



OSTC OaklandSchools
TECHNICAL CAMPUSES

OSTC Student/Parent Handbook
2023-2024 - Supplement

OaklandSchools



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Note: The content of the 2023-2024 Student/Parent Handbook - Supplement may be superseded by an Executive Order issued by the Governor, or a change in federal, state or local law and/or regulation.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 2023-2024 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.

OSTC Student/Parent Handbook 2023-24 - Supplement

Oakland Schools is supplementing the 2023-2024 OSTC Student/Parent Handbook (“Supplement”). This Supplement contains important updates to key policies including Sex Discrimination & Harassment under Title IX, Bullying and Student Education Records. The versions included in this Supplement will be used during the remainder of the school year.

SEX DISCRIMINATION & HARASSMENT UNDER TITLE IX

Definitions and Prohibited Conduct

Oakland Schools complies with all federal and state laws prohibiting discrimination in employment and education on the basis of sex, including Title IX of the Education Amendments of 1972. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy or parenting status. Prohibited conduct under Title IX includes:

1. Exclusion from or different treatment in educational activities or employment, on the basis of sex;
2. Sexual harassment;*
3. Sexual assault;*
4. Dating and domestic violence;* and
5. Stalking.*

*Title IX and its regulations specifically define these terms; the definitions can be found in Policy 5032 - Title IX Sexual Harassment.

The District also prohibits retaliation against any person opposing discrimination or participating in an investigation or grievance procedure related to discrimination.

Designation of Title IX Coordinator

The District designates the following person(s) as the Title IX Coordinator(s):

Jacqueline Zablocki
2111 Pontiac Lake Road
Waterford, Michigan 48328
(248) 209-2185
Jacqueline.Zablocki@oakland.k12.mi.us

Reporting Title IX Sexual Harassment

Any person who witnesses an act of sexual harassment is encouraged to report it to an Employee. In addition, 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. Any 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 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.

Grievance Process Generally

The Grievance Process begins when a Formal Complaint is filed or when the Title IX Coordinator signs a Formal Complaint. Dismissal of formal complaints is discussed below in Section I – Dismissal. The District will endeavor to complete the Grievance Process within 45-60 days, absent extenuating circumstances or delays as described below. The District will treat both the Complainant and the Respondent equitably throughout the Grievance Process.

Neither the Title IX Coordinator, the Decision-Maker, the Investigator, the Appeals Officer, nor any person designated to facilitate an informal resolution process will have a conflict of interest or bias for or against Complainants or Respondents generally or for or against an individual Complainant or Respondent.

The Grievance Process requires an objective evaluation of all relevant evidence including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.

Throughout the Grievance Process, the Respondent is presumed not responsible for the alleged conduct unless there is a determination of responsibility finding that the Respondent has engaged in sexual harassment as defined in this Rule.

At any point during the process, the Title IX Coordinator, Investigator, or Decision-Maker may temporarily delay the Grievance Process or permit a limited extension of time frames for good cause. Good cause may include absence of a party, party's advisor, or witness; concurrent law enforcement activity; or the need for accommodations (e.g., language

assistance or accommodation of disabilities). If there is a delay or extension, the Title IX Coordinator will provide the parties with written notice of the delay or extension and the reasons for the action.

Any disciplinary action resulting from the Grievance Process will be issued in accordance with applicable policies, codes of conduct, handbooks, collective bargaining agreements, and individual Employee contracts. After the investigation portion of the Grievance Process has concluded and any questions and answers from the parties have been exchanged, the Decision-Maker will endeavor to issue determinations of responsibility within ten days, absent extenuating circumstances.

Office for Civil Rights

Any person who believes that he or she was the victim of sexual harassment may file a complaint with the Office for Civil Rights (OCR) at any time:

U.S. Department of Education Office for Civil Rights
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
Phone: 216.522.4970
E-mail: OCR.Cleveland@ed.gov

An OCR complaint may be filed before, during, or after filing a Formal Complaint with the District. A person may forego filing a Formal Complaint with the District and instead file a complaint directly with OCR. The District recommends that a person who has been subjected to sexual harassment also file a Formal Complaint with the District to ensure that the District is able to take steps to prevent any further harassment and to discipline the alleged perpetrator, if necessary. OCR does not serve as an appellate body for District decisions under this Policy. An investigation by OCR will occur separately from any District investigation.

For a complete copy of the District's policy on Title IX sexual harassment, including the complete grievance process for formal complaints, see Policy 5032 - Title IX Sexual Harassment or ask the Title IX Coordinator. The investigation procedures for all other types of sex discrimination can be found in [Policy 8018 - Illegal Discrimination, Harassment – Student](#). These Policies may be accessed in their entirety on the District's website at <https://go.boarddocs.com/mi/oaklandschools/Board.nsf/Public#>.

BULLYING

The District has adopted Policy and Administrative Rule 8019 - Bullying. The Policy may be accessed in its entirety on the District's website at <https://go.boarddocs.com/mi/oaklandschools/Board.nsf/Public#>.

Bullying

Pursuant to the Revised School Code, MCL 380.1310b, Oakland Schools prohibits bullying at school of Students by other Students, Parents, Employees, or others. The District also prohibits retaliation against an individual who reports bullying or participates in an investigation of bullying conduct.

Definitions

“Bullying” includes cyberbullying and 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.

“At school” means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event, whether or not it is held on school premises. 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.

Confidentiality

The District shall comply with the confidentiality requirements of state law with respect to the identity of any individual who reports an act of bullying. In addition, the District will refrain from disclosing the identities of the individuals involved in a bullying investigation, including the parties and witnesses, except as necessary to conduct the investigation, resolve the complaint, and comply with legal requirements.

Reporting Bullying Conduct

Every Student is encouraged to report any situation they believe to be bullying behavior directed toward themselves or another Student. Reports of bullying, retaliation, or that someone has made a false report may be made to any of the following persons: the Civil Rights/Title IX Coordinator, a Dean, a Student Support Specialist, an Instructor, or another Employee. A report can be made in person, by telephone, by email, or by completing a bullying complaint form for review by the Civil Rights/Title IX Coordinator.

Jacqueline Zablocki
Civil Rights/Title IX Coordinator
2111 Pontiac Lake Road
Waterford, Michigan 48328
(248) 209-2185
Jacqueline.Zablocki@oakland.k12.mi.us

Any individual with information about conduct that may threaten Student or school safety can also submit a tip at any time, using OK2SAY, Michigan's Student Safety Program, or another anonymous reporting process established by the District. However, the District's ability to investigate anonymous reports may be limited. Employees who receive notice of bullying conduct must immediately notify the Civil Rights/Title IX Coordinator.

Investigation

All reports of bullying at school will be promptly investigated by the Civil Rights/Title IX Coordinator or other individual, as provided by Policy 8019 - Bullying. All investigations concerning bullying shall minimally include a preliminary review, interviews and written statements. Relevant documentary information shall also be collected and reviewed, if available. The investigator shall prepare a written summary of the investigation results, including their findings of fact, a determination as to whether bullying occurred, and recommended disciplinary action (if applicable), using the preponderance of the evidence standard. 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.

Interim measures may be implemented during the investigation to provide support, prevent misconduct, and ensure the parties access to their education. Such measures may include no contact directives, academic or counseling support, temporary class or schedule changes, short-term removals, etc.

Disciplinary Action

If there has been a finding that a Student has violated [Policy 8019 – Bullying](#), another policy or administrative rule, or the Student Code of Conduct, the Dean or designee, or other appropriate administrator, will make a final decision as to what discipline, if any, to implement. Any discipline will be imposed in accordance with the due process protections provided in the Student Code of Conduct. The Parent and an appropriate administrator or counselor at the Sending School of each Complainant and Respondent will also be notified of the bullying investigation consistent with the confidentiality requirements of the Family Educational Rights and Privacy Act and state law.

STUDENT EDUCATION RECORDS

Access and use of Student education records is governed by the Family Educational Rights and Privacy Act (FERPA). In compliance with FERPA, the District has adopted Policy and Administrative Rule 8940 - Student Education Records. The Policy may be accessed in its entirety on the District's website at <https://go.boarddocs.com/mi/oaklandschools/Board.nsf/Public#>.

Definitions

“Education record” means a record directly related to a Student that the District or its agents maintain, except that an education record does not include:

- a. records kept in the maker's sole possession that are used as a personal memory aid and that are not accessible or revealed to any person except a temporary substitute for the maker;
- b. records maintained by a law enforcement unit of the District, as defined by the Family Educational Rights and Privacy Act (FERPA), if the record was created for a law enforcement purpose;
- c. records relating to a Student who is at least 18 years old that are created or maintained by a psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity that are created or maintained only for the Student's treatment (exclusive of remedial educational activities or educational activities that are part of the District's instructional program) and that are disclosed only to persons providing treatment (except that the records may be personally reviewed by a physician or other appropriate professional of the Student's choice);
- d. records created or received by the District after a person is no longer a Student in the District and that are not directly related to the person's attendance as a Student in the District;
- e. grades on peer-graded papers or assignments before they are collected or recorded by a teacher; or

- f. records relating to a person employed by the District that are maintained in the normal course of business, relate only to the person's employment and are not available for any other purpose. Records relating to a person employed as a result of that person's status as a Student are, however, "education records."

"Personally identifiable information" means a Student's name; the name of a Student's Parent(s) or family member; the Student's address or the address of a family member; a personal identifier, such as the Student's social security number, Student number, or biometric record; other indirect identifiers, such as the Student's date of birth, place of birth, and mother's maiden name; other information that alone or in combination is linked or linkable to a specific Student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the Student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the Student to whom the education record relates.

"Eligible Student" means a Student who is at least 18 years old, an emancipated minor, or a Student enrolled in a postsecondary institution.

"Directory information" means the information contained in a Student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates the following as directory information:

1. Student name;
2. Student's telephone numbers;
3. Student's email address;
4. Student's program of enrollment;
5. Student's extracurricular participation;
6. Student's achievement awards or honors (not to include specific scholastic grades); and
7. The name of the Student's sending school.

"School official" means any of the following:

1. any person employed by the District;
2. a person or company with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, medical consultant, or online educational service provider or vendor);
3. a contractor, consultant, volunteer, or other party to whom the Board has outsourced a service or function otherwise performed by Employees (e.g., a therapist, a school resource officer, or an authorized information technology specialist);

4. a Parent or Student serving on an official committee, such as a disciplinary, reinstatement, or grievance committee; and
5. a person, including a volunteer, who is assisting another school official in performing the official's duties.

The above-identified persons and entities must: (a) perform institutional services or functions for which the District would otherwise use its own Employees, (b) be under the direct control of the District as to the use and maintenance of education records, and (c) be subject to the requirements of FERPA regulations governing the use and re-disclosure of personally identifiable information from education records.

“Legitimate educational interest” means that a school official needs to review an education record in order to fulfill their professional responsibilities.

“Armed Forces of the United States” means the armed forces of the United States and their reserve components and the United States Coast Guard.

Rights of Parents and Eligible Students

The Family Educational Rights and Privacy Act (FERPA) affords Parents and Eligible Students certain rights with respect to the Student's education records. They are:

1. Right to Inspect and Review Education Records

Parents may inspect and review their minor child's education records, regardless of custody status, unless a court order specifically provides otherwise.

Eligible Students have the right to inspect and review their own education records. Parents may also inspect and review the education records of an Eligible Student if the Student is considered a dependent under Internal Revenue Code Section 152.

The District will not disclose a Student's or Parent's phone number or address or the Parent's employment address to another person who is the subject of a court order that prohibits disclosure of the information if the District has received a copy of the order. The District will not disclose a confidential address, phone number, or email address in violation of the Address Confidentiality Program Act if the Student or the Student's Parent notifies the District that the Student or the Student's Parent has obtained a participation card issued by the Michigan Department of Attorney General.

Parents or Eligible Students should submit to the Dean a written request that identifies the record(s) they wish to inspect. The Dean will make arrangements for a Parent or Eligible Student to inspect and review the Student's education

records within a reasonable time from receiving a request and not more than 30 calendar days from the date of the request or, if the Student whose records are requested is a child with a disability as defined by the Individuals with Disabilities Education Act, before any Individualized Education Program Team meeting, resolution meeting, or due process hearing. If the request is for the records of a former Student or for video records of a former or current Student, the Dean will forward the request to Legal Affairs.

2. Right to Request Explanation or Interpretation of Student Education Records

A Parent or Eligible Student may request, in writing, an explanation or interpretation of a Student's education records. The Dean will respond to any reasonable request.

3. Right to Request Amendment of Education Records

A Parent or Eligible Student may request that a Student's education record be amended if the Parent or Eligible Student believes the record is inaccurate, misleading, or otherwise in violation of the Student's privacy rights. The Parent or Eligible Student should write 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 with the Superintendent 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.

4. Right to Consent to Disclosures

A Parent or Eligible Student has the right to consent to disclosures of personally identifiable information contained in the Student's education records, except to the extent that FERPA authorizes disclosure without consent.

Collection and Retention of Records

The District may collect and retain information about the District's Students that is reasonably necessary for the District to perform its role as an intermediate school district, including, without limitation, student work samples, assessments, evaluations, surveys, health and medical information, immunization records, birth certificates, proof of residence, proof of achievements and awards, behavior records, investigation reports, incident reports, attendance records, all records necessary for the District to satisfy state or federal legal obligations, and any record necessary for the District to prove that a student was accurately counted in membership for state aid and grant purposes.

The Superintendent or designee will ensure that all Student records are retained consistent with the Records Retention and Disposal Schedule for Michigan Public Schools and Policy 2800 - Records and Retention and that reasonable steps (including, without limitation, physical or technological controls) are taken to protect education records, including those stored electronically, from inadvertent or unauthorized disclosure.

Disclosure of Education Records to School Officials

Except as noted in “Disclosure to a For-Profit Business Entity,” a school official may receive and review personally identifiable information from a Student’s education record only if the school official has a legitimate educational interest in the information. A school official has a “legitimate educational interest” if the record review is necessary for the school official to perform an administrative, supervisory, or instructional task as assigned by the District or to perform a service or benefit for the Student or the Student’s family.

The Superintendent will adopt procedures, including physical and technological controls, to ensure that only those school officials with a legitimate educational interest may access personally identifiable information from a Student’s education records.

Disclosure of “Directory Information”

Except as otherwise stated in this Policy, school officials may disclose “directory information” without the prior written consent of a Parent or Eligible Student unless the Parent or Eligible Student specifically notifies the District that the Parent or Eligible Student does not consent to the disclosure of the Student’s directory information for one or more of the uses for which the District would commonly disclose the information.

The District will provide Parents and Eligible Students with a Directory Information Opt Out form (“Form”), listing all uses for which it commonly discloses Student directory information. The Form will allow the Parent or Eligible Student to elect not to have the Student’s directory information disclosed for one or more of the listed uses. Upon receipt of a completed Form, school officials may not release the Student’s directory information for any of uses selected on the form.

The Form will be provided to all Parents or Eligible Students within the first 30 days of the school year. The Form will also be made available at a Parent’s or Eligible Student’s request at any time during the school year. If the Parent or Eligible student does not return the Form by September 30th or within 10 school days after requesting the opt-out form, the District may release directory information as permitted by law. The Form will be kept on file for one year.

To ensure that directory information is not improperly used, the Superintendent may require that a person requesting directory information execute an affidavit stating that, if disclosed, the directory information will not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

Disclosure of Education Records to Another School

School officials may release or disclose personally identifiable information contained in a Student's education record without the consent of the Parent or Eligible Student to another school or post-secondary institution in which the Student seeks or intends to enroll, is enrolled, or from which the Student receives services, if the disclosure is related to the Student's enrollment or transfer.

Disclosure to a For-Profit Business Entity

School officials will not sell or otherwise provide any personally identifiable information that is part of a Student's education records to a for-profit business entity, except as follows:

1. an employee or agent of a business entity acting as a "school official" as defined in this Policy;
2. pursuant to a management agreement between a public school academy and an educational management organization;
3. as necessary for standardized testing; or
4. as necessary to a person who is providing educational or educational support services to the Student pursuant to a contract with the District.

Disclosure of Education Records in Response to Subpoena/Court Order

To the extent consistent with state law, including the nondisclosure requirements of Revised Judicature Act Section 2165, school officials may release or disclose personally identifiable information contained in a Student's education records without the consent of the Parent or Eligible Student upon receipt of a court order or lawfully issued subpoena requiring disclosure of the information. To the extent permitted or required by law, before complying with a court order or subpoena, school officials must notify the Parent or Eligible Student, in writing, that the District intends to comply with the court order or subpoena.

Disclosure of Education Records in Other Circumstances

Except as provided in this Policy, the District and its Employees and agents are prohibited from disclosing personally identifiable information from a Student's education records without the written consent of a Parent or Eligible Student unless the disclosure is otherwise permitted or required by law, including, without limitation, if the disclosure is:

- necessary because of a health or safety emergency;
- to authorized state or federal officials;
- in connection with a Student's application for or receipt of financial aid;
- made for purposes of conducting a study for or on behalf of an educational agency or institution;
- to an accrediting organization;
- concerning a registered sex offender; or
- to a representative of a child welfare agency for a foster child.

A school official may not disclose personally identifiable information from a Student's education records unless disclosure is consistent with the requirements of state and federal law, including FERPA.

Video Recordings

A video recording that is directly related to a Student may be an "education record" (e.g., when it is maintained to document Student conduct or misconduct, unless it is maintained by a law enforcement unit and used solely for a law enforcement purpose). The Superintendent will determine, on a case-by-case basis, upon receipt of a request for the video's disclosure, whether a particular video is an "education record" and whether it contains "personally identifiable information" about a Student. If the Superintendent or designee determines that a video recording is an "education record," its release and disclosure and the rights of Parents and Eligible Students to inspect and review the video recording are governed by this Policy, applicable laws, and relevant state and federal guidance.

Disclosure of Records to Law Enforcement

Nothing in this Policy limits a school official's right or duty under state law or pursuant to the Statewide School Safety Information Policy to contact law enforcement to report possible criminal activity. A school official may not, however, disclose personally identifiable information from a Student's education records to law enforcement without the prior written consent of a Parent or Eligible Student unless disclosure is otherwise permitted or required by state or federal law (e.g., in response to a health or safety emergency or court order or subpoena).

If a school official reports possible criminal activity of a Student with a disability as defined by the Individuals with Disabilities Education Act, the school official must transmit a copy of the Student's special education records and disciplinary records to the authorities to whom the crime is reported in a manner consistent with FERPA (i.e., with prior written consent or a lawful exception to consent). Except for disclosures in response to a health or safety emergency, school officials must seek written consent to transmit the records of a Student with a disability immediately after reporting the Student's potential criminal activity to authorities.

Right to File Complaint

A Parent or Eligible Student has 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**

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.

Student Signature

Student Name

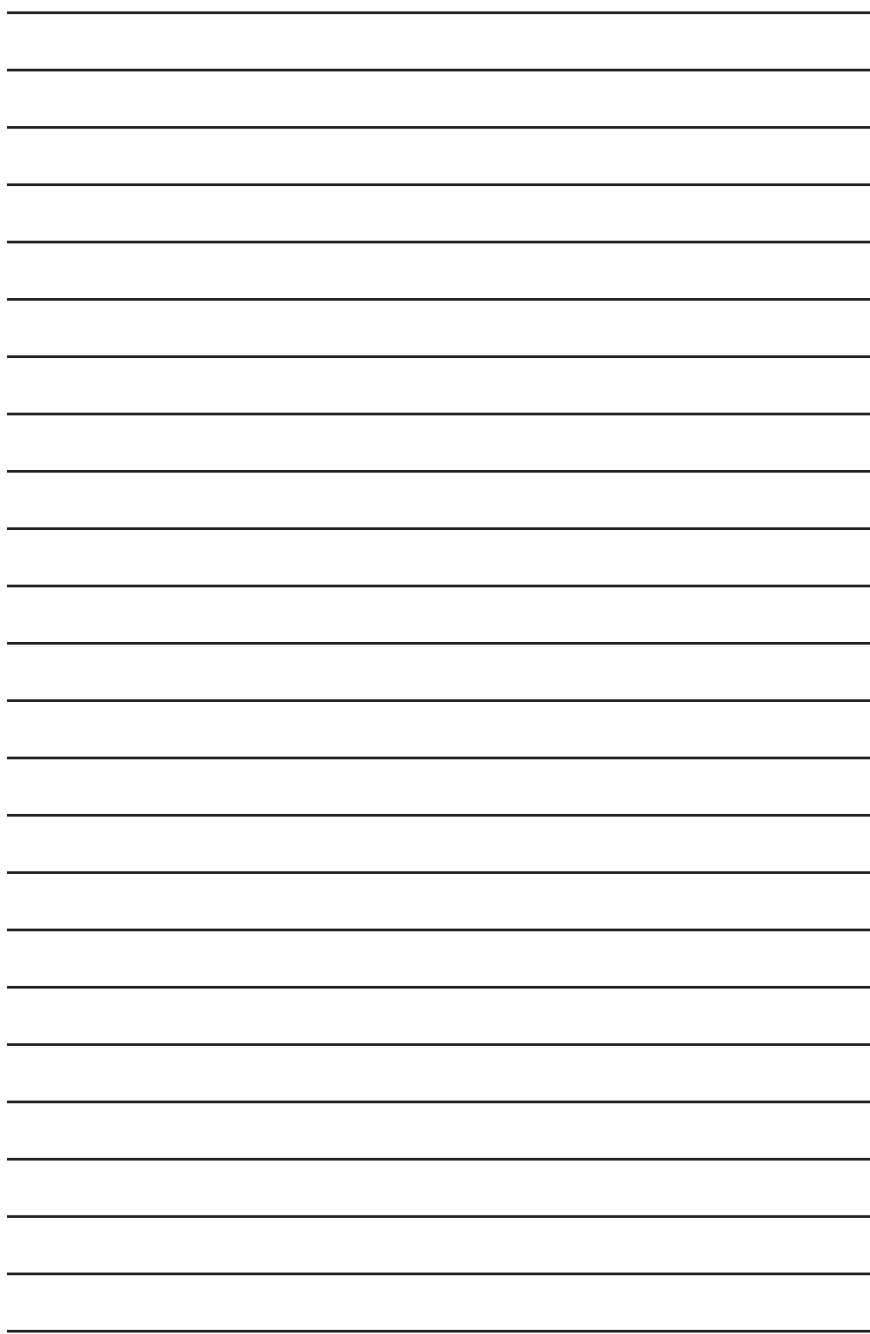
Parent Signature

Parent Name

Date

In accordance with state and federal law, Oakland Schools does not discriminate, nor permit discrimination, on the basis of race, color, national origin, ethnicity, religion, sex, (including pregnancy or parental status, gender identity, gender expression, and sexual orientation), disability, age, height, weight, familial status, marital status, military service, veteran status, genetic information, or any other legally protected status, in its educational programs and activities, employment, or enrollment. The District also provides equal access to the Boy Scouts and other designated youth groups.

For questions or complaints regarding unlawful discrimination or harassment, employees should contact the Assistant Superintendent of Human Resources, Personnel Management and Labor Relations at **248.209.2429** or **HR@oakland.k12.mi.us**. Students and others should contact the Civil Rights/Title IX Coordinator at **248.209.2185** or **Jacqueline.Zablocki@oakland.k12.mi.us**.





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