investigated by Human Resources. The findings of an investigation shall be reported to the Superintendent, the Deputy Superintendent, and the Executive Director Student Services, or the appropriate alternative.
3. Complaints involving the Superintendent shall be investigated by the Board President or designee. The findings of an investigation will be communicated to each member of the Board.

4. Complaints involving a Board member shall be referred to and investigated by outside legal counsel. The findings of an investigation will be communicated to the other members of the Board.

All investigations concerning bullying or cyberbullying shall minimally include interviews and written statements from the alleged victim(s), perpetrator(s), and any witnesses. Relevant documentary information shall also be collected and reviewed, if available. The investigator shall prepare a written summary, including their determinations of fact and culpability. A written summary of the investigation results shall be provided to an Administrator, Dean or Board member in accordance with this Policy, with a recommendation for disciplinary action, if applicable, or other remedial action, as permitted by law, if there is a finding that bullying occurred.

Upon conclusion of the investigation, the Sending School of both the victim and perpetrator(s) and the Parent(s) of the victim and the perpetrator(s) shall be notified of the results of the investigation consistent with the confidentiality requirements of the Family Educational Rights and Privacy Act ("FERPA") and state law.

### **Limited Authority to Investigate Complaint**

In the event the act of bullying occurred at school and the alleged perpetrator is a Parent, District invitee or Visitor, the Administrator shall follow the investigation process set forth in this Policy. If the alleged perpetrator refuses to voluntarily cooperate in an investigation, the Administrator responsible for investigating the complaint shall follow the notification procedures set forth in this Policy and document each effort to contact and interview the individual. If a District Invitee is employed by a vendor or contractor, the Administrator shall contact a company official to assist in the investigation.

All efforts to contact a company official or individual shall be documented in writing. The Administrator shall proceed to gather and collect available information including interviews of witnesses, if any. Further, the District shall take such action as necessary and possible to exclude the individual from the District's property or otherwise prevent or appropriately limit contact between the individual and victim. The matter shall be referred to law enforcement as permitted or required by law.

The District also operates multiple programs that provide Students with the opportunity to engage in educational activities off District property such as work-based learning experiences, apprenticeships and other worksite activities. In the event the act of bullying occurred at a worksite, an Administrator shall be responsible to follow the notification procedures and contact the company official to coordinate the investigation of the complaint consistent with the requirements of this Policy. In the event a worksite refuses to cooperate in conducting the investigation, the Administrator shall document all such efforts

in writing. The Administrator shall proceed to gather and collect available information including interviews of witnesses, if any. Further, the District shall take such action as necessary to prevent or appropriately limit contact between the alleged perpetrator and victim, determine the need to terminate the relationship with the entity and refer the matter to law enforcement as permitted or required by law.

### **Non-Jurisdiction or Absence of Authority to Investigate Complaint**

The District also operates dual enrollment programs that provide Students the opportunity to take courses on college campuses. The District does not have access or authority to conduct an investigation of an act of bullying on the property belonging to a third-party, except for cyberbullying using a District issued device.

To that end, the Administrator responsible to investigate shall follow the notification procedures set forth in this Policy, interview the victim of the bullying, any witnesses including but not limited to Employees and Students of the District, and gather any other documentation or information available.

The Superintendent shall immediately contact an official of the third-party and request a thorough investigation of the bullying complaint. The request shall be documented in writing and the District shall collaborate with the third-party to provide information to the extent permitted by law. Should the third-party refuse to conduct an investigation or fail to conduct one in a manner acceptable to the District, the Superintendent shall determine whether the matter shall be referred to law enforcement as permitted by law.

### **Interim Measures**

The Dean who is not the subject of the investigation shall determine the need for interim measures to protect the victim, Student witnesses and the Student(s)/ person(s) who reported an act of bullying at school including, but not limited to, no contact orders, temporary reassignment or administrative leave.

### **Immunity**

Under state law, a Student, Parent, Employee, or volunteer who promptly reports in good faith an act of bullying in accordance with 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 the Administrator or Dean responsible for ensuring that this Policy is implemented or who is responsible for remedying the bullying, when acting in that capacity.

