





**Detroit Edison Public School Academy** 

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Section Introduction

Title 1 INTRODUCTION

Code 1 INTRODUCTION

Status Active

### **ADOPTION RESOLUTION**

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policies and policies heretofore adopted by the Detroit Edison Public School Academy Board of Directors are hereby rescinded, further be it

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

Take notice that the foregoing resolution was adopted by the Detroit Edison Public School Academy Board of Directors at a public meeting held at, Detroit Michigan on, November 20 2013.

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Section Introduction

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03/15/2023; 10/18/23

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### Legend:

LR = Legally Required (if applicable)

LC = Legal Content

BP = Best Practice

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3000 Educational Service Provider Statement

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# **FI**

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BP

Telephone Communications

<sup>&</sup>lt;sup>1</sup> Many of the board operating policies are also required by the Charter Contract, and are generally contained in the bylaws in the Charter Contract. The bylaws enshrined the Charter Contract always take precedence over these board operating policies. Each contract should be reviewed to consider whether these policies are required by contract, even if not required by law.

<sup>\*</sup>These food policies are only legally required if the school that serves food to students AND receives direct or indirect federal aid for the food program.



Section Introduction

Title 3 GLOSSARY AND ACRONYMS

Code 3 GLOSSARY AND ACRONYMS

Status Active

### **GLOSSARY OF EDUCATIONAL TERMS AND ACRONYMS**

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

### **ASSESSMENT**

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

### **ATTITUDE**

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

### **CONCEPT**

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

### CONTENT

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

### **COURSE OF STUDY**

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

### **CRITERION (CRITERIA)**

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

### **CURRICULUM**

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

### **DIAGNOSIS**

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

### **EDUCATIONAL SERVICE PROVIDER**

A Provider that manages or operates an Academy or provides administrative, managerial or instructional staff to the Academy.

### **EMPLOYEE**

A direct employee of the Academy or of a third-party Educational Service Provider, as the case may be.

### **EVALUATION**

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

### **FACT**

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

### **GOAL**

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

### **IDEA**

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

#### **IEP**

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

### **INSTRUCTION**

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

### **LEADERSHIP**

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

### **MANAGEMENT**

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

### **MEASUREMENT**

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

### **MISSION**

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

### **MODEL**

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

### **NORMS**

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

#### **OBJECTIVE**

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

### **OUTCOME**

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

### **PARENT**

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

#### **PILOT**

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

### **PLACEMENT**

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

### **PLAN**

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

### **PRINCIPLE**

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

### **PROGRAM**

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

### **PROMOTION**

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

### **RELIABILITY**

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

### **RETENTION**

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

### **SCHOOL LEADER**

The educational leader and head administrator of one (1) or more schools or programs, as designated by the Educational Service Provider/Board of Directors. The School Leader is responsible for the supervision of the school or program consistent with Board policy and directives of the Educational Service Provider/Board of Directors and may delegate responsibility to subordinates as appropriate. In a Public School Academy, the School Leader is often, but not always, equivalent to the position Superintendent of a school district.

### **SCOPE**

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

### **SECTION 504**

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

### **SEQUENCE**

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

### **SKILL**

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

#### STANDARDIZED TEST

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

### **STANINE**

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

### **TEST**

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

### **UNDERSTANDING**

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

### **VALIDITY**

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

### **ACRONYMS**

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

### <u>A</u>

ACA - Affordable Care Act

ACH - Automatic Clearing House

ACT - American College Testing

ADA - Americans with Disabilities Act of 1990

AED - Automatic External Defibrillator

AEP - Alternative Education Program

AFS – American Field Service, International/Intercultural Programs
AHERA - Asbestos Hazard Emergency Response Act
AIDS - Acquired Immunodeficiency Syndrome
ARO - Academy Records Officer
Art. – Article (referring to the Michigan Constitution of 1963)
ASAP - Automated Standard Application for Payment
ATP - Academy Technology Plan
<u>B</u>
<u>C</u>
CD – Certificate of Deposit
CDL – Commercial Driver's License
CEPI – Center for Educational Performance and Information
CFDA - Catalog of Federal Domestic Assistance
C.F.R – Code of Federal Regulations
CHRI – Criminal History Record Information
CIPA - Children's Internet Protection Act
COs – Compliance Officers
COOP - Continuity of Organizational Operations Plan
COPPA - Children's Online Privacy Protection Act
COR – Custodian of Records
CPA – Certified Public Accountant
CPR – Cardiopulmonary Resuscitation
CTE – Career and Technical Education
<u>D</u>
DHS – Department of Human Services (formerly FIA and DSS)
DOE -Department of Education (Federal)
<u>E</u>
ECD – Electronic Communication Device
EDP – Education Development Plan
EFTs - Electronic Funds Transfers
EEOC – Equal Employment Opportunity Commission
EIP – Emergency Intervention Plan
EL – English Learners
EMS – Emergency Medical Services

EPA – Environmental Protection Agency
ESEA – Elementary and Secondary Education Act
ESI – Emergency Safety Intervention
ESI - Electronically Stored Information
ESP – Educational Service Provider
ESSA – Every Student Succeeds Act (previously NCLB)
ETO – Electronic Transfer Officer
<u>E</u>
FAIN - Federal Award Identification Number
FAPE – Free and Appropriate Public Education
FBA – Functional Behavioral Assessment
FERPA – Federal Educational Rights and Privacy Act
FICA – Federal Insurance Contributions Act
FLSA - Fair Labor Standards Act
FMLA – Family and Medical Leave Act
FOIA – Freedom of Information Act
FR – Federal Register
FSA – Flexible Spending Accounts (Health Care)
FTE – Full Time Equivalent (Student Attendance)
FVPSA – Family Violence Prevention and Services Act
<u>G</u>
GAA – General Appropriations Act
GAAB – Generally Accepted Accounting Bulletin
GAAP – Generally Accepted Accounting Principles
GAN - Grant Award Notification
GASB - Governmental Accounting Standards Board
GED – General Education Diploma
GINA – Genetic Information Nondiscrimination Act of 2008
GPA – Grade Point Average
<u>н</u>
HACCP - Hazard Analysis Critical Control Point
HAV – Hepatitis A
HBV – Hepatitis B

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HCV - Hepatitis C
HHS - United States Department of Health and Human Services
HIPAA - Health Insurance Portability and Accountability Act of 1996
HITECH - Health Information Technology for Economic and Clinical Health Act
HIV - Human Immunodeficiency Virus
HMO - Health Maintenance Organization
HTML - Hyper Text Mark Up Language
HVAC - Heating Ventilating Air Conditioning
I
ICHAT - Internet Criminal History Access Tool
IDEA - Individuals with Disabilities Education Act
IEP - Individualized Education Plan
IEPC - Individual Educational Planning Committee
IEPT - Individualized Education Planning Team
IEQ - Indoor Environmental Quality
IHO – Impartial Hearing Officer
IIS - Indentix Identification Services
IPM - Integrated Pest Management
IRS - Internal Revenue Service
ISD - Intermediate School District
J
<u>K</u>
<u>L</u>
LASO - Local Agency Security Officer
LEA - Local Education Agency
LEIN - Law Enforcement Information Network
LEP - Limited English Proficient
LRE - Least Restrictive Environment
M
M.C.L - Michigan Compiled Laws
MDCH - Michigan Department of Community Health
MDCIS - Michigan Department of Consumer and Industry Services
MDE - Michigan Department of Education
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MDHHS - Michigan Department of Health and Human Services

MEIS - Michigan Educational Information System MHSAA - Michigan High School Athletic Association MIOSHA - Michigan Occupational Safety and Health Administration MMC - Michigan Merit Curriculum MME - Michigan Merit Examination MOSHA - Michigan Occupational Safety Health Act MPG - Michigan Promise Grant MPSERS - Michigan Public School Employment Retirement System MRO - Medical Review Officer MSDS - Material Safety Data Sheets MSP - Michigan State Police MSTEP - Michigan Student Test of Educational Progress N NAEP - National Assessment of Educational Progress NASD - National Association of Securities Dealers NASSP - National Association of Secondary School Principals NSF - National Science Foundation NSLP - National School Lunch Program NCLB - No Child Left Behind (Federal legislation of 2001) 0 OCR - Office of Civil Rights (U.S. Department of Education) OCTP - Office of Career and Technical Preparation OHD - Occupational Health Division OSHA - Office of Safety and Health Administration OTC - Over the Counter OTIS - Offender Tracking Information System <u>P</u> PAN - Payee Account Number PBIS - Positive Behavioral Interventions and Supports PBS - Positive Behavior Support PBSP - Positive Behavior Support Plan PCD - Personal Communication Device

PII - Personally Identifiable Information

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PMS - Payment Management System
PPE - Personal Protection Equipment
PSA - Public School Academy
PTA – Parent Teacher Association (Usually affiliated with the National Organization)
PTO - Parent Teacher Organization (Usually do not pay dues to a National Organization)
Q
R
RFP - Request for Proposal
RHO - Records Hearing Officer
<u>S</u>
SAP - Substance Abuse Professional
SAT - Scholastic Aptitude Test
SBP - School Breakfast Program
SEA - State Education Agency
SEAB - Sex Education Advisory Board
SEVP - Student Exchange Visitor Program
SOPPA Student Online Personal Protection Act
SOR - Sex Offenders Registry
SRO - School Resource Officer
STD - Sexually Transmitted Disease
I
TAF - Trust and Agency Fund
TDP - Deferred Payment (TDP) Plan (MPSERS)
THP - Toxic Hazard Preparedness
U
USAS - Uniform School Accounting System
U.S.C - United States Code
USDA - United States Department of Agriculture
USERRA - Uniformed Services Employment and Reemployment Rights Act of 1994
USIA - United States Information Agency
V
VAWA - Violence Against Women Act
W
```

WCAG - Web Content Accessibility Guidelines

<u>X</u>

<u>Y</u>

<u>Z</u>

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Section 0000 BP - Board Operating Policy

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Code 0000 BP - BOARD OPERATING POLICY

Status Active

Last Revised March 15, 2023

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9/19/18; 3/27/19; 09/18/2019

# 0000 BOARD OPERATING POLICY<sup>1</sup>

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 $<sup>^{1}</sup>$  Many of the board operating policies are also required by the Charter Contract, and are generally contained in the bylaws in the Charter Contract. The bylaws enshrined the Charter Contract always take precedence over these board operating policies. Each contract should be reviewed to consider whether these policies are required by contract, even if not required by law.

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Section 0000 BP - Board Operating Policy

Title DEFINITIONS

Code 0100 BP

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### **DEFINITIONS**

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

### **Academy**

This Public School Academy

#### **Administrative Guideline**

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

### **Apps and Services**

Apps and services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100) over a network, or client-server applications in which the user interface runs in a web browser. Apps and services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and services also are used to facilitate communication to, from and among and between, staff, students, and parents, Board members and/or other stakeholders and members of the community.

### **Authorizer or Authorizing Body**

The Revised School Code designates the governing boards of four different types of public educational entities as authorizing bodies (school boards, intermediate school boards, community college boards, governing boards of state public universities), empowering them to issue contracts for the creation of public school academies subject to certain limitations.

### **Board**

The Board of Directors. (See Charter Contract Bylaws)

### **Board Operating Policy**

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

### **Charter Contract**

The executive act taken by an authorizing body that evidences the authorization of a public school academy and that establishes, subject to the constitutional powers of the state board and applicable law, the written instrument executed by an authorizing body conferring certain rights, franchises, privileges, and obligations on a public school academy.

### **Due Process**

Procedural due process normally requires prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond. Procedural due process may require consideration of statutorily mandated factors, right to counsel and/or confrontation or cross examination of witnesses, depending upon the situation.

# Educational Service Provider (Educational Management Organization)

An entity that enters in to a management agreement with a Public School Academy.

### **Educational Service Provider Employee**

All employees of the Educational Management Organization, both certificated and non- certificated, working in the school who provide service to the Academy's program or administration.

### **Family Member**

"Family member" means a person's spouse or spouse's sibling or child; a person's sibling or sibling's spouse or child; a person's child or child's spouse; or a person's parent or parent's spouse, and includes these relationships as created by adoption or marriage. (See Bylaw 0144.3)

### **Full Board**

Authorized number of voting members entitled to govern the School as established by the authorizer.

### **Information Resources**

The Board defines Information Resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, web sites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

### May

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

### Meeting

Any gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body.

### **Parent**

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise and a copy of such order is on file with the School.

### **Personal Communication Devices**

Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular/mobile phones, smartphones, and/or other web-enabled devices of any type.

### **Policy**

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

### **President**

See duties of President contained in the Charter Contract Bylaws and Articles of Incorporation. In addition, the President shall have the authority to sign, execute and acknowledge, on behalf of the Board, all deeds, mortgages, bonds, contracts, leases, reports, and all other Board approved documents.

### Relative

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

### **School**

The School or individual building of the School.

### Secretary

The chief clerk of the Board of Directors. (See Charter Contract Bylaws)

### Shall

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

### **Social Media**

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication, including, but not limited to, text messaging, instant messaging, websites, web logs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Skype, and Facetime. Social media does not include sending or receiving e mail through the use of Academy-issued e-mail accounts. Apps and web services shall not be considered social media unless they are listed on the School's website as School-approved social media platforms/sites.

#### Student

A person who is officially enrolled in the School.

### **Superintendent/Chief Administrative Officer**

The administrator employed by the Board who is responsible for the daily operations of the School and implements policies of the Board. Throughout these policies this administrator will be referred to as Superintendent. The Superintendent or Superintendent Designee can delegate appropriate duties assigned by the Board. The Superintendent or Superintendent Designee must hold an appropriate school administrator certificate or permit.

### **Technology Resources**

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

### **Treasurer**

The chief financial officer of the School. (See Charter Contract Bylaws)

### **Vice-President**

The Vice-President of the Board of Directors. (See Charter Contract Bylaws)

### Voting

A vote at a meeting of the Board of Directors. Except to accommodate the absence of any member of the Board due to military duty or for any other purpose permitted by law, Board members must be physically present in order to have their vote officially recorded in the Board minutes.

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

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Section 0000 BP - Board Operating Policy

Title OFFICIAL DESCRIPTION

Code 0110 BP

Status Active

### **OFFICIAL DESCRIPTION**

### 0111 Name

The Board of Directors of this school shall be known officially as the Detroit Edison Public School Academy Board of Directors.

### 0112 Purpose

The School exists for the purpose of providing a system of free, public education for children in grades as authorized in the Charter Contract. The Board exists to supervise the School as set forth in the Charter Contract.

### 0115 Address

The official address of the Detroit Edison Public School Academy shall be 1903 Wilkins, Detroit, Michigan 48207 and the name of the School shall be The Detroit Edison Public School Academy.

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Section 0000 BP - Board Operating Policy

Title POWERS AND PHILOSOPHY

Code 0120 BP

Status Active

### **POWERS AND PHILOSOPHY**

Reference: MCLA 380.503, 380.504a, 380.1225, 423.217

0121 Authority

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

M.C.L.A. 380.1201 et seq.

0122 Board Powers

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

- A. Educating Students. In addition to educating students in grades and subjects authorized in the Charter Contract, this function may include operation of preschool, adult education, and GED testing preparation programs, if specified in the Charter Contract.
- B. Providing for the safety and welfare of students while at School or at a School-sponsored activity or while enroute to or from the School or School-sponsored activity.
- C. Acquiring, constructing, maintaining, repairing, renovating, disposing of, or conveying School property, facilities, equipment, technology, or furnishings.
- D. In accordance with the Charter Contract: hire a Superintendent, to hire, contract for, schedule, supervise, or terminate employees, independent contractors, and others to carry out School operations. The Board may contract with an Educational Service Provider or employ the Superintendent to provide educational, administrative and other services and

to exercise certain of said powers. These include the contract with the Superintendent to provide educational, administrative and other services and to exercise certain of said powers. The rights, responsibilities and obligations of the school and the Superintendent are set forth in the agreement between the Board and the Superintendent. The rights, responsibilities and obligations of the school and the Superintendent are set forth in said contract. The policies and guidelines herein are not intended to modify the terms of such a contract.

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

The School may enter into agreements or cooperative arrangements with other entities, public or private, or join organizations as part of performing the functions of the School. These include the contract with the Superintendent to provide educational, administrative and other services and to exercise certain said powers. The rights, responsibilities of the Superintendent are set forth in said contract. The policies and guidelines set forth herein are not intended to modify the terms of such contract.

The School is a body corporate and shall be governed by a board of directors. An act of this Board is not valid unless approved by a majority vote of the Directors of the School present at a noticed meeting at which a guorum is present.

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

- $\cdot$   $\,$  The policyholder of an employee group insurance benefit (if the Board employs staff.)
- $\cdot$  The starting day for the school year and the amount of student contact time to receive full State school aid.
- The composition of the School's school-improvement committee(s) established under M.C.L. 380.1277.

Contracting with outside parties for non-instructional support services provided by an employee group (if the Board employs staff) including the procedures for obtaining a contract, the identity of the outside party, and the impact on individual staff members if the employee group is given an opportunity to bid on providing the noninstructional support services.
· Use of volunteers.
· Decisions regarding the use of experimental or pilot programs including staffing, use of technology, provision of the technology, and the impact of individual staff members.
Compensation or reimbursement of a staff member for monetary penalties imposed on the staff under the Public Employment Relations Act. (If the Board employs staff.)
· Any decision regarding the placement of teachers, or the impact of that decision on an individual employee.
Decisions about the development, content, standards, procedures, adoption and implementation of a performance evaluation system under M.CL. 380.1249 for teachers and administrators. (If the Board employs staff.)
Decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such a decision. (If the Board employs staff.)
Decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher. (If the Board employs staff.)
Decisions about the development, content, standards, procedures, adoption and implementation of the method of performance based compensation for teachers and administrators in accordance with M.C.L. 380.1250. (If the Board employs staff.)

 $\cdot$  Decisions about how performance evaluation is used to determine the performance based compensation for teachers and administrators. (If the Board employs staff.)

M.C.L. 380.503, 380.504a, 380.1225, 423.215

Adopted 11/20/13

Revised 9/2/15; 3/27/19

Section 0000 BP - Board Operating Policy

Title FUNCTIONS

Code 0130 BP

Status Active

### **FUNCTIONS**

### 0131 Legislative

### 0131.1 Charter Contract Bylaws and Board Operating Policies

The Board of Directors shall adopt bylaws and policies for the organization and operation of this Board and the School and shall be bound to follow such bylaws and policies.

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

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

Those Board operating policies and policies which are not dictated by the statutes or rules of the State of Michigan or ordered by the Charter Contract of the authorizing institution or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board.

Provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board of Directors meeting and, once proposed, shall have remained on the agenda of each succeeding Board of Directors meeting until approved or rejected.

Except that the Board may, upon a vote and where compelling reasons exist, cause to adopt, amend, or suspend board operating policy or policy contained herein, provided the amendment, adoption, or suspension does not conflict with law or its Charter Contract. Any resolution adopting, amending, or suspending a board operating policy or policy under this provision shall expire automatically at the next public meeting of the Board unless the Board moves to adopt the resolution in final form.

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

Periodically, it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include statutory references, scrivener's errors, renumbering that does not change the order of the sections or subsections, grammatical corrections or additions

including punctuation or typographical errors, as well as alterations and omissions not affecting the construction or meaning of any sections, subsections, chapters, titles, or policies as a whole. Technical corrections may also include the updating of the named individuals in these policies where the originally named individual no longer works for the School or no longer works in the applicable position. Should the Board choose to make such technical corrections, it may be accomplished by resolution without going through the normal policy adoption procedures.

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

MCL 450.2223, 450.2231

### 0132 Executive

### 0132.1 Selection of Superintendent

The Board of Directors shall exercise its executive power in part by the contracting with a Superintendent, who shall enforce the statutes of the State of Michigan, rules of the State Department of Education, Charter Contract, policies of this Board and in accordance with the agreement between the Board and the Superintendent or Superintendent Designee.

### 0132.2 Administrative Guidelines

The Board shall delegate through the Superintendent or Superintendent Designee the function of specifying required actions and designing the detailed arrangements under which the School will be operated. These detailed arrangements shall constitute the administrative guidelines governing the School which are not inconsistent with statutes or regulations of the State Department of Education or the policies of this Board or provisions of the Charter Contract and contractual agreement with the Superintendent or Superintendent Designee.

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

The Superintendent or Superintendent Designee shall be delegated the authority to take necessary action in circumstances not provided for in Board policy or administrative guidelines, provided that such action, if material, shall be reported to the Board at the next meeting following such action.

### 0133 Judicial

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

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

Revised 12/10/14; 3/27/19

Section 0000 BP - Board Operating Policy

Title MEMBERSHIP

Code 0140 BP

Status Active

Adopted September 6, 2005

Last Revised September 18, 2024

Prior Revised Dates 11/16/11; 10/03/13; 11/20/13; 11/20/13; 2/10/16; 2/15/17; 9/19/18; 3/27/19

## **MEMBERSHIP**

### 0141 Number

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

### 0142 Appointment

#### 0142.1 **Term**

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

A Detroit Edison Public School Academy Board member who wishes to renew his/her position at the end of said designated term of office must indicate to the Board that intent in writing to continue as an active member at least thirty (30) days prior to the member's term of completion.

Any Detroit Edison Public School Academy Board member who does not wish to renew his/her term on the Board must indicate said desire to terminate service at least thirty (30) days prior to the term of completion.

The Detroit Edison Public School Academy will recommend another person of similar working experience and expertise to the Authorizing Agent, Oakland University, for evaluation and approval to fill the vacant position.

Upon approval by the Authorizing Agency, the Detroit Edison Public School Academy Board will vote to accept the new member.

# 0142.2 **Oath**

Each Board member must swear or affirm and file the oath of public officers established at Art. XI § 1 of the Michigan Constitution of 1963 within the timelines established in the Charter Contract and applicable law.

### 0142.3 Vacancies

(See Provision of Charter Contract Bylaws.)

# 0142.31 Filling a Board Vacancy

See Provision of the Charter Contract Bylaws.

### 0142.4 Orientation

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

- A. the Charter Contract
- B. the Educational Service Provider contract
- C. the Superintendent Contract
- D. the Board policy manual
- E. student handbook
- F. staff handbook
- G. Open Meetings Act
- H. meeting conduct material (standard agenda, recording minutes, handling of a motion)
- I. other materials, as deemed appropriate by the Board.

The Board will provide and maintain a library of publications and reference materials for the use of Board members.

Each new Board member shall be invited to meet with the Board President and Educational Service Provider representative to discuss Board functions, policies, and procedures and provisions of the Charter Contract.

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

### 0142.9 Board Member Attendance

Members of the Board of Directors are required to make every effort to attend all regularly scheduled and special board meetings. In the event a Board member is not able to attend a meeting, they must notify the Board Liaison at least 48 hours prior to the scheduled meeting, absent an emergency that prevents the ability to provide such notification.

The Board of Directors will consider the following as excused absences:

- A. Medical issues including issues affecting an immediate family member.
- B. Travel that cannot be scheduled at another time.
- C. Unexpected transportation issues that prevent attendance.
- D. Any other reason deemed sufficient by the Board.

If a Board member has two or more unexcused absences or if they have three (3) or more excused absences or a combination of excused and unexcused absences, during a rolling twelve (12) month period, they may be removed from the Board upon motion and an affirmative vote by a majority of the other Board members.

### 0143 **Authority**

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

MCL 15.261 et seq.

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

### 0143.1 Public Expression of Board Members

The Board President functions as the official spokesperson for the Board. Occasionally, however, individual Board members will make public statements on School matters.

If such statements imply, or if the readers (listeners) could infer that the opinions expressed or statements made are the official positions of the Board, the Board members shall, when writing or speaking on School matters make it clear that their views do not necessarily reflect the views of the Board or those of their colleagues on the Board.

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

- 1. correspondence, such as legislative proposals, when the Board member has received official quidance from the Board on the matters discussed in the letter
- 2. routine (not for publication) correspondence of the Superintendent or Superintendent Designee (employed by the Board) and/or other employees;
- 3. routine "thank you" letters of the Board.
- 4. statements by Board members on non-School matters (provided the statements do not identify the author as a member of the Board)
- 5. personal statements not intended for publication
- 6. A Board member's personal or private use of social media may have unintended, negative consequences to the Board member and/or the Academy, including possible violations of the Open Meetings Act and issues relating to creation of a public record. Postings to social media should be done in a manner sensitive to the Board member's responsibilities, applicable School policies, and legal obligations.

# 0144 Operations

## 0144.1 Compensation

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

#### 0144.11 Reimbursement of Expenses

Reference: MCL 380.1254; MCL 388.1764b

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

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

The following categories of expenses shall be reimbursable:

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

The following categories of expenses shall not be reimbursable:

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

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

### 0144.2 Board Member Ethics

As members of the Board of Directors, Board members will strive to improve public education and to that end they will:

- A. attend all regularly scheduled and special Board Meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- B. recognize that they should endeavor to make policy decisions only after full discussion at publicly held Board meetings;
- C. render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- D. encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;
- E. work with the other Board members to establish effective Board policies and to delegate authority for the administration of the School;
- F. communicate to other Board members and the Educational Service Provider expressions of public reaction to Board policies and School programs;
- G. inform themselves about current educational issues by individual study and through participation in programs providing needed information;
- H. support the employment of those persons best qualified to serve as staff, and insist on a regular and impartial evaluation of all staff;
- I. avoid being placed in a position of conflict of interest, and refrain from using their Board positions for personal partisan gain;
- J. take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law;
- K. remember always that their first and greatest concern must be for the educational welfare of the students attending the School.
- L. observe all applicable statutory limitations and duties regarding conflicts of interest.

Source: Board of Directors, National School Boards Association.

#### 0144.3 Conflict of Interest

MCL 15.323; 380.1203, 450.2545a

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

- A. no Board member shall use his/her position as a Board member to benefit either himself/herself or any other individual or agency apart from the total interest of the School;
- B. when a member of the Board determines that the possibility of a personal interest conflict exists, s/he should, prior to the matter being considered, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board), and thereafter shall abstain from participation in both the discussion of the matter and the vote thereon.

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

- A. The Board member shall disclose the financial interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct financial interest amounts to \$250 or more or five percent (5%) or more of the contract cost to the School, the Board member shall make the disclosure in one of two (2) ways:
  - 1. In writing, to the Board President (or if the member is the Board president, to the Board secretary) at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Board Operating Policy 0165.)
  - 2. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The Board member must use this method of disclosure if his/her financial interest amounts to \$5000 or more.
- B. Any contract in which there is a conflict of interest as defined by this Policy and the related statute (MCL 15.321 et seq) must be approved by a vote of not less than two-thirds (2/3) of the full Board without the vote of any Board member with a financial interest.

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

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

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

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

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

- 1. A contract or other financial transaction between the School and any of the following:
  - a. A corporation in which the individual is a stockholder owning 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
  - b. A corporation in which a trust, if the individual is a beneficiary under the trust, owns 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owns stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
  - c. A professional limited liability company organized pursuant to the Michigan limited liability company act, if the individual is an employee but not a member of the company.
- 2. A contract or other financial transaction between the School and any of the following:
  - a. A corporation in which the individual is not a director, officer, or employee.
  - b. A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.
  - c. A corporation or firm that has an indebtedness owed to the individual.
- 3. A contract awarded to the lowest qualified bidder, upon receipt of sealed bids pursuant to a published notice for bids if the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This does not apply to any amendments or renegotiations of

a contract or to additional payments under the contract that were not authorized by the contract at the time of award.

- D. The official minutes of the Board disclose the name of each party involved in the contract, the nature of the financial interest, and the terms of the contract including the duration, financial consideration between the parties, facilities or services of the School included in the contract, and the nature and degree of assignment of the School staff needed to fulfill the contract.
- E. A Board member with a conflict of interest in a contract may not participate in the discussion of nor vote on the contract.

Board members shall not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with Federal grant funds, except that a Board member may accept an unsolicited gift of nominal value.

- F. A board member may serve as a volunteer coach or supervisor of a student extra-curricular activity if ALL of the following conditions are present:
  - a. The Board member receives no compensation as a volunteer coach or supervisor;
  - b. The Board member abstains from voting on issues before the Board concerning the program during the period of time s/he serves as a volunteer coach or supervisor; and
  - c. The appointing authority has received the results of a criminal history record check and criminal records check from the Michigan State Police and the Federal Bureau of Investigation for the Board member.

#### 0144.4 Indemnification

MCL 691.1408, 450.2561 - 2569

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

## 0145 **Discriminatory Harassment**

MCL 37.1101 et seg., 37.2101 et seg.

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

Harassment of students, persons providing services to the Academy, and employees on the basis of their race, color, national origin, sex, disability, age, religion, or any other legally protected characteristic in its educational programs or activities is prohibited and will not be tolerated. See Policy 5517.

Section 0000 BP - Board Operating Policy

Title ORGANIZATION

Code 0150 BP

Status Active

# **ORGANIZATION**

### 0151 Annual Organization Meeting

The Board of Directors shall conduct a meeting held for that purpose. The meeting shall be called to order by the ranking officer of the Board who shall in turn serve until the election of a President. (See Charter Contract Bylaws)

#### 0152 Officers

Pursuant to the Charter Contract Bylaws, the Board shall elect a President, Vice-President as well as a Secretary and Treasurer. Election of officers shall be by a majority vote of the directors at a meeting at which a quorum is present.

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

### 0154 Annual Organizational Meeting Agenda Items (Motions)

The Board shall, at the annual meeting:

- A. Call to order and roll call
- B. business items: election of officers: President, Vice President, Secretary, and Treasurer;
- C. adoption of calendar of regularly-schedule meeting dates and times for the Board;
- D. adoption of resolution designating public places to post calendar and individual meeting notices of regularlyscheduled and special meeting date notices for the Board;

E.	adoption of resolution designating depository for Board funds;			
F.	adoption of resolution designating Principal Print Media Source;			
G.	adoption of resolution designating Board members and personnel eligible to sign checks;			
H. negotia	adoption of resolution designating Superintendent or Superintendent Designee or other personnel authorized to ate and implement contracts with service providers (vendors);			
I.	adoption of the school year calendar;			
J.	appointment of Title IX, Freedom on Information, and Civil Rights Coordinators;			
K. L.	appointment (or reappointment) of Legal Counsel; appointment (or reappointment) of External Auditor.			
L.	appointment (or reappointment) or External Additor.			
М.	designate the Electronic Transfer Officer (ETO) in accordance with Policy 6144			
0155 <b>(</b>	Committees			
See Charter Contract Bylaws				
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Section 0000 BP - Board Operating Policy

Title MEETINGS

Code 0160 BP

Status Active

# **MEETINGS**

### 0161 Parliamentary Authority

The Board shall adopt rules of order for its operation which shall apply in all cases not inconsistent with statute, administrative code, or the Charter Contract Bylaws. The Board may not adopt any rules of order which prevent or preclude the vote of any member.

# 0162 **Quorum**

Majority of the full Board members present, in person, at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

### 0163 Presiding Officer

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

0164 Call

# 0164.1 Regular Meetings

The Board shall hold a meeting at least once each month on a date and at a time and place as designated at the Annual Meeting.

#### 0164.2 Special Meetings

See Charter Contract Bylaws

#### 0164.3 Emergency Meetings

In the event of a severe and imminent threat to the health, safety, or welfare of the School, its employees, or students, any member of the Board may call an emergency session provided two-thirds (2/3) members of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat. Actual notice of any emergency meeting shall be attempted, but not required to other Board members.

0165 Notice

## 0165.1 Regular Meetings

Within ten (10) days after the Board Meeting held in the first month of the fiscal year, which is the July Board Meeting, the Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, a notice listing the date, time, and place of each regularly scheduled meeting of the Board. The notice shall contain the name and address of the School and its telephone number. The notice shall also contain the following statement:

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

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

### 0165.2 Change of Regular Meetings

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

MCL 15.264, 15.266

#### 0165.3 Posting Notice of Special Meetings

Said notice shall state the date, time, and place of such special meeting and the business to be transacted, as well as the name, address, and telephone number of the School. A notice of any special meeting shall be posted at least eighteen (18) hours before said special meeting at the Board office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board at least twenty-four (24) hours before said meeting.

No notice of any emergency meeting shall be required.

#### 0165.5 **Recess**

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

MCL 15.265

#### 0165.6 Cancellation

Any meeting of the Board may be cancelled for appropriate purposes, which shall include, but not be limited to, inclement weather, lack of a quorum, or conflict with a special event relating to the School. If the cancelled meeting is a regular meeting it must be re-scheduled following all notice requirements set forth above.

M.C.L. 15.265, 380.1201(3)(4)

0166 Agenda

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

The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent or Superintendent Designee on information relating to the School with such recommendations as s/he shall make. Each agenda shall contain the following statement:

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

The agenda for each regular meeting shall be mailed, emailed, faxed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than five (5) days prior to the meeting, or delivered so as to provide time for the study of the agenda by the member. The agenda for a special meeting shall be delivered at least twenty-four (24) hours before the meeting, consistent with provisions calling for special meetings.

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

### 0166.1 Consent Agenda

The Board of Directors may use a consent agenda to keep routine matters within a reasonable time frame.

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

A. minutes of prior meetings

B. bills for payment

C. resolutions that require annual adoption, such as bank signatories, etc.

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

#### 0167 Conduct

#### 0167.1 **Voting**

All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public, except as permitted by the Open Meetings Act. No act shall be valid unless approved at a meeting of the Board by a majority vote of the Directors elected or appointed to and serving on the Board who are authorized to vote (see Voting as defined in Bylaw 0100) and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded therefrom.

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

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

MCL 380.506(a), 15.261 et. seq.

#### 0167.2 Closed Session

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

A. to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, staff member, or individual agent, if the named person requests a closed hearing. (a majority vote is required)

B. to consider the dismissal, suspension, or disciplining of a student only if the student or student's parents request a closed hearing (a majority vote is required)

C. to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained two-thirds (2/3) vote is required

D. to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body a two-thirds (2/3) vote is required

E. to consider materials exempt from discussion or disclosure under State or Federal statute, including by way of example only, written opinions of legal counsel, and school safety plans a two-thirds (2/3) vote is required

F. to consider security planning to address existing threats or prevent potential threats to the safety of the students or staff. (a majority vote is required)

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose the content of discussions that take place during such sessions.

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

MCL 15.267, 15.268

### 0167.3 Public Participation at Board Meetings

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

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

MCL 15.267, 15.268

The Board of Directors recognizes the public's right to comment on educational issues and the value of allowing members of the public to express themselves on School matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at public meetings of the Board and publish rules to govern such participation in Board meetings and in Board committee meetings. The rules shall be administered and enforced by the presiding officer of the meeting.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business.
- B. Anyone with concerns related to the operation of the schools or to matters within the authority of the Board may participate during the public portion of a meeting.
- C. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- D. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name; address; group affiliation, if and when appropriate.
- E. Each statement made by a participant shall be limited to two (2) minutes duration as established by Board Policy.
- F. No participant may speak more than once.
- G. Participants shall direct all comments to the Board and not to staff or other participants.

The presiding officer may:

A. prohibit public comments which are frivolous, repetitive, or harassing;

B. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
C. request any individual to leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct of the meeting;
D. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
E. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
The portion of the meeting during which the participation of the public is invited shall be limited to ten (10) but the timeframe will be extended, if necessary, so that no one's right to address the Board will be denied.
Tape or video recordings are permitted subject to the following conditions:
A. No obstructions are created between the Board and the audience.
B. No interviews are conducted in the meeting room while the Board is in session.
C. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.
The person operating the recorder should contact the Superintendent or Superintendent Designee prior to the Board meeting to review possible placement of the equipment.
MCL 15.263(4)(5)(6), 380.1808
0167.4 Administrative Participation
The Superintendent or Superintendent Designee and selected staff members shall attend all meetings, when feasible. Staff participation shall be by professional counsel, guidance, and recommendation as distinct from deliberation, debate, and voting of Board members.

0167.5 Use of Electronic Mail

Since e-mail is a form of communication that could conflict with the Open Meetings Act, it will be used to conduct business of the Board only for the purposes of communicating:
A. messages between Board members or between a Board member and staff which do not involve deliberating or rendering a decision on matters pending before the Board;
B. possible agenda items between the Superintendent or Superintendent Designee and the Board President;
C. times, dates, and places of regular or special Board meetings;
D. a Board meeting agenda or public record information concerning items on the agenda;
E. requests for public record information from a member of the administration, staff, or community pertaining to School operations;
F. responses to questions posed by members of the public, administrators, or School staff.
Under no circumstances shall Board members use e-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.
There should be no expectation of privacy for any messages sent by e-mail. Messages that have been deleted may still be accessible on the hard drive, if the space has not been occupied by other messages, deleted or otherwise, may be subject to disclosure under the Freedom of Information Act, unless an exemption would apply.
0167.5 Use of Social Media
Social Media, as defined in Bylaw 0100, shall not be used to conduct any form of Board business.
0168 Minutes
0168.1 Open Meeting

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

main office of the School and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying. The official minutes shall be bound together by years and kept in the office of the Board of Directors.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next meeting. The minutes shall show only action taken.

MCL 15.269, 380.1201

# 0168.2 Closed Meeting

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

MCL 15.267, 15.269, 15.270-71, 15.273

# 0168.3 Committee Meetings

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

Revised 11/16/11; 9/13/17; 3/27/19; 9/18/19

Section 0000 BP - Board Operating Policy

Title MEETINGS

Code 0160 BP

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 9/13/17; 3/27/19; 9/18/19

# **MEETINGS**

### 0161 Parliamentary Authority

The Board shall adopt rules of order for its operation which shall apply in all cases not inconsistent with statute, administrative code, or the Charter Contract Bylaws. The Board may not adopt any rules of order which prevent or preclude the vote of any member.

#### 0162 **Quorum**

Majority of the full Board members present, in person, at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

#### 0163 Presiding Officer

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

## 0164 Call

### 0164.1 Regular Meetings

The Board shall hold a meeting at least once each month on a date and at a time and place as designated at the Annual Meeting.

## 0164.2 Special Meetings

See Charter Contract Bylaws

#### 0164.3 Emergency Meetings

In the event of a severe and imminent threat to the health, safety, or welfare of the School, its employees, or students, any member of the Board may call an emergency session provided two-thirds (2/3) members of the Board concur that delay would be detrimental to efforts to lessen or respond to the threat. Actual notice of any emergency meeting shall be attempted, but not required to other Board members.

#### 0165 Notice

## 0165.1 Regular Meetings

Within ten (10) days after the Board Meeting held in the first month of the fiscal year, which is the July Board Meeting, the Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, a notice listing the date, time, and place of each regularly scheduled meeting of the Board. The notice shall contain the name and address of the School and its telephone number. The notice shall also contain the following statement:

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

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

#### 0165.2 Change of Regular Meetings

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

MCL 15.264, 15.266

#### 0165.3 Posting Notice of Special Meetings

Said notice shall state the date, time, and place of such special meeting and the business to be transacted, as well as the name, address, and telephone number of the School. A notice of any special meeting shall be posted at least eighteen (18) hours before said special meeting at the Board office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board at least twenty-four (24) hours before said meeting.

### 0165.4 Emergency Meetings

No notice of any emergency meeting shall be required.

#### 0165.5 **Recess**

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

MCL 15.265

#### 0165.6 Cancellation

Any meeting of the Board may be cancelled for appropriate purposes, which shall include, but not be limited to, inclement weather, lack of a quorum, or conflict with a special event relating to the School. If the cancelled meeting is a regular meeting it must be re-scheduled following all notice requirements set forth above.

M.C.L. 15.265, 380.1201(3)(4)

# 0166 Agenda

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

The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent or Superintendent Designee on information relating to the School with such recommendations as s/he shall make. Each agenda shall contain the following statement:

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

The agenda for each regular meeting shall be mailed, emailed, faxed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than five (5) days prior to the meeting, or delivered so as to provide time for the study of the agenda by the member. The agenda for a special meeting

shall be delivered at least twenty-four (24) hours before the meeting, consistent with provisions calling for special meetings.

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

### 0166.1 Consent Agenda

The Board of Directors may use a consent agenda to keep routine matters within a reasonable time frame.

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

- A. minutes of prior meetings
- B. bills for payment
- C. resolutions that require annual adoption, such as bank signatories, etc.

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

#### 0167 Conduct

### 0167.1 Voting

All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public, except as permitted by the Open Meetings Act. No act shall be valid unless approved at a meeting of the Board by a majority vote of the Directors elected or appointed to and serving on the Board who are authorized to vote (see Voting as defined in Bylaw 0100) and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded therefrom.

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

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

MCL 380.506(a), 15.261 et. seq.

#### 0167.2 Closed Session

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

- A. to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, staff member, or individual agent, if the named person requests a closed hearing. (a majority vote is required)
- B. to consider the dismissal, suspension, or disciplining of a student only if the student or student's parents request a closed hearing (a majority vote is required)
- C. to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained two-thirds (2/3) vote is required
- D. to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body a two-thirds (2/3) vote is required

E. to consider materials exempt from discussion or disclosure under State or Federal statute, including by way of example only, written opinions of legal counsel, and school safety plans a two-thirds (2/3) vote is required

F. to consider security planning to address existing threats or prevent potential threats to the safety of the students or staff. (a majority vote is required)

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose the content of discussions that take place during such sessions.

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

MCL 15.267, 15.268

#### 0167.3 Public Participation at Board Meetings

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

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

MCL 15.267, 15.268

The Board of Directors recognizes the public's right to comment on educational issues and the value of allowing members of the public to express themselves on School matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at public meetings of the Board and publish rules to govern such participation in Board meetings and in Board committee meetings. The rules shall be administered and enforced by the presiding officer of the meeting.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business.
- B. Anyone with concerns related to the operation of the schools or to matters within the authority of the Board may participate during the designated public participation portion(s) of a meeting.
- C. Attendees must register their intention to participate in the public participation portion of the meeting within three (3) business days..
- D. Individuals may not register others to speak during public participation.
- E. Participants must first be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name; address; group affiliation, if and when appropriate.
- F. Each statement made by a participant shall be limited to two (2) minutes duration as established by Board Policy.
- G. During the portion of the meeting designated for public participation, no participant may speak more than once on the same topic.
- H. Participants shall direct all comments to the Board and not to staff or other participants.
- I. The presiding officer may:
  - 1. interrupt, warn, or terminate a participant's session when they make comments that are repetitive, obscene, and/or comments that constitute a true threat (i.e., statements meant to frighten or intimidate one (1) or more specified persons into believing that they will be seriously harmed by the speaker or someone acting at the speaker's behest);

- 2. request any individual to stop speaking and/or leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct and/or orderly progress of the meeting;
- 3. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the conduct and/or orderly conduct of the meeting as to warrant such action;
- 4. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- J. The portion of the meeting during which the participation of the public is invited shall be limited to ten (10) but the timeframe will be extended, if necessary, so that no one's right to address the Board will be denied.
- K. The Board may permit individuals to attend meetings remotely through live broadcast; however, public participation will be limited to those who are in attendance at the meeting site only. The Board is not responsible for any technology failures that prevent or disrupt any individual from attending remotely.

Audio or video recordings are permitted subject to the following conditions:

- A. No obstructions are created between the Board and the audience.
- B. No interviews are conducted in the meeting room while the Board is in session.
- C. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.

The person operating the recorder should contact the Superintendent or Superintendent Designee prior to the Board meeting to review possible placement of the equipment.

MCL 15.263(4)(5)(6), 380.1808

#### 0167.4 Administrative Participation

The Superintendent or Superintendent Designee and selected staff members shall attend all meetings, when feasible. Staff participation shall be by professional counsel, guidance, and recommendation as distinct from deliberation, debate, and voting of Board members.

#### 0167.5 Use of Electronic Mail

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

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

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

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

# 0167.5 Use of Social Media

Social Media, as defined in Bylaw 0100, shall not be used to conduct any form of Board business.

### 0168.1 Open Meeting

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

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next meeting. The minutes shall show only action taken.

MCL 15.269, 380.1201

#### 0168.2 Closed Meeting

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

MCL 15.267, 15.269, 15.270-71, 15.273

### 0168.3 Committee Meetings

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

Book **BOARD POLICIES** Section 0000 BP - Board Operating Policy Title **DUTIES** Code 0170 BP Status Active **DUTIES** 0171 Officers 0171.1 President See duties of President contained in the Charter Contract Bylaws. In addition, the President shall have the authority to sign, execute and acknowledge, on behalf of the Board, all deeds, mortgages, bonds, contracts, leases, reports, and all other Board approved documents. 0171.2 Vice-President See duties set forth in the Charter Contract Bylaws. **0171.3 Secretary** 

See duties set forth in the Charter Contract Bylaws.

#### 0171.4 Treasurer

See duties set forth in the Charter Contract Bylaws.

# 0172 Legal Counsel

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

### 0173 Independent Auditor

The independent auditor shall:
A. examine the balance sheet of the School at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;
B. conduct such examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;
C. render an opinion of the financial statements prepared at the close of the fiscal year;
D. make such recommendations to the Board of Directors concerning its accounting records, procedures, and related activities as may appear necessary or desirable;
E. perform such other related services as may be requested by the Board.
F. The Board shall obtain annually a letter of engagement from the selected audit firm prior to the Annual Financial Audit.
0175 Association Memberships
The Board of Directors may maintain professional association memberships and take part in the activities of these groups.
The School may maintain institutional memberships in educational organizations which the Superintendent and Board find to be of benefit to members and school personnel.
The materials and other benefits of these memberships will be distributed and used to the best advantage of the Board and staff.
0175.1 Board Conferences, Conventions, and Workshops
The Board of Directors recognizes the value of membership and attendance at conferences and meetings at the local, County, State, and National level.
Attendance at local, County, State and National workshops and conferences is encouraged.

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

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

If approved, the following are reimbursable upon submission of receipts and documentation:

- A. Conference registration fees
- B. Transportation plane (coach, or economy class), train (coach or economy class) or automobile, including buses, taxis and limousines.
- C. Mileage at the Board approved rate
- D. Toll charges and parking
- E. Lodging (in most instances, reimbursement will be limited to the conference rate, however, exceptions may be made in extenuating circumstances as determined by the Treasurer.)
- F. Meals and gratuity not to exceed twenty percent (20%)
- G. Phone calls for School business and reasonable calls home.

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

Revised 11/16/11; 2/10/16

Section 1000 BP - Administration

Title TABLE OF CONTENTS

Code 1000 BP - ADMINISTRATION

Status Active

Adopted October 21, 2020

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 3/20/13; 12/10/14; 4/18/12; 11/20/13; 12/10/14; 9/2/15; 2/10/16; 2/15/17;

3/21/18; 9/19/18; 3/27/19; 9/18/19

# 1000 ADMINISTRATION

1000 Educational Service Provider Statement

Section 1000 BP - Administration

Title ADMINISTRATION EDUCATIONAL SERVICE PROVIDER STATEMENT

Code 1000 BP

Status Active

Last Revised March 15, 2023

# **ADMINISTRATION**

All staff of the Detroit Edison Public School Academy are employees of New Paradigm, the employer of record, as per the contractual agreement between the Detroit Edison Public School Academy Board of Directors and New Paradigm. All employees, therefore, are subject to all personnel policies and regulations established by New Paradigm.

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

Section 2000 BP - Program

Title TABLE OF CONTENTS

Code 2000 BP - PROGRAM

Status Active

Last Revised September 18, 2024

Mission of the Academy

Prior Revised Dates 11/16/11; 3/20/13; 10/03/13; 4/18/12; 11/20/13; 12/10/14; 9/2/15; 2/15/17; 9/13/17;

3/21/18; 3/27/19; 9/18/19; 10/21/20; 11/18/2020; 03/15/2023

BP

# 2000 PROGRAM

2105

2110	Statement of Philosophy	
2111	Value Statements for Students and Staff	ВР
2112	Parent and Family Engagement	LR
2120	School Improvement	LC
2131	Educational Outcome Goals	BP
2132	Educational Process Goals	BP
2210	Curriculum Development - Approved Courses	LC
2210.01	Instructional Materials Right To Inspect	LC
2220	Adoption of Courses of Study	LC
2221	Mandatory Courses	LC
2225	Students with Limited English Proficiency (LEP)	BP
2231	Curriculum	LC
2240	Controversial Issues	BP
2250	Innovative Programs	BP
2260	Nondiscrimination and Access to Equal Educational Opportunity	LR
2260.01	Section 504/ADA Prohibition Against Discrimination Based on Disability	LR
2261	Title I Services	LR
2261.01	Parent and Family Member Participation in Title I Programs	LR
2261.02	Title I – A Parent's Right to Know	LC
2261.03	School and School Report Card	LR
2266	Nondiscrimination on the Basis of Sex in Education Programs or Activities	LR
2270	Religion in the Curriculum	BP
2271	Postsecondary (Dual) Enrollment Option Program	LC

2330	Homework	ВР
2340	Field and Other School-Sponsored Trips	ВР
2370	Educational Options	ВР
2370.01	On-Line/Blended Learning Program	LC
2411	Social Worker	ВР
2412	Homebound Instruction Program	LC
2413	Critical Health Problems	LC
2414	Reproductive Health and Family Planning	LR
2416	Student Privacy and Parental Access to Information (FERPA)	LR
2418	Sex Education	LR
2430	School-Sponsored Clubs and Activities	LC
2431	Interscholastic Athletics	LR
2431.01	Managing Heat and Humidity in Interscholastic Athletic Programs	LC
2433	Operation of a Child Care Center or Before or After School Program	LR
2434	Academy Nurses and Academy Health Programs	LR
2460	Special Education	LR
2460.02	Least Restrictive Environment (LRE) Position Statement	LR
2510	Adoption of Textbooks	BP
2521	Selection of Instructional Materials and Equipment	LC
2531	Copyrighted Works	BP
2605	Program Accountability and Evaluation	BP
2623	Student Assessment	LR
2628	State Aid Incentives	BP
2700	P.A. Annual Report	LC

Section 2000 BP - Program

Title MISSION OF THE SCHOOL

Code 2105 BP

Status Active

# **MISSION OF THE SCHOOL**

The Detroit Edison Public School Academy will foster in each student deep roots in understanding right from wrong, a sense of satisfaction stemming from facing tough challenges, an appreciation of the arts and abiding commitment to personal fitness, and a desire to participate responsibly in a free and democratic society.

The mission will be obtained by providing an academic program that incorporates the growth and development of the whole child. We shall involve parents, communities and a staff that is committed to serving and providing a world-class education for tomorrow's leaders.

Section 2000 BP - Program

Title STATEMENT OF PHILOSOPHY

Code 2110 BP

Status Active

# STATEMENT OF PHILOSOPHY

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

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

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

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

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

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

Section 2000 BP - Program

Title VALUE STATEMENTS FOR STUDENTS AND STAFF

Code 2111 BP

Status Active

# **VALUE STATEMENTS FOR STUDENTS AND STAFF**

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

The Board adopts the following value statements as guides to ethical behavior and expects all members of the staff to do likewise, as a means of setting an example for School students.

The Board also directs that each student be given the opportunity to pledge himself/herself to demonstrating these ethical behaviors.

As a TEACHER, I agree to:

- A. exhibit a special commitment to helping my students succeed;
- B. build on the unique strengths of each student and celebrate their increments of growth;
- C. provide advice and counsel to my students so that they know I care and understand their feelings;
- D. display positive attitudes, finding the good in every student;
- E. be courageous in my support for my students;
- F. continue learning, bringing new state of the art ideas to my classroom;
- G. involve my student's families totally in the learning process through frequent contact and interaction;
- H. lead by example in personality, character, appearance and professional ethics;
- I. execute high standards and work ethics, including exemplary attendance habits and respect of the work place.

# As a STUDENT, I agree to:

- A. do my best at all times to honor my school, family and community;
- B. never give up on myself;
- C. treat others as I would have them treat me;
- D. expect only the best from myself, teacher and classmates;
- E. work hard in my studies;
- F. talk openly with my teachers and family about the problems that I might encounter;
- G. dream big dreams for my future;
- H. respect myself, other classmates and school property;
- I. come to school prepared, ready to learn.

### As a PARENT/FAMILY MEMBER, I agree to:

- A. support my child's teacher and school;
- B. attend school conferences, activities and programs;
- C. spend time with my child/children doing educationally related things like homework;
- D. provide for my children the best I can;
- E. be in frequent contact with my child's teachers;
- F. be a good example for my children to look up to;
- G. work as a partner in the quality education of my child;
- H. follow the chain of command established at the Detroit Edison Public School Academy;
- I. respect the position of the professionals in authority.

#### Statement of Values for Board Members and Educators

- A. I will accept responsibility for all my actions.
- B. I will respect the dignity and property of my fellow workers and will never seek to do them harm.
- C. I will keep all the promises I make, fulfilling the trust that other people place in me.
- D. I will complete projects which I have begun.
- E. I will strive for excellence in all my work and will respect achievement in my fellow workers.
- F. I will not use any substance which will destroy my health and undermine my dignity.
- G. I will respect duly-constituted authority, because that authority is necessary for the welfare of my family, community and school.
- H. I will work together with others to improve my school, community and world.

# Statement of Values for Students

- A. I will accept responsibility for all my actions.
- B. I will strive for excellence in all my work and will respect achievement in my fellow students.
- C. I will not use any substance which will destroy my health and undermine my dignity.

Section 2000 BP - Program

Title PARENT AND FAMILY ENGAGEMENT

Code 2112 BP

Status Active

Adopted November 16, 2011

Last Revised March 27, 2019

# PARENT AND FAMILY ENGAGEMENT

Reference:

Sec. 1112, 1116 ESEA MCL 380.1294

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

The Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), defines the term "parent" to include a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare).

The term "family" is used in order to include a child's primary caregivers, who are not the biological parents, such as foster caregivers, grandparents, other family members and responsible adults who play significant roles in providing for the well-being of the child.

Family engagement is a collaborative relationship between families, educators, providers, and partners to support and improve the learning, development and health of every learner. The principles of family engagement include: relationships as the cornerstone; positive learning environments; efforts tailored to address all families, so all learners are successful; purposeful and intentional efforts that clearly identify learner outcomes; and engaging and supporting families as partners in their child's education.

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

#### A. Relationships with Families

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

#### B. Effective Communication

- 1. providing information to families to support the proper health, safety, and well-being of their children;
- 2. providing information to families about school policies, procedures, programs, and activities; 1,2

- 3. promoting regular and open communication between school personnel and students' family members;
- 4. communicating with families in a format and language that is understandable, to the extent practicable; 1,2
- 5. providing information and involving families in monitoring student progress; 2
- 6. providing families with timely and meaningful information regarding Michigan's academic standards, State and local assessments, and pertinent legal provisions; 1,2
- 7. preparing families to be involved in meaningful discussions and meetings with school staff. 1,2

## C. Volunteer Opportunities

1. providing volunteer opportunities for families to support their children's school activities; 2

#### D. Learning at Home

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

#### E. Engaging Families in Decision Making and Advocacy

- 1. engaging families as partners in the process of school review and continuous improvement planning; 2
- 2. engaging families in the development of its School-wide parent and family engagement policy and plan, and distributing the policy and plan to families. 1,2

## F. Collaborating with the Community

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

#### **Implementation**

The Superintendent or Superintendent Designee will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the School's continuous improvement, and individual school improvement plans. The School's plan will be distributed to all parents and students through publication in the Student Handbook or other suitable means. The plan will provide for annual evaluation, with the involvement of parents and families, of the plan's content, effectiveness and identification of barriers to participation by parents and families with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background; the needs of parents and family members to assist with the learning of their children (including engaging with school personnel and teachers); and the strategies to support successful school and family interaction. Each school plan will include the development of a written school-parent compact jointly with parents for all children participating in Title I, part A activities, services, and programs. The compact will outline how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. Evaluation findings will be used in the annual review of the Parent and Family Engagement policy and to improve the effectiveness of the School plan. This policy will be updated periodically to meet the changing needs of parents, families, and the schools.

1Indicates IDEA 2004 Section 650 & 644 parent involvement requirements 2Indicates Title I Section 1116 parent and family engagement

Section 2000 BP - Program

Title SCHOOL IMPROVEMENT

Code 2120 BP

Status Active

## SCHOOL IMPROVEMENT

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

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

The Superintendent or Superintendent Designee shall establish administrative guidelines which will ensure that the following objectives can be achieved:

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

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

This improvement program may include co-curricular activities and extra-curricular activities.

Section 2000 BP - Program

Title EDUCATIONAL OUTCOME GOALS

Code 2131 BP

Status Active

# **EDUCATIONAL OUTCOME GOALS**

Since the mission of the School is to provide a quality education for all of the students, the Board of Directors believes the mission is being accomplished when students confirm that they have achieved the following educational goals. The educational goals for the school will be the State of Michigan grade level benchmarks.

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

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

Student achievement of these educational goals represents the Board's highest priority. The Superintendent or Superintendent Designee shall ensure that in implementing the educational program these educational goals are assigned the highest priority.

Section 2000 BP - Program

Title EDUCATIONAL PROCESS GOALS

Code 2132 BP

Status Active

## **EDUCATIONAL PROCESS GOALS**

In order to achieve educational outcome goals, the Superintendent or Superintendent or Designee will establish guidelines which will authorize and encourage:

- A. efficient and effective use of educational resources;
- B. continued professional growth of staff members;
- C. constructive cooperation with parents and community groups.

Section 2000 BP - Program

Title CURRICULUM DEVELOPMENT – APPROVED COURSES

Code 2210 BP

Status Active

Adopted September 18, 2019

Last Revised October 21, 2020

## **CURRICULUM DEVELOPMENT - APPROVED COURSES**

Reference:

MCL 380.1282, 380.1166a

Pupil Accounting Manual 2019-2020, Michigan Department of Education

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

The School, curriculum shall enable a student across all academic and nonacademic content areas be prepared to:

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

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

A. provide grade-appropriate instruction on career development in each grade level from kindergarten through 12th;

- B. provides instruction in curriculum required by statute and State Department of Education regulations;
- C. ensures, to the extent feasible, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;
- D. be consistent with the School's philosophy and goals and ensure the possibility of their achievement;
- E. incorporate State-recommended performance standards for students as the basis for determining how well each student is achieving the academic outcomes for each area of the School's core curriculum;
- F. allows for the development of individual talents and interests as well as recognizes that learning styles of students may differ;
- G. provides a strategy for continuous and cumulative learning through effective articulation at all levels, particularly of those skills identified as essential and life-role skills;
- H. utilizes a variety of learning resources to accomplish the educational goals;
- I. encourages students to utilize guidance and counseling services in their academic and career planning;
- J. provides for multi-cultural education by including, at each level, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society,

As educational leader of the School, the Superintendent or Superintendent or Designee shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study. The Superintendent or Superintendent or Designee shall make progress reports to the Board periodically, as needed.

The Superintendent or Superintendent or Designee may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure accomplishment of the School's educational goals and alignment with Michigan Curriculum Frameworks. All changes in curriculum guides and alignment of the curriculum must be approved by the Board.

## **Approved Courses**

The Board shall adopt a list of the individual courses that have been approved. The list shall include courses offered by the School for credit or grade promotion and shall be used when determining which courses may be included in membership for State aid purposes and for auditing purposes when examining the membership counted for State school aid on the count days. The list of approved courses shall include traditional offerings and courses offered through other means, such as experiential learning courses, online courses, and all courses offered in shared time programs under appropriate provisions of the State School Aid Act. (M.C.L. 388.1766b). The list of approved courses shall include all extended learning opportunities associated with each course and a description of each such opportunity. The list shall also include a description of the content of each approved course and documentation related to course approval (including the list of approved courses for membership purposes).

The Superintendent or Superintendent or Designee shall report each such innovative program to the Board along with its objectives, evaluative criteria, alignment with Michigan Curriculum Frameworks and costs, before it is initiated.

Section 2000 BP - Program

Title INSTRUCTIONAL MATERIALS RIGHT TO INSPECT

Code 2210.01 BP

Status Active

## **INSTRUCTIONAL MATERIALS RIGHT TO INSPECT**

Reference:

20 USC 1232(h)

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

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

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

Section 2000 BP - Program

Title ADOPTION OF COURSES OF STUDY

Code 2220 BP

Status Active

Last Revised November 16, 2011

## ADOPTION OF COURSES OF STUDY

Reference:

MCL 380.1164b, 380.1277, 380.1278, 380.1282, 388.1621

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

No course of study shall be taught in this School unless approved by the Chief Administrative Officer/Superintendent or Superintendent Designee and adopted by the Board. The Board, in collaboration with the Chief Administrative Officer/Superintendent or Superintendent Designee shall determine the instructional program constitute courses of study and are thereby subject to the adoption procedures of the Board.

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

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

The Superintendent or Superintendent Designee shall provide for a World History course for the middle school or high school grades which includes instruction regarding Africa with a focus on at least one (1) or more of the following kingdoms: Ghana, Mali, Songhay, Benin, Bornu, Nubia, Axum, Meroe, Monomotapa, or medieval Ethiopia, or on the Swahili coast prior to 1750. This section is not intended to prohibit or limit teaching about other areas of African history.

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

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

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

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

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

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

The Superintendent or Superintendent Designee /Chief Administrative Officer shall maintain a current list of all courses of curriculum offered by this Academy.

The curriculum shall include the recommendation for its adoption.

Section 2000 BP - Program

Title MANDATORY COURSES

Code 2221 BP

Status Active

## **MANDATORY COURSES**

Reference:

MCLA 380.1166, 1169, 1170

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

- A. the Constitution of the United States and Michigan, and in the history and present form of government of the United States, and Michigan and its political subdivisions (this applies to grades 9-12)
- B. the principal modes by which communicable disease is spread and the best methods for the restriction and prevention of these diseases
- C. instruction in physiology and hygiene with special emphasis on drug abuse prevention

The Superintendent/Chief Administrative Officer shall prepare administrative guidelines relative to the planning, teaching, and evaluation of these courses.

Section 2000 BP - Program

Title STUDENTS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Code 2225 BP

Status Active

# STUDENTS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Reference:

20 USC 1701 et seq. 42 USC 2000d

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

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

Section 2000 BP - Program

Title CURRICULUM

Code 2231 BP

Status Active

## **CURRICULUM**

Reference:

MCLA 380.1204(a) 380.1278

The Board of Directors shall adopt and maintain a core curriculum based on the Model Core Curriculum developed by the State Department of Education. The Superintendent and Superintendent Designee shall prepare administrative guidelines that describe the core curriculum courses and sequence, in grade clusters, in which such courses will be taught.

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

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

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

Section 2000 BP - Program

Title CONTROVERSIAL ISSUES

Code 2240 BP

Status Active

## **CONTROVERSIAL ISSUES**

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

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

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

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

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

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

Controversial issues may not be initiated by a source outside the School unless prior approval has been given by the Superintendent and Superintendent Designee.

When controversial issues have not been specified in the course of study, the Board will permit the instructional use of only those issues which have been approved by the Superintendent and Superintendent Designee.

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

The Board recognizes that a course of study or certain instructional materials may contain content and/or activities that some parents find objectionable. If after careful, personal review of the program lessons and/or materials, a parent indicates to the School that either content or activities conflicts with his/her religious beliefs or value system, the School will honor a written request for his/her child to be excused from particular classes or classroom units, for specified reasons. The student, however, will not be excused from participating in the course or activities mandated by the State and will be provided alternative learning activities during times of parent requested absences.

The Superintendent and Superintendent Designee shall develop administrative guidelines for dealing with controversial issues.

Section 2000 BP - Program

Title INNOVATIVE PROGRAMS

Code 2250 BP

Status Active

# **INNOVATIVE PROGRAMS**

Reference:

MCLA 380.1282

The Board of Directors encourages the continued improvement of the instructional and curricular program of the School through all appropriate means. The Board will encourage the Superintendent or Superintendent Designee's staff and the student body to pursue any promising program for improvement of the School.

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

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

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

Section 2000 BP - Program

Title NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Code 2260 BP

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/2011; 03/20/2013; 12/10/2014; 03/27/2019

# NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

#### Reference:

MCL 380.1146, 380.1704, 37.1101 et seq., 37.2402, 37.1402, 37.2101-37.2804

Fourteenth Amendment, U.S. Constitution

20 USC Section 1681, Title IX of Education Amendments Act

20 USC Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 USC Section 7905, Boy Scouts of America Equal Access Act

29 USC Section 794, Rehabilitation Act of 1973, as amended

29 CFR Part 1635

42 USC Section 2000d et seq., Civil Rights Act of 1964

42 USC Section 2000ff et seq., The Genetic Information Nondiscrimination Act

42 USC 6101 et seq., Age Discrimination Act of 1975

34 CFR Part 110 (7/27/93)

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of

Education, Office of Civil Rights, March 1979

42 USC 12101 et seq., The Americans with Disabilities Act of 1990, as amended

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

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

The Board also does not discriminate in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind. The Board will not permit discrimination of the employment practices of its Educational Service Provider as they relate to students, and will not tolerate harassment of any kind.

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

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

## A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

### B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems in all aspects of the program;

## C. Student Access

- 1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;
- verify that facilities are made available, in accordance with Board Policy 7510 Use of School Facilities, for noncurricular student activities that are initiated by parents or other members of the community, including but not limited to any group affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

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

#### D. School Support

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

#### E. Student Evaluation

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

#### Definitions:

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**School community** means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Complainant** is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

**Respondent** is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

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

**Day(s)**: Unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

## **School Compliance Officers**

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

Superintendent 1903 Wilkins Detroit, MI 48207 (313) 833-1100

The names, titles, and contact information of these individuals will be published annually on the School's web site.

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

The COs are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans

with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Educational Service Provider shall annually attempt to identify children with disabilities, ages 0-25, who do not receive a public education.

The Board is committed to educating (or providing for the education of) each qualified person with a disability with persons who are not disabled to the maximum extent appropriate. Generally, the School will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, even with the use of supplementary aids and services cannot be achieved satisfactorily. If the Board operates a separate class or facility that is identifiable as being for persons with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without a disability.

In addition, Educational Service Provider shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in School programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the School will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (also see Policy 2225). The Educational Service Provider is responsible for verifying that a concentration of students who are Limited English Proficient (LEP) in one or more programs is not the result of discrimination.

## Reports and Complaints of Unlawful Discrimination and Retaliation

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

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

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

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the School community or Third Party, or received reports that are initially filed with another Educational Service Provider employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or Superintendent Designee or oversee the preparation of such recommendations by a designee. All members of the School community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) days of learning of the incident/conduct.

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

#### **Investigation and Complaint Procedure**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an

investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

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

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

## **Informal Complaint Procedure**

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

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

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or Superintendent Designee or other School-level employee; and/or (3) directly to one of the COs.

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

The School's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the Complainant's wishes, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 2260 Non-Discrimination and Access to Equal Educational Opportunity to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint, and, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, or other official at the student's school, the CO, Superintendent or Superintendent Designee, or another official who works at another school or at the School level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs. If a Complainant informs a teacher, Principal, or other officialat the student's school, Superintendent or Superintendent Designee, or other employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO/designee within two (2) days.

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

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent . In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deemed appropriate in consultation with the Superintendent or Superintendent Designee.

Within two (2) days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation. The Principal will not conduct an investigation unless directed to do so by the CO.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

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

At the conclusion of the investigation, the CO/designee shall prepare and deliver a written report to the Superintendent or Superintendent Designee that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful discrimination/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent or Superintendent Designee.

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

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

If the Superintendent or Superintendent Designee determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Educational Service Provider must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective,

and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent or Superintendent Designee may appeal through a signed written statement to the Board within five (5) days of the party's receipt of the Superintendent or Superintendent Designee's decision.

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

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

The parties may be represented, at their own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

## **Privacy/Confidentiality**

The School will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

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

#### **Sanctions and Monitoring**

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

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

#### Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participate or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

## **Education and Training**

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

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

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

#### **Retention of Investigatory Records and Materials**

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by School personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the School's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the School to conduct the investigation, and any documents used by the School at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment:
- N. documentation of any training provided to School personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all School personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy;

- O. documentation that any rights or opportunities that the School made available to one party during the investigation were made available to the other party on equal terms;
- P. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- Q. copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;
- R. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the School's records retention schedule.

Section 2000 BP - Program

Title SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Code 2260.01 BP

Status Active

Adopted November 16, 2011

Last Revised March 15, 2023

Prior Revised Dates 09/02/2015

# SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

#### Reference:

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

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

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

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

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

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

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

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

With respect to vocational education services, a qualified person with a disability means a person with a disability who meets the academic and technical standards requisite to admission or participation in the vocational program or activity. The Board will not deny a student with disabilities access to its vocational education programs or courses due to architectural and/or equipment barriers, or because the student needs related aids or services to receive an appropriate education.

## **Compliance Officer(s)**

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

Superintendent 1903 Wilkins Detroit, MI 48207 (313) 833-1100

The names, titles, and contact information of this/these individual(s) will be published annually on the School's web site.

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

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

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

#### **Training**

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

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

#### **Facilities**

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

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

## **Education**

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

An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For students with disabilities who are not eligible for specially designed instruction under the IDEIA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan. The quality of education services provided to students with disabilities will be equal to the quality of services provided to students without disabilities.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who is enrolled by the School to the maximum extent appropriate. Generally, the School will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of

supplementary aids and services cannot be achieved satisfactorily. If the School places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home. If the Board operates a separate class or facility that is identifiable as being for persons with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without a disability.

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

#### **Notice**

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

#### **Complaint Procedures**

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

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), parents and students will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, students and their parents will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights. Finally, students and parents will be advised of their right to request a due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation or educational placement of persons with disabilities, including the right to participation by the student's parents or guardian and representation of counsel, and their right to examine relevant education records.

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

Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

#### **Internal Complaint Procedures**

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

#### Step 1

Investigation by the Compliance Officer: A student or parent may initiate an investigation by filing a written internal complaint with the Compliance Officer. The complaint should fully describe the circumstances giving rise to the dispute and how the child is adversely affