

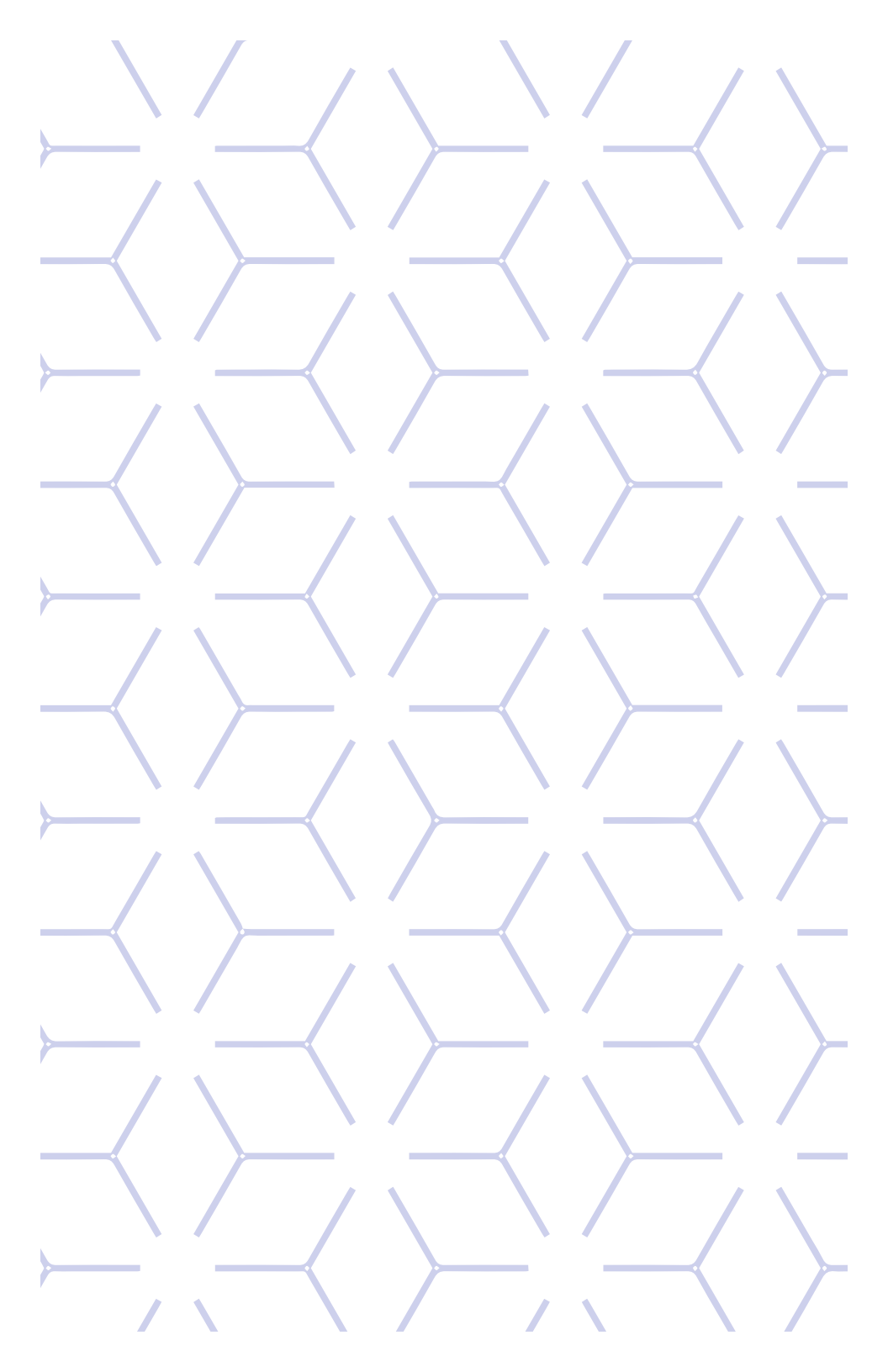


OaklandVLAC

VIRTUAL LEARNING ACADEMY CONSORTIUM

VLAC Student/Parent  
Handbook 2023-2024

OaklandSchools



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Note: The content of the 2023-2024 VLAC Student/Parent Handbook may be superseded by an Executive Order issued by the Governor, or a change in federal, state or local law and/or regulation.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 2023-2024 VLAC Student/Parent Handbook. Amendments to the VLAC 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 VLAC Student/Parent Handbook can be obtained from VLAC's Main Office.

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## WELCOME!

Virtual Learning Academy Consortium (VLAC) offers students the opportunity to participate in asynchronous, home based learning. Students are provided with an online curriculum, required curriculum materials, and technology needed to be successful in a virtual learning environment. Students participate in regular interactions with teachers and mentor teachers to monitor progress and provide feedback on learning.

### Enrollment Eligibility

An eligible student is enrolled in a participating district. Participating districts provide district verification documentation agreeing for the student to enroll in the program. Students not residing in the State of Michigan are not eligible to participate in the program.

### Programs

VLAC offers three levels of programming: elementary, middle and high school. K-8 classes are taught by staff who possess a Michigan Teaching Certificate. High school grades 9-12 and some middle school classes counting toward high school credit are taught by staff contracted through third party vendors who possess Michigan Teaching Certificates. VLAC teachers are mentors for Students in grades 9-12. Teachers monitor Student progress and adjust the pace and content of curriculum based on student progress. Teachers provide advancement and intervention opportunities for Students based on Student progress. VLAC teachers engage in regular professional development in order to meet the needs of a diverse student population and maintain the highest level of quality possible.

## Enrollment and Grade Level Placement

Students participating in VLAC must be enrolled in their Sending School districts. The policies in place at the Sending School district for enrollment, accessing student records, and updating student records should be followed. Upon enrollment, grade placement of a Student in VLAC is determined by the Sending School district. Grade placement is based on the cohort (grade level) the Student is placed in upon initial school enrollment.

Parents requesting their Student be enrolled in a grade level curriculum other than that determined by the Sending School district must contact the Sending School district. Common examples of this request are students accelerating in Mathematics.

According to the Individuals with Disabilities Education Act (IDEA), Students are required to access grade level content standards and curriculum. Students with an IEP and/or 504 plan are not eligible to be placed in grade levels other than their cohort.

## ACADEMIC COURSE OFFERINGS

Students are enrolled in a full time schedule of six classes unless otherwise stipulated by the Sending School district. Students in grades K-8 are enrolled in literacy, mathematics, science and social studies courses. VLAC staff use a regular diagnostic in mathematics and reading and career readiness exploration data in order to suggest best fit electives for Students. Students in grades K-8 enroll in two electives, career readiness, project based learning, or academic support classes. Students in grades 9-12 are enrolled in credit earning classes. Credits earned at VLAC are transferred back to your Sending School district, which maintains the official transcript. Students fulfilling degree requirements of their Sending School district earn a diploma from the Sending School district. Sending School districts may determine the courses Students take and how they count toward their graduation requirements.

## ADMINISTRATION AND SERVICES

### Administrative Office

VLAC's main office is located within Oakland Schools Main Campus at 2111 Pontiac Lake Road, Waterford MI. All visitors must report to the reception desk upon entering the building to sign in. Main Office hours are 8 AM-3 PM during the school year. Hours may be adjusted to accommodate after-hours enrichment activities and programs. The lead administrator for VLAC is the Supervisor of Student Programs ("Supervisor"). For purposes of this Handbook, the term Dean shall include the Supervisor.

## Student Support Team

VLAC's Supervisor, Lead Teacher, Special Populations Consultant, and teachers comprise the Student Support Team and are available for learning resources, assessment, and other essential services.

- **Counseling/career guidance** - Students connect with their Sending School counselors and support staff to coordinate resources and services such as educational planning, career planning, and/or provide support for issues or challenges. Students or families can contact the VLAC Student Support Team who will assist in connecting you with resources in your Sending School district.
- **Academic support** - Intervention or advancement opportunities are available to Students. Students may be referred for services by VLAC or Sending School staff.
- **504/IEP Plans** - Accommodations are implemented as written by the student's Sending School district. VLAC partners with students, families and district personnel to implement plans with fidelity. IEPs and 504 services are the responsibility of the Sending School districts. VLAC general education teachers or mentors and special populations consultants are available to attend meetings as part of the IEP or 504 team to provide input as requested by the Sending School district. VLAC can provide academic progress updates including grades, attendance/interactions, and test scores.

## Grades, Credit, Certificates and Certification

Students who attend VLAC have the opportunity to earn letter grades, which Sending School districts transfer into high school credit. Students may earn Pass/Fail or Credit/No Credit grades when the Student Support Team, in coordination with the Sending School district, decide these to be appropriate. Students taking high school courses have the opportunity to earn high school credit. The final determination on credits earned, transcripts, grades, and graduation is determined by the Sending School districts.

VLAC is an asynchronous virtual program. Students earn grades in six courses in which they are enrolled. Students in grades K-8 will have grades regularly updated to reflect work that is not turned in in order to accurately reflect Student grades in classes. Students can still turn in work that is marked zero due to this reason; however the zero will not be replaced until the work is submitted and graded by the teacher.

## Course Extensions

It is the Student and learning guide's responsibility to remain on pace in courses and complete course work, assessments, and projects by the course end date. Requests to re-take or re-submit assignments, assessments or

projects may be made to teachers. It is within the teacher's discretion to allow re-takes or re-submissions unless otherwise stated in a Student's IEP or 504. Extensions of course end dates may be made by Students or learning guides two weeks in advance of the end date. Teachers have discretion to approve up to a two week extension of a course end date for the first semester. No course end dates will be granted for second semester courses.

## Grades

Grades are based on demonstration of academic knowledge and skill. Sending School districts have the final determination on what grade or mark to transfer to Student transcripts and report cards.

## Credit

VLAC reports grades to Sending School districts. The Sending Schools make the determination as to what credit type and amount to transfer to transcripts.

## Incompletes

Incompletes are issued when a Student or learning guide requests and is granted a course extension. In extenuating circumstances, a Student may receive a grade of "incomplete" for a semester. In these cases Students are allowed to complete unfinished work (within an agreed upon time frame) and be re-issued a grade for the semester. In these cases, the Student will be informed in writing of the specific requirements and time frame for submission of work.

## Records

Official Student records (often referred to as CA60), including enrollment documents, school of choice applications and Student documentation such as custodial agreements are the responsibility of and maintained by Sending School districts. VLAC does not maintain a Student's official records. VLAC is able to provide information to Sending School districts such as grades, student report cards, attendance/engagements, and test scores.

Updates to information such as addresses, and phone numbers, must be made to the Sending School district following their enrollment process. The Sending School districts will update VLAC if adjustments to Student, Parent, or custodian information should be updated.

Requests for Student records should be made to the Sending School districts using their process. Requests for records generated by VLAC during a Student's participation in the program such as grade information, report cards, attendance/interactions, or test scores can be provided upon verification of appropriate written request and documentation. Please make requests of this nature to [info@vlac.org](mailto:info@vlac.org).



# GENERAL INFORMATION

While VLAC is a virtual academy there are still some activities and events that require VLAC Students to come onto District property. All District policies are applicable to VLAC and its Students. Accordingly, any reference in this handbook to the term Dean is defined as including the Supervisor and any reference to a Campus, Technical Campus or OSTC shall include VLAC. Furthermore, some conduct and discipline are not applicable to VLAC Students and only apply to the Oakland Schools Technical Campuses.

## 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

District property may be monitored with video recording equipment other than areas where a person has a legally recognized and reasonable expectation of privacy (e.g., restrooms and locker rooms), unless such placement is permitted by law and deemed necessary by the Superintendent to protect the safety of Students, Employees, District Invitees, Visitors, other persons, and district property. A person has no expectation of privacy except in those areas where a person has a legally recognized and reasonable expectation of privacy,

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 Students, Employees, District Invitees, Visitors, and other persons while at work or participating in District functions;
- To assist with Student or Employee discipline, assisting law enforcement or investigations; and
- For any other lawful circumstance, if approved by the Superintendent.

Please refer to [Policy 4115 – Security Cameras and Electronic Monitoring](#) for more information.

## 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, vehicle, or function is not allowed. Recording includes still photographs, video, audio, and other similar data captures in any medium. Permitted recording may only be used by Students 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, or other areas where there is a reasonable expectation of privacy.

## Student Transportation

Students are requested to use the transportation services provided by their Sending School. It is the responsibility of the Parent to make sure their child arrives in time to ride the bus. 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.

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 elect to drive their personal motorized vehicle ("Vehicle") to OSTC shall assume all responsibilities connected with transportation.

Please refer to [Policy 8640 – Student Transportation and Use of Motorized Vehicles](#) for more information.

## Dress Code and Safety Requirements

The style and manner in which a Student dresses while attending VLAC activities such as live lessons, field trips, and state testing is the responsibility of the Student and Parent. Oakland Schools adopts this Dress Code to ensure that Student attire does not interfere with Student health or safety or contribute to a hostile or intimidating atmosphere for any Student, and that dress code enforcement does not result in discrimination or marginalization of any group based on race, ethnicity, religion, sex, gender identity, gender expression, sexual orientation, body type/size, or household income.

1. Clothing must be worn in a way such that genitals, buttocks, breasts, and nipples are fully covered with opaque fabric. All items listed in the "must wear" and "may wear" categories below must meet this basic principle.

2. Students **must** wear, while complying with Section 1, above:
- A shirt (with fabric in the front, back, and on the sides under the arms), **AND**
  - Pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, shorts, or a dress), **AND**
  - Shoes.
3. Students **may** wear, provided these items do not violate Section 1, above:
- Hats, headscarves, hoods, and other headwear, provided the student's face is visible to staff and the student's eyes and ears are not obscured
  - Religious headwear
  - Fitted pants, including opaque leggings and skinny jeans
  - Athletic attire
  - Ripped jeans
  - Tank tops, including spaghetti straps, and halter tops
  - Visible waistbands on undergarments or visible straps on undergarments worn under other clothing (provided clothing complies with Section 1, above).
4. Students **may not** wear:
- Clothing with violent language or images
  - Clothing with images or language depicting drugs, alcohol, vaping, or that is otherwise related to an illegal item or activity
  - Clothing with hate speech, profanity, or pornography
  - Swimsuits
  - Any clothing that reveals visible undergarments (except that visible waistbands and visible straps are permitted)
  - Accessories that could be considered dangerous or could be used as a weapon
  - Images or language that creates a hostile or intimidating environment for any protected class or consistently marginalized group
  - Bullet proof vests, body armor, tactical gear, or similar items
  - Any item that obscures the face or ears, except as a religious observance or as personal protective equipment

**5. Dress Code enforcement:** VLAC staff shall comply with the standards below to ensure effective and equitable enforcement of this Dress Code:

- A Student shall not be removed from the educational environment for a Dress Code violation except as outlined in Sections 1 or 4, above. A student in violation of Section 1 and/or 4 will be asked to change into or put on their own clothing, uniform, or equipment (as applicable) if already available at school, to comply with the Dress Code;
- Dress Code enforcement should not be impacted by a Student's race, national origin, ethnicity, religion, sex, gender identity, gender expression, sexual orientation, body size/type, or body maturity.

- The following are impermissible methods of enforcing the Dress Code:
  - Asking Students to kneel or bend over to check the fit of attire;
  - Measuring the length of skirts/shorts;
  - Asking Students to account for their attire in the classroom or in hallways in front of others;
  - Calling out Students about perceived dress code violations in front of others; and
  - Accusing Students of distracting other Students with their clothing.

## Student Expression

The District will balance Student speech and expression rights with its responsibility to provide a safe, orderly learning environment.

Students may not engage in speech or expressive conduct that would materially and substantially interfere with or disrupt school operations, including school activities and educational programming. An actual disruption is not required before Student speech may be regulated or discipline imposed if it can be reasonably forecast that a substantial and material disruption or interference with school operations may occur.

Please refer to [Policy 7810 – Student Expression](#) for more information.

## Assistance Animals for Students

Service animals are permitted on District property except as provided below. Pursuant to the Americans with Disabilities Act, a service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

A service animal must be under the control of its handler and must have a harness, leash, or other tether, unless the use of such would interfere with the service animal's performance of work or other tasks. The building or program administrator, or their designee, may remove or exclude a service animal from District property or a District-sponsored event if the animal is out of control and the handler does not take effective action to control it; or the animal is not housebroken. The decision to remove or exclude a service animal from District property or a District-sponsored event may be appealed by submitting a request, in writing, to the Executive Director of Student Services.

The District requests that Students with service animals notify the Civil Rights/Title IX Coordinator 30 days before the school year begins, if possible, for preparation and planning purposes.

An emotional support animal is an animal that provides emotional support that alleviates one or more identified symptoms or effects of a person's disability. A Student may bring an emotional support animal on District property and/or to District-sponsored events only if determined necessary to provide the Student a free appropriate public education, as reflected in the student's Individualized Education Program (IEP) or 504 Plan, or if permission is given in writing by the Civil Rights/Title IX Coordinator. A request can be made, in writing, by contacting 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](mailto:Jacqueline.Zablocki@oakland.k12.mi.us)**

Additional information may be requested after the initial request is made.

## **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 in person events, and transporting their Student to or from in person events. 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 school work for credit. Academic misconduct occurs when a Student submits work which is not their own.

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.

Students taking courses offered through third party vendors are subject to the practices, policies and procedures of those vendors. Vendors clearly communicate expectations in course syllabi including re-take, plagiarism, late work and other.

# STUDENT ATTENDANCE POLICY

All VLAC Students are expected to be motivated and sincerely interested in succeeding in virtual learning. VLAC staff's concern is with those Students who choose to not interact with teaching staff and mentors and who are not accessing online curriculum regularly and frequently.

Students with chronic absenteeism (missing at least 10% or more of interactions or access to online curriculum) in a school year for any reason will be referred to the Supervisor and placed on an Interaction Success Plan. VLAC provides information regarding Student attendance, by means of, including but not limited to, teacher input and attendance/interaction data, to Sending School districts. The Sending School district will be notified of chronic absenteeism and will determine whether to pursue truancy.

VLAC Student Support Team meets regularly to monitor Student absenteeism. Proactive measures are considered including written warning, attendance success plans, and incentives. If proactive measures are not effective Students may be asked to return to in person learning and/or be referred to Oakland Schools Truancy.

## Student Responsibilities

- Complete a weekly attendance interaction each week with the Student's mentor teacher. Weekly interactions are conducted through the Google Classroom platform, text, phone call or video call and are a VLAC program requirement.
- Log on to online classes daily.
- Stay on pace using the pacing guide provided in online classes.
- Communicate with VLAC teacher or mentor teacher if a Student misses interactions or falls behind in completing assignments according to pacing guides.

## Parental Responsibilities

- Parents of Students in grades K-5 may interact or assist in interacting on Student's behalf.
- Parents of Students in grades 6-12 must communicate with VLAC teachers or mentor teachers if the student is unable to communicate themselves. Documentation may be necessary to verify Student's lack of ability to communicate.
- Notify the enrolling district of any changes in your contact information.

## VLAC Responsibilities

- VLAC teachers and mentor teachers notify Students and Parents when Students are not interacting and/or on pace with classes.
- Notify Student and Parent that Student absences are near 10% of total attendance missed.
- Notify Parent and Student (Grades 6-12) if Students are absent and approaching or qualify for referral for referral to Oakland Schools or local district truancy office.
- Notify Parent and Student (Grades 6-12) if due to Student absences and/or academic performance will be recommended to return to home school.

## Interaction Success Plan

- Contact will be made to the Parent of any Student who does not attend/interact and log into virtual classes each week.
- VLAC teacher or mentor teacher and Student Support Team intervention will occur when students are excessively absent/not interacting, logging into classes, and not on pace to pass classes.
- The Student Support Team will determine whether to meet with the Student, enrolling school counselor, and or Parent to discuss the situation and initiate an attendance/interaction plan.

## STUDENT DISCIPLINE

The Board is committed to providing Students and staff with a safe learning environment free from substantial disruption. Consistent with this commitment, the District may discipline Students who engage in misconduct, up to and including suspension or expulsion from a District Student program.

The District will take steps to effectively discipline Students in a manner that minimizes out-of-school suspensions and expulsions. The District will comply with applicable laws related to student discipline, including the consideration of specific factors and possible use of restorative practices.

This Policy applies to Student conduct that occurs:

1. on District property;
2. at a school-sponsored or school-related event;
3. on a school bus or vehicle;
4. while traveling to or from school; and
5. at any other time or place if the conduct has a nexus to a Campus or student program, substantially disrupts the school environment, or as permitted by law.

## Restorative Practices

Before suspending or expelling a Student (except a Student who possesses a firearm in a weapon-free school zone), Employees authorized to issue discipline must first determine whether restorative practices would better address the Student's misconduct, recognizing the Board's objective of minimizing out-of-school suspensions and expulsions. Likewise, consideration as to whether restorative practices should be used in addition to the suspension or expulsion. Restorative practices, which may include a victim-offender conference, should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, harassment, and cyberbullying.

All victim-offender conferences must be conducted consistent with state and federal law and Board policies. No Student who claims to be the victim of unlawful harassment may be compelled to meet with the alleged perpetrator of the harassment as part of a restorative practice.

## Restorative Practices

Under Michigan law, a suspension of 10 or fewer school days is presumed to be reasonable. A suspension of more than 10 school days or an expulsion is, in most circumstances, presumed not to be justified. Before imposing a suspension or an expulsion, the Mandatory 7 Factors must be considered. "Mandatory 7 Factors" means the following:

- the Student's age;
- the Student's disciplinary history;
- whether the Student has a disability;
- the seriousness of the behavior;
- whether the behavior posed a safety risk;
- whether restorative practices are a better option; and,
- whether lesser interventions would address the behavior.

## Due Process

Due process, including appeals, will be provided pursuant to [Policy 8350 – Student Code of Conduct](#).

## Students with Disabilities

The District will follow all applicable state and federal laws related to disciplining Students with disabilities. Students with disabilities are entitled to all due process protections afforded to other students pursuant to [Policy 8350 – Student Code of Conduct](#). For students with disabilities, the additional procedures and protections in this Policy also apply.



## Statewide School Safety Information Policy (SSSIP) & Law Enforcement Reporting

The Superintendent must notify law enforcement when required by the SSSIP and make all other reports and provide all other notifications required by the SSSIP or any state or federal law. Nothing in this Policy limits the ability of a school administrator to contact law enforcement at any other time.

## Educational Programming During Suspension or Expulsion

Except as otherwise required by law or as provided in this Policy, a Student who has been suspended or expelled may not be on school property, attend classes or other school functions, or participate in extracurricular activities during the Student's suspension or expulsion without written permission from the Superintendent. Designated Employees may assist Students who have been suspended or expelled to explore alternative means, as allowed by law, to earn credit and to complete coursework during the period of the Student's suspension or expulsion.

## Reinstatement Following Expulsion

The Superintendent will consider a petition for reinstatement from an expelled Student or the Parent consistent with this Policy and Revised School Code Sections 1311 and 1311a. The Superintendent shall decide whether to grant a petition of reinstatement submitted in accordance with the District's reinstatement procedures and consistent with state law.

# 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, maintain, and annually publish in a Student/Parent Handbook a Student Code of Conduct ("Code") applicable for each Board approved District instructional program that shall:

1. Provide rules governing the conduct of Students,
2. Identify offenses that may result in discipline,
3. Identify possible disciplinary consequences for each offense, which may, if appropriate, include suspension or expulsion,
4. Prevent activities that interfere with or threaten Student programs, operations, or safety, and/or which are prohibited by law or Board policy,
5. Address the responsibilities of Students,
6. Include proactive and preventative approaches to discipline and reinforce positive behaviors,
7. Promote a supportive school environment,
8. Endeavor to prevent disparities in the administration of discipline,

9. Consider and be cognizant of the impact of disciplinary action on Students, and
10. Be consistent with applicable state and federal laws and Board Policies.

Administrators and Employees of the District involved with Student conduct are required to understand and comply with the Code. The Code shall be mandatory and enforced uniformly throughout each District instructional 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 the Code.

Disciplinary action shall be subject to the Student's due process rights pursuant to applicable state and federal laws and accompanying administrative rule.

## What is a Student Code of Conduct?

It is very important that all Students enrolled in an instructional program 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 instructional programs and Student activities and events 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 enrolled in an instructional program, on District property, in District Vehicles, and District-sponsored activities and events. It also applies to behavior on or off District property that 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 five 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.

Prior to recommending or imposing out-of-school suspension or expulsion, the District must consider the Mandatory 7 Factors (See section identified as "Disciplinary Factors"), provide all applicable due process protections (See section identified as "Disciplinary Actions and Due Process for Suspensions and Expulsions"), and follow the requirements applicable to disciplining Students with disabilities (See section identified as "Students Receiving Services Under IDEA or Section 504").

For purposes of this Policy, the term

“Instructional program” shall include all Technical Campuses and the Virtual Learning Academy Consortium (VLAC). It does not include the Accelerated College Experience (ACE).

“Dean” shall include all of the Deans and the Supervisor of Student Programs.

## Category I

Repeated or egregious Category I offenses may result in more serious consequences, including out-of-school suspension or expulsion from the District or the Sending School.

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

1. Showing an excessive/inappropriate display of affection
2. Wandering the hallways
3. Being out of class during class time
4. In a classroom or other District location without permission
5. Loitering, remaining or lingering on District premises without a legitimate purpose and/or without proper authority
6. Having or consuming food or drinks during class time or where prohibited without permission
7. Throwing objects
8. Disrupting the educational process
9. Wrestling or horseplay in class or on District property
10. Wearing inappropriate attire for a school/work setting
11. Being in unauthorized areas
12. Academic dishonesty including plagiarism, cheating, claiming another's work as your own, copyright violations
13. 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:

1. Warning - verbal or written warning issued to Student
2. Parent contact
3. In-school suspension

## Category II

Repeated or egregious Category II offenses may result in more

serious consequences, including out of-school suspension or expulsion from the District or the Sending School.

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

1. Making a recording while on District property, when in a vehicle owned, leased, or contracted by the District, or at a District-sponsored activity without the appropriate permission. Recording includes still photographs, video, audio, and other similar data captured in any medium
2. Leaving class, Technical Campus, or District property without permission
3. Talking inappropriately and/or disrespectfully to Employees or other Students
4. Engaging in verbal communication which is abusive, profane, obscene, or threatening
5. Insubordination, as when a Student refuses to honor the reasonable requests or appropriate directives of an Employee
6. Disrespectful behavior, as when a Student uses obscene language and/or gestures directed toward Employees, other Students, or visitors
7. Refusing to identify themselves when requested by an Employee
8. Habitual disregard for classroom rules
9. Violation of safety procedures/guidelines (including inappropriate use of lasers)
10. Refusing to wear required safety glasses and/or safety required uniforms and shoes
11. Stealing District property, equipment, or personal property of another Student or Employee
12. Defacing, destruction, or abusing District property including equipment, tools, books, furniture, or systems and processes
13. Abusing or damaging supplies, equipment or materials belonging to another Student or Employee
14. Falsifying information
15. Gambling
16. Driving violations including careless/reckless or negligent driving on or to and from District property
17. 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:**

1. A Student/Parent conference may be necessary
2. Counselor referral
3. Restorative Practices
4. Student Success Plan
5. May be placed on a short-term suspension for one to ten days

6. Demand for payment or restitution
7. Possible police contact and report
8. Employee may not recommend Student for employment or awards
9. District granted Student Vehicle access, and/or parking and/or driving privileges revoked

## Category III

Repeated or egregious Category III offenses may result in more serious consequences, including out of-school suspension or expulsion from the District or the Sending School.

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

1. Discriminating against or harassing or intimidating Students on the basis of or related to a Student's race, color, national origin, ethnicity, religion, sex (including pregnancy, gender identity, and sexual orientation), height, weight, marital status, age, disability, genetic information, veteran status, military service, or any other legally protected class
2. 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
3. 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. "Illicit substance" means any consumable alcohol; illegal drugs, including but not limited to those substances defined as "controlled substances" pursuant to federal or state law; marihuana; anabolic steroids, human growth hormones or other performance-enhancing drugs when not prescribed by a physician or when not used as prescribed; and substances purported to be illegal, abusive, or performance-enhancing (i.e., "look-alike" drugs). This definition also includes any substance whether prescribed or not used by a Student as an intoxicant
4. Possessing, using, delivering, distributing, or selling drug cannabidiol, alcohol, smoking or nicotine related paraphernalia or facilitating thereof. This includes, but is not limited to, scales, pipes, rolling paper, aerosols, vaping devices, electronic nicotine delivery systems and incendiary devices
5. Bullying, including cyberbullying
6. Making verbal and/or written threats to or engaging in acts of intimidation toward Students, or District invitees
7. Violation of the Oakland Schools Acceptable Use Policy or the Children's Internet Protection Act
8. Stealing District property, equipment, or Student/Employee property or equipment with an estimated value of \$250 or more per item or in the aggregate

9. Gang activity
10. Cruelty to or abuse of any animal
11. 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:**

1. May be reported to local law enforcement

## Category IV

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

1. 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
2. Major violations of the Oakland Schools Acceptable Use Policy or Children's Internet Protection Act such as hacking, visiting pornographic sites, installation of damaging software
3. Instrument or object used as a weapon by a Student to threaten harm or harm another Student, regardless of whether injury results (is not defined as a dangerous weapon)
4. Gun paraphernalia (e.g., gun case, ammunition, targets)
5. Incendiary devices (e.g., smoke bombs, fireworks)
6. For grade six and above, bomb threats or similar threats directed at a school building, other school property or school-related event
7. For grade six and above, verbal assault at school against an Employee, contractor, or volunteer
8. Physical altercation, fighting, inciting violence, filming a fight or assault, distributing or publishing a fight or assault video
9. For grade 6 and above, physical assault against another Student or causing or attempting to cause physical harm to another through intentional use of force or violence
10. Off-campus criminal sexual conduct against another District Student when there is no conviction, plea, or adjudication
11. Possession of other weapons and look-alike weapons to include an object that is not a "dangerous weapon," including but not limited to a pellet or air-soft gun, a knife with a blade of three inches or less, items intended to look like a dangerous weapon, or similar items
12. 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:**

1. Temporary suspension from the District, including from all assigned instructional programs, pending investigation and final disciplinary decision.
2. Suspension or expulsion from the District, including from all Technical Campus programs.
3. Referral to the Student's Sending School with a recommendation that the Sending School suspend or expel the Student.
4. Referral to appropriate law enforcement agencies.

## Category V

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

1. Possession of a dangerous weapon\*
2. Arson or purposefully, intentionally, or maliciously setting a fire in a District building or on District grounds
3. Criminal sexual conduct in a District building or on District grounds
4. A Student pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another enrolled Student in the District
5. For grade six and above, physical assault at a Technical Campus against an Employee, contractor or volunteer causing or attempting to cause physical harm to another through intentional use of force or violence

*\*(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.)*

## 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:**

1. Temporary suspension from the District, including from all Technical Campus programs, pending investigation and final disciplinary decision.
2. Suspension or expulsion from the District, including from all Technical Campus programs.
3. Referral to the Student's Sending School with a recommendation that the Sending School suspend or expel the Student.
4. Permanent expulsion from all Michigan school districts (with limited exceptions).

## Referral to Appropriate Law Enforcement Agencies

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:

1. 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
2. The weapon was not knowingly possessed by the Student
3. The Student did not know or have reason to know that the object or instrument possessed by the Student constituted a dangerous weapon
4. The weapon was possessed by the Student at the suggestion, request, or 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:

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

## Firearms

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 Receiving Services Under IDEA or Section 504

A Student with an IEP or 504 plan has additional protections under IDEA or Section 504, respectively, when a disciplinary recommendation would result in a change in placement for the Student. A change of placement generally occurs when a Student is subject to a disciplinary removal from school of more than ten consecutive school days or a pattern of disciplinary removals totaling more than ten (nonconsecutive) school days in the same school year for substantially similar conduct.



If discipline would result in a Student's change in placement, the Student generally has the right to a manifestation determination review to determine if the conduct at issue was related to the Student's disability. When conduct is a manifestation of a Student's disability, the Student must be returned to the placement identified in the Student's IEP or 504 plan unless the parent and school agree on a change of placement or the conduct permits placing the Student in an interim alternative educational setting. OSTC will comply with federal and state requirements for Students with IEPs or 504 plans who may be subject to discipline.

## **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.

## **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 must be authorized by the Dean or designee. The Plan will describe the violation, what happened as a result of the violation, and a set of actions by the Student, Parent, Sending School, instructional program, and Employee 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 access to a regular class or instructional 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 must be authorized by the Dean or Student Support Specialist.

## **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 or Student Support Specialist 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 or Student Support Specialist.

- The referred Student will meet with the Dean or Student Support Specialist and the circumstances or details will be reviewed (the Instructor may or may not be present, at the discretion of the Dean or Student Support Specialist). 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 or Student Support Specialist will attempt to notify the Parent and the Student's Sending School of the action.

The Dean or Student Support Specialist will determine the need for a Parent conference. If, however, the Parent requests a conference, the Dean or Student Support Specialist will honor this request.

## **Short-Term Suspension**

A short-term suspension occurs when a Student is temporarily removed from an instructional program up to a maximum of ten school days. During a short-term suspension, the Student's rights and privileges at the District, including Student activities and events, are suspended.

Before a Student is suspended for ten or fewer school days, the Dean or Student Support Specialist will: (1) provide the Student verbal notice of the offense the Student is alleged to have committed, and (2) provide the Student an informal opportunity to respond and explain what happened. Except in emergency circumstances, the Dean or Student Support Specialist will not suspend the Student unless, after providing the Student notice and an opportunity to explain, the Dean or Student Support Specialist is reasonably certain that the Student committed a violation of the Student Code of Conduct and that suspension is the appropriate consequence. For emergency circumstances, the Dean or Student Support Specialist will provide the Student notice and an opportunity to explain as soon as practicable after the emergency is over. The decision of the Dean or Student Support Specialist is final.

Students may make up work or tests missed during a short-term suspension for credit. It is the Student's responsibility to arrange for make-up work and tests in a timely manner.

## Long-Term Suspension

A long-term suspension is when a Student is removed from an instructional program for more than ten school days and fewer than 60 school days.

A long-term suspension may follow a short-term suspension. 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 rights and privileges at the District, including Student activities and events, are suspended.

Before a Student is suspended for more than ten school days but less than 60 school days, the Executive Director of Student Services will provide the Parent or Student with: (1) written notice of the offense the Student is suspected to have committed; (2) an explanation of the evidence relied upon by the District in arriving at the conclusion that disciplinary action may be warranted; and (3) an opportunity for a hearing at which the Student may present evidence and witnesses to show that the Student did not commit the alleged offense or that suspension is not an appropriate consequence.

The Executive Director of Student Services will provide the Parent or Student at least three calendar days' notice before the hearing. The Parent and Student may be represented, at their cost, by an attorney or another adult advocate at the hearing.

The Executive Director of Student Services will not suspend the Student unless, following the hearing, they are convinced by a preponderance of the evidence that the Student committed a violation of the Student Code of Conduct and that suspension is the appropriate consequence.

In lieu of, or in addition to, the procedures described above, the Executive Director of Student Services may refer the Student to the Student's Sending School with a recommendation that the Student be suspended. The Student's suspension from the Sending School will result in the Student's corresponding suspension from the District. Nothing in this paragraph limits the District's ability to proceed with a suspension as otherwise described in this section.

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 a long-term suspension.

## Expulsion

An expulsion is when a Student is removed from a Technical Campus for 60 or more school days. An expulsion may follow a short-term or long-term suspension. The Dean shall promptly notify the Executive Director of Student Services of any recommendation for a Student's expulsion. A Dean shall recommend expulsion for any Category IV or Category V offense as required by law. During an expulsion, the Student's rights and privileges at the District, including Student activities and events, are suspended.

Before a Student is expelled, the Executive Director of Student Services will provide the Parent or Student with: (1) written notice of the offense the Student is suspected to have committed; (2) an explanation of the evidence relied upon by the District in arriving at the conclusion that disciplinary action may be warranted; and (3) an opportunity for a hearing at which the Student may present evidence and witnesses to show that the Student did not commit the alleged offense or that expulsion is not an appropriate consequence.

The Executive Director of Student Services will provide the Parent or Student at least three calendar days' notice before the hearing. The Parent and Student may be represented, at their cost, by an attorney or another adult advocate at the hearing.

The Executive Director of Student Services will not expel the Student unless, following the hearing, they are convinced by a preponderance of the evidence that the Student committed a violation of the Student Code of Conduct and that expulsion is the appropriate consequence.

In lieu of, or in addition to, the procedures described above, the Executive Director of Student Services may refer the Student to the Student's Sending School with a recommendation that the Student be expelled. For Category IV and Category V offenses, the Executive Director shall refer the Student to the Student's Sending School with a recommendation that the Student be expelled. The Student's expulsion from the Sending School will result in the Student's corresponding expulsion from the District. Nothing in this paragraph limits the District's ability to proceed with an expulsion as otherwise described in this section.

Students may not be permitted to make-up practical work for credit missed or participate in work-based learning during an expulsion. A Student may not be awarded credit for the semester(s) the Student is expelled.

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

Any Student or Parent of a Student who has been expelled long-term for a Category V violation 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.

## **Reinstatement**

Students expelled by the District may submit a petition for reinstatement to the Superintendent in accordance with [Policy 8345 – Student Discipline](#). Students permanently expelled may submit a petition for reinstatement to their Sending School consistent with their Sending School's policies and procedures. If the Sending School reinstates the Student, with or without conditions, the District will determine, on a case-by-case basis, whether the Student may return to the District. The District reserves the right to require that any Student subject to a permanent expulsion seek reinstatement from 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 administered in accordance with [Policy 8345 – Student Discipline](#).

## **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 Mandatory Seven Factors ("Disciplinary Factors") will be taken into consideration for that Student in accordance with [Policy 8345 – Student Discipline](#), unless the conduct is for the possession of a firearm.

## 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, a rebuttable presumption exists that a suspension or expulsion is not justified unless the Superintendent can demonstrate that it considered each of the Disciplinary Factors. The method used for consideration of the Disciplinary Factors is at the sole discretion of the Superintendent.

## 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 self, others or doing harm to property.

# VLAC 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

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.

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.

## Fees, Fines and Charges

Deans or designated representatives are 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**

Deans or designated representatives are 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.

## **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. VLAC 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 VLAC 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.

## **Visitors**

All visitors to District facilities, including Technical Campuses, must register at the front desk or 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.

## **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.

## **Illness**

If a Student wishes to leave a VLAC activity or event due to illness, they **MUST REPORT TO THE Supervisor or Instructor 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

## **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 Campuses. Changes in District operations may involve late start or an early closing time of one or more District Campuses.

Please refer to [Policy 4080 – District Closings](#) for more information.

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

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

## **Administration of Medication**

Whenever possible, Parents should arrange Student medication schedules to eliminate the need for the administration of medication at a Technical Campus. 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 were not made available during school hours. Oakland Schools nurses, trained personnel, Deans, or their designees, may administer over-the-counter and/or prescribed medications to enrolled Students in accordance with [Policy 8670 – Administration of Medications](#), applicable administrative rules, and pursuant to state law.

Students enrolled in a Technical Campus whose Parent(s) and healthcare professional provide written permission will be able to self-administer and self-possess for emergency purposes their own over-the-counter and/or prescription medication except as provided within the administrative rule accompanying this Policy.

The District requires the disclosure of all medications taken by Students enrolled in courses requiring the use of machinery, equipment, instruments, or tools to ensure the safety of all Students and Employees.



Please refer to [Policy 8670 – Administration of Medications](#) for more information.

### **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.

### **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 the District until the Student/Parent can show proof, acceptable to the Superintendent, of an approved treatment. The Student must remain nit-free upon inspection at the District. If the Student is found to still have nits after returning to the District, 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 the Public Health Nurse Consultant. 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. A Student or Employee with a communicable disease will be restricted only to the extent necessary to prevent the transmission of the disease, protect the person's health and privacy rights, and protect the health and safety of others.

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.

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

For more information please refer to [Policy 5370 – Communicable Diseases](#).

### **Integrated Pest Management**

The District only authorizes the lawful application of a pesticide by a certified or registered applicator who has been properly trained. After the application of a pesticide, a person may only reenter District property in compliance with restrictions identified by the applicator and required by law. A "pesticide" does not include sanitizers, germicides, disinfectants, or antimicrobial agents.

Notices will comply with methods, time frames, and information requirements.

### **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 a 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 the presence of another adult Employee.

## **Search and Seizure – Reasonable Suspicion**

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.

### **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.

Please refer to [Policy 8130 - Search and Seizure](#) for more information.

## **DISTRICT TECHNOLOGY AND ACCEPTABLE USE**

Use of District Technology resources is a privilege, not a right. Students are expected to use computers, the Internet, and other District technology resources for school-related educational purposes only. Students and their Parents are required to sign the Acceptable Use Agreement attached at the end of this VLAC Student/Parent Handbook before they may use or access District technology resources. Students who violate the District's technology policy and/or Acceptable Use Agreement may have technology privileges terminated or suspended and may be subject to discipline, up to and including expulsion. For more information please refer to [Policy 4510 – District Technology and Acceptable Use](#) for more information.

### **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. 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 policies and administrative rules.

All Student users and their Parents are advised that access to the electronic network, including the Internet, 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, Supervisor of Student Programs, Instructor, or Counselor. For information on the District's technology protection measures please refer to [Policy 4520 – Children's Internet Protection Act Policy](#).

## **DISCRIMINATION AND HARASSMENT**

Oakland Schools is committed to providing a safe, positive, and productive educational environment for its Students, Employees, and other members of the District community. In accordance with state and federal law, the District does not discriminate on the basis of race, color, national origin, religion, age, height, weight, sex, gender, sexual orientation, disability, or other legally protected class.

### **Prohibited Harassment & Unlawful Discrimination**

#### **Definitions and Prohibited Conduct**

The District does not permit unlawful discrimination, any type of harassment, or retaliation against Student, Employees, or other members of the District community while –

- On District property (including District transportation);
- At District-related activities or events; (whether or not it is held on school premises) and/or
- Using a District-owned or operated computer, device, network, electronic information system, or other related equipment.

In addition, Oakland Schools may take disciplinary action for harassment that occurs outside of school where the harassment creates an intimidating, hostile, or offensive educational environment, prohibits a Student from accessing the District's programs or activities, or creates a substantial interference with the educational environment.

Harassment is unwanted behavior, whether physical, verbal, or sexual, that a reasonable person should know will have the effect of (1) creating an intimidating, hostile, or offensive environment; or (2) unreasonable interfering with an individual's ability to benefit from the District's programs or activities. Harassing conduct may include:

- Physical harm or threats of harm
- Inappropriate physical contact and groping
- Name calling
- Derogatory or disrespectful comments
- Unwelcome, repeated sexual advances
- Stalking
- Social exclusion
- Public humiliation
- Spreading rumors
- Threats or intimidation
- Hazing

Retaliation is prohibited against those who, in good faith, make a report, file a complaint, or otherwise participate in an investigation of discrimination or harassment. However, individuals who knowingly make a false report or provide false information during an investigation may be subject to discipline for such conduct.

Unlawful discrimination: Exclusion from or different treatment on the basis of an individual's legally protected class, which include race, color, ethnicity, national origin, religion, sex (including pregnancy, gender identity or gender expression, and sexual orientation), disability, age, height, weight.

## **Reporting and Investigating Complaints**

Students who are subject to discrimination or harassment, or who have knowledge of such conduct, may make a report at any time to any Oakland Schools employee. Reports can also be made to 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](mailto:Jacqueline.Zablocki@oakland.k12.mi.us)**

All reports of discrimination and harassment based on a legally protected class will be referred to the Civil Rights/Title IX Coordinator. Other types of harassment may be investigated by a building or program administrator. During the investigation, the identity of the alleged victim (the Complainant) will be kept confidential to the extent possible. 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.

An investigation may include interviews with the parties and witnesses, collection of any documentary evidence, and a review of relevant policies and Code of Conduct provisions. The investigator will determine what steps should be taken to address and remedy the discrimination and/or harassment, and to prevent its reoccurrence. Such steps may include Student discipline. For more specific information on the Investigation Procedures for matters involving unlawful discrimination or harassment, see [Policy 8018 - Illegal Discrimination, Harassment – Student](#).

### **Disciplinary Action**

Disciplinary consequences for engaging in discrimination, harassment, or retaliation as described above will be based on the extent of the misconduct. Students may be subject to disciplinary action up to and including suspension or expulsion/removal. Employees may be subject to disciplinary action up to and including termination of employment.

## **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**  
**Civil Rights/Title IX Coordinator**  
**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 of 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](mailto: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#>.

### **Filing a Complaint with an Outside Agency**

A person may also file a complaint with the appropriate federal, state, or local agency within the time frame required by law. Depending upon the nature of the complaint, the appropriate agency may be the federal Equal Employment Opportunity Commission (EEOC), the U.S. Department of Education Office for Civil Rights (OCR), the Department of Justice, and/or the Michigan Department of Civil Rights.

### **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#>.

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](mailto: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](#). Investigations may include interviews of the parties and witnesses and a review of relevant documentary information. 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**

When the investigator concludes that a Student has engaged in bullying, retaliation, or making a false report, the Student may be subject to disciplinary action, up to and including expulsion/removal. Any discipline imposed shall be in accordance with the Student's due process rights under the Student Code of Conduct and [Policy 8019 - Bullying](#).

## **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 be a defense to or 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**

Pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA), Oakland Schools does not discriminate against Students with a disability, a record of having had a disability, or who are regarded as having a disability, in any District program or activity. The District has an obligation under Section 504 to provide a free appropriate public education to each eligible Student with a disability.

### **VLAC & Sending School Responsibilities**

The District will follow federal law and applicable regulations in identifying and educating students with disabilities. A Student's Sending School is responsible for developing the Student's IEP or Section 504 plan, as applicable; the District shall be responsible for implementing the IEP or Section 504.

### **Complaints & Questions**

To file a complaint of disability discrimination, make a request for reasonable accommodations, or request additional information, contact the District's 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](mailto:Jacqueline.Zablocki@oakland.k12.mi.us)**

For more information, see [Policy 8303 - Section 504](#).

## **ADDITIONAL RIGHTS**

### **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*

### **Protection of Pupil Rights**

The District respects the rights of Parents and Students and has adopted a Protection of Pupil Rights policy as required by law. The policy is available on the District's website or upon request from an OSTC Campus or VLAC program. Parents may opt their child out of participation in activities identified by the Protection of Pupil Rights policy by submitting a written request to the Superintendent. Parents may have access to any survey or other material described in the Protection of Pupil Rights policy by submitting a written request to the Superintendent.

Additionally, Oakland Schools sometimes conducts risk assessments for students who pose a threat of harm to themselves or others. Risk assessments may inquire about sensitive information described in the annual notice. These risk assessments are not federally funded. While Oakland Schools will endeavor to notify parents about threatening behavior as quickly as possible, a risk assessment may be conducted before parent consent can be obtained. If you would like to opt your child out of potential risk assessments that inquire about sensitive information as defined in the annual notice, please follow the opt-out process described in the annual notice.

## 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 VLAC 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.

## VLAC HANDBOOK COMPLIANCE FORM

I hereby acknowledge receipt of the Virtual Learning Academy Consortium (VLAC) 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:

- e. Acceptable Use Policy for Oakland Schools Internet
- f. Dress code and safety requirements
- g. Harassment statement
- h. Student attendance policy
- i. Student Code of Conduct
- j. Acceptable Use Agreement - Student
- k. Security Cameras and Electronic Monitoring, and
- l. Bullying Policy

### As a Parent/Student, I:

- Authorize VLAC, 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

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Parent Signature

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Parent Name

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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.

52 ☐ **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

VLAC utilizes 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 the Supervisor , Instructor or other Employee. Please note that you may revoke consent to receive these messages at any time by providing written notice to the Supervisor.

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 to 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 VLAC main office 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*

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](mailto: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](mailto:Jacqueline.Zablocki@oakland.k12.mi.us)**.

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