## **Due Process**

Prior to making a final determination, the alleged perpetrator's due process rights, as well as the victim's confidentiality rights, shall be respected throughout the investigative process. When the results of the investigation support an allegation of bullying, the perpetrator shall be disciplined, or action shall be taken, as prescribed in the Student Code of Conduct or this Policy, as applicable.

## **Hazing**

The act of "hazing" is a crime in the State of Michigan and is prohibited by the District. The District will comply, in all ways, with Michigan law regarding any "hazing" incidents. All hazing incidents shall be reported to the Dean as soon as practical.

Permission, consent, acquiescence, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this Policy. Students engaging in any hazing or hazing-type conduct will be subject to the provisions of the Student Code of Conduct as would apply to any other student violation of State law.

## **Section 504**

The District does not discriminate against any Student with a disability, as that term is defined in Section 504 of the Rehabilitation Act (Section 504), in any District program or activity. Any claim of disability-based discrimination will be addressed pursuant to Policy 8018 –Illegal Discrimination, Harassment - Student.

Eligible Students are entitled to a free appropriate public education through a Section 504 plan developed and provided by the Student's Sending School. The District will follow federal law and applicable regulations and guidance in identifying and educating students with disabilities under Section 504. The Superintendent will develop and implement procedures for identifying and serving eligible Students under Section 504 that are consistent with federal law. Sending schools are responsible for developing all IEPs and Section 504 plans for Students enrolled in a District student program and District shall be responsible to implement such IEPs and Section 504 received from Sending Schools.

For purposes of this Policy, a free appropriate public education means the provision of regular or special education and related services that are designed to meet the individual educational needs of Students with disabilities as adequately as the needs of Students without disabilities are met, and that are provided without cost (except for District fees imposed on Students without disabilities and their Parents).

# ADDITIONAL RIGHTS

## Student Education Records

Parents and eligible Students have:

1. The right to inspect and review the Student's education records within 45 days of the day the District receives a request for access. The Parent or eligible Student should submit to the Dean a written request that identifies the record(s) which they wish to inspect. The Dean will arrange for access and notify the Parent or eligible Student of the time and place where the records may be inspected.
2. The right to request the amendment of the Student's education records which the Parent or eligible Student believes is inaccurate or misleading. Parents or eligible Students may ask the District to amend a record which they believe is inaccurate or misleading. They should write to the Dean, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the Parent or eligible Student, the District will notify the Parent or eligible Student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the Parent or eligible Student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the Student's education records, except to the extent that the Family Educational Rights and Privacy Act ("FERPA") authorizes disclosure without consent. The District will disclose personally identifiable information contained in education records without consent to the extent provided by law, including under the following circumstances:
  - a. To school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, Instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as, an attorney, auditor, medical consultant, or therapist); or a Parent or Student serving on an official committee (such as a disciplinary or grievance committee), or assisting school official in performing their tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill their professional responsibility.
  - b. Upon request, to officials of another educational agency or institution in which a Student seeks or intends to enroll, a Parent or eligible Student may request to receive a copy of the record that was disclosed and/or to have an opportunity for a FERPA hearing.
  - c. Directory information will be disclosed unless, on an annual basis, a Parent or eligible Student completes the Opt Out clause on the enrollment form within ten school days of the Student's official enrollment date, stating that

they wish to exercise their right to refuse to let the District designate any or all information about the Student as directory information. Directory information is defined as information which would not generally be considered harmful or an invasion of privacy if disclosed, and includes, the Student's name, telephone number, email address, program of enrollment, extra-curricular participation, achievement awards or honors (not to include specific scholastic grades), and name of the Student's Sending School.

- d. A Parent or eligible Student may elect to opt out of the directory during the school year by notifying the Dean in writing. The Student will be omitted from any newly created publications.
  - e. In addition, the District must provide military recruiters, upon request, the names, addresses, and telephone numbers of Students unless a Parent or eligible Student notifies the District, in writing, within ten campus days of the Student's official enrollment date that the Student has opted out of this military recruiter provision.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

*Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605*

## **Protection of Pupil Rights**

The Protection of Pupil Rights Amendment ("PPRA"), 20 U.S.C. §1232h, gives Parents and Students who are 18 or older or emancipated minors ("Eligible Students") certain rights regarding the District's conducting surveys, collecting and using information for marketing purposes, and conducting certain physical exams.

### **Surveys, Analyses, and Evaluations**

Parents or Eligible Students may inspect any survey created by a third party before that survey is administered or distributed to Students. All survey inspection requests must be made in writing to the Dean before the survey's scheduled administration date.

The District must obtain written consent from a Student's Parent or Eligible Student before the Student is required to participate in a survey, analysis, or evaluation funded, in whole or in part, by the U.S. Department of Education that would reveal sensitive information. For all other surveys, analyses, or evaluations that would reveal sensitive information about a Student, the District will provide prior notice to the Student's Parent or to the Eligible Student and provide an opportunity for the Parent or Eligible Student to opt out.

Employees may not request or disclose the identity of a Student who completes a survey, evaluation, or analysis containing sensitive information.

**“Sensitive information”** includes:

- political affiliations or beliefs of the Student or the Student’s Parent;
- mental or psychological problems of the Student or the Student’s family;
- sexual behavior or attitudes;
- illegal, anti-social, self-incriminating, or demeaning behavior;
- critical appraisals of other persons with whom the student has close family relationships;
- legally recognized privileges or analogous relationships, such as those with lawyers, physicians, and ministers;
- religious practices, affiliations, or beliefs of the Student or the Student’s Parent; or
- income (other than that required by law to determine eligibility for participating in a program or for receiving financial assistance under that program).

### **Invasive Physical Examinations**

Parents or an Eligible Student may refuse to allow participation in any non-emergency, invasive physical examination or screening that is: (1) required as a condition of attendance, (2) administered and scheduled by the District, and (3) not necessary to protect the immediate health and safety of a Student.

**“Invasive physical examination”** means:

- any medical examination that involves the exposure of private body parts; or
- any act during an examination that includes incision, insertion, or injection into the body that does not include a hearing, vision, or scoliosis screening.

### **Collection of Student Personal Information for Marketing**

No Employee will administer or distribute to Students a survey or other instrument for the purpose of collecting personal information for marketing or selling that information.

**“Personal information”** means individually identifiable information that includes:

- Student’s and Parents’ first and last name;
- home or other physical address;
- telephone number; or
- Social Security Number.

This Policy does not apply to the collection, disclosure, or use of personal information for the purpose of providing educational services to Students, such as:

- post-secondary education recruitment;
- military recruitment;



- tests and assessments to provide cognitive, evaluative, diagnostic, or achievement information about students; or
- Student recognition programs.

### **Inspection of Instructional Material**

Parents may inspect instructional material consistent with Policy 7420 - Inspection by Parents of Instructional Material.

### **Notification of Rights and Procedures**

The Superintendent will notify Parents or Eligible Students of:

- this Policy and its availability upon request;
- how to opt themselves or their child out of participation in activities as provided for in this Policy;
- the approximate date(s) when a survey, evaluation, or analysis that may include sensitive information is scheduled or expected to be scheduled;
- the approximate date(s) when the District or its agents intend to administer a non-emergency, invasive physical examination or screening required as a condition of attendance (except for hearing, vision, or scoliosis screenings); and
- how to inspect any survey or other material described in this Policy.

This notification will be given to Parents and Eligible Students at least annually at the beginning of the school year and within a reasonable period after any substantive change to this Policy. (PPRA Notice and Consent/Opt-Out Form) Parents or Eligible Students who believe their rights have been violated may file a complaint with:

*Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202*

### **Address Confidentiality Program Act**

Oakland Schools shall not disclose the confidential address of a Student if the Student or their Parent has obtained a participation card issued by the Michigan Department of Attorney General (“Attorney General”) under the Address Confidentiality Program Act and if the Parent provides notice of the issuance of the participation card in a form and manner prescribed by the Attorney General.

**Please Note:** All of the forms below are available on the MiSTAR Parent Portal. Please use the MiSTAR Parent Portal to complete all required OSTC forms. If you are unable to complete these forms online, please contact the Main Office of the campus that you attend for a paper copy.

## OSTC HANDBOOK COMPLIANCE FORM

I hereby acknowledge receipt of the Oakland Schools Technical Campus (OSTC) Student/Parent Handbook (“Student/Parent Handbook”). Although all Oakland Schools Board of Education Policies and Administrative Rules (“Policies and Rules”) are important and need to be followed, I have given special attention to the following:

- a. Acceptable Use Policy for Oakland Schools Internet
- b. Dress code and safety requirements
- c. Harassment statement
- d. Student attendance policy
- e. Student Code of Conduct
- f. Technology Code of Conduct
- g. Security Cameras and Electronic Monitoring, and
- h. Bullying Policy

### **As a Parent/student, I:**

- Authorize OSTC, in case of EMERGENCY, to take immediate action necessary for the preservation of the Student’s health, except in such an instance in which a valid DNR or POST form has been executed on behalf of the Student and actual notice of such has been provided to the Executive Director of Student Services
- Understand the contents and agree to abide by the Student/Parent Handbook and Policies and Rules.
- Further understand the violation of any of this Student/Parent Handbook or Policies and Rules may result in disciplinary actions as outlined.
- Understand and agree that in the event the information contained in this Student/Parent Handbook is inconsistent with the Policies and Rules, the Policies and Rules shall apply.
- Understand and agree that Oakland Schools reserves the right to amend or modify this Student/Parent Handbook or its Policies and Rules at any time. Further, in the event this Student/Parent Handbook is amended or modified during the school year, I will be notified of any such changes.

# SIGNATURE OF PARENT AND MY STUDENT

I, and my Student, understand the contents and agree to abide by the Student/Parent Handbook. I, and my Student, further understand that violation of the Student/Parent Handbook may result in disciplinary actions as outlined in the Student Code of Conduct.

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Student Signature

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Student Name

---

Parent Signature

---

Parent Name

---

Date

## CONSENT FOR USE OF LIKENESS AND WORK PRODUCT FORM

The below named Student (the “Student”) acknowledges that during participation in educational activities at Oakland Schools, photographs and videos may be taken of the Student. The Student hereby consents to the use of their likeness (including, without limitation, the Student’s likeness on camera or in photographs taken by the student, Instructors, etc. or otherwise), voice, name, personal, biographical/directory information and any other reproduction of the Student’s physical likeness (as the same may appear in any still camera photography and/or video or tape) in and in connection with the marketing, advertising, exhibition and publicizing of Oakland Schools or its programs.

Additionally, the Student acknowledges that they may create certain work product (the “Work”) during their educational activities at Oakland Schools, to which the Student may have a right, title and interest. Oakland Schools is desirous of acquiring the right to use, display, copy, and distribute copies of the Work, and for good and valuable consideration, the receipt of which is hereby acknowledged, the Student grants Oakland Schools the license and right to use, display, copy, and distribute copies of the Work, in any medium, for the use and benefit of Oakland Schools. Oakland Schools reserves the right to identify the Student in connection with the Work. The Student understands that they will not be entitled to monetary compensation for granting rights to Oakland Schools. The Student may terminate the license granted herein at any time by giving written notice to Oakland Schools, provided, however, that Oakland Schools maintains the right to make use of displays and copies of the Work in existence, commissioned, or ordered prior to Oakland Schools’ receipt of notice of termination.

**I AND MY STUDENT AGREE** to the use of my Student's image and likeness and use of my Student's work product as stated above.

**I AND MY STUDENT DO NOT AGREE** to the use my Student's image and likeness and use of my Student's work product as stated above.

## MILITARY OPT-OUT FORM

Federal law requires school districts to release the names, addresses, and telephone listings of secondary school Students to military recruiters upon their request unless the Students or their Parents request that the Students' contact information not be released without prior written parental consent.

**I AND MY STUDENT** are exercising the "opt-out" right and the District shall **NOT** release my Student's name, address, and telephone listing to military recruiters.

## SCHOOL MESSAGING SYSTEM CONSENT FORM

Oakland Schools Technical Campuses utilize an automated dialing system to send Parent(s) phone and SMS text messages to provide you with important and/or emergency information. Emergency information may include school unexcused absences, cancellations, snow days, delayed start, fire, health risks, threats, or other school-related emergencies. General information may include reminders about important school events, absence notifications, parent conferences, or other parent reminders.

Pursuant to the Telephone Consumer Protection Act (TCPA), Parents are now required to "opt-in" to receive automated communication on their mobile device. This means Parents must provide express consent to receive general messages through automated calls and SMS text message on their mobile device(s). Consent is not required if the call or SMS text is for emergency purposes or if made directly from a Dean, Instructor or other Employee. Please note that you may revoke consent to receive these messages at any time by providing written notice to the Dean of the Technical Campus your Student attends.

By signing this form, you are authorizing Oakland Schools to use an automated system to deliver general automated informational calls or SMS text messages to the phone number(s) provided to the District via your cellular device. You understand that emergency notifications are excluded from this permission and will be sent as normal. You also permit Oakland Schools to call or text any numbers you may provide to the District in the future if your phone number changes. You further agree that this consent will remain valid and you will continue to receive automated phone calls until you revoke your consent.

**I AGREE** to receive automated informational calls or text messages from Oakland Schools as stated above.

**I DO NOT AGREE** to receive automated informational calls or text messages from Oakland Schools as stated above.

## ANNUAL NOTICE FOR DIRECTORY INFORMATION AND STUDENT PRIVACY FORM

The Family Educational Right and Privacy Act (FERPA) requires that Oakland Schools designate certain personally identifiable information taken from Students' educational records as "directory information." Information designated as directory information may be made available to the public unless you as the Parent or eligible Student refuse the release of such information.

Oakland Schools may provide directory information for public listings such as honor roll, awards, graduation lists, public displays of Student work with names, and other notices in the newspaper or on the Oakland Schools and/or Oakland Schools Technical Campus' websites or official social media accounts. Directory information may also be made available to qualified organizations upon request. Qualified organizations include, but are not limited, scholarship providers, trade/technical schools, colleges and universities, and potential employers.

Oakland Schools does NOT provide directory information to commercial enterprises.

Oakland Schools has only designated the following information as directory information:

- Student's name,
- Student's telephone number,
- Student's email address,
- Student's program of enrollment,
- Student's extra-curricular participation,
- Student's achievement awards or honors (not to include specific scholastic grades), and
- The name of the Student's sending school.

You may "opt-out" at any time by providing written notification to the Dean of your Student's Technical Campus.

If you do not want Oakland Schools to disclose (release) directory information from your Student's educational records in accordance with federal laws, please check the box below.

- I DO NOT** want directory information to be released and request ONE of the following:
- DO NOT RELEASE** my Student's directory information at any time. No information shall be released for school publications, school activities, trade schools, scholarship providers or employers.
- DO NOT RELEASE** my Student's directory information, **EXCEPT** for school publications, school activities and to qualified outside organizations.
- DO NOT RELEASE** my Student's directory information, **EXCEPT** for school publications and school activities.

You must return this form to your Student's Technical Campus within two weeks of starting school. If not received within that timeframe, it will be assumed that the above information may be released to the extent disclosure is permissible by the Family Educational Rights and Privacy Act (FERPA).

## SIGNATURE OF PARENT AND MY STUDENT

I, and my Student, have read and understand the Consent for Use of Likeness and Work Product Form, Military Opt-Out Form, School Messaging System Consent Form, and the Annual Notice for Directory Information and Student Privacy Form, and that the corresponding checked box(es) accurately reflects my/our Student's decision for each of the forms.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Parent Name

\_\_\_\_\_  
Date

## Oakland Schools Board of Education:

George Ehlert, *President*

Dr. Theresa Rich, *Vice President*

Marc Katz, *Treasurer*

Connie Williams, *Secretary*

Steve Gottlieb, *Trustee*

Oakland Schools does not discriminate on the basis of sex, race, color, national origin, religion, height, weight, marital status, sexual orientation (subject to the limits of applicable law), age, genetic information, or disability in its programs, services, activities or employment opportunities. Inquiries related to employment discrimination should be directed to the Assistant Superintendent of Human Resources, Personnel Management and Labor Relations at 248.209.2429. Title IX complaints should be directed to the Title IX Coordinator at 248.209.2590. For all other inquiries related to discrimination, contact the Executive Director of Legal Affairs at 248.209.2062. All complaints may be addressed to 2111 Pontiac Lake Road, Waterford, MI 48328-2736.



OaklandSchools

Oakland Schools  
2111 Pontiac Lake Rd  
Waterford, MI 48328  
248.209.2000  
[oakland.k12.mi.us](http://oakland.k12.mi.us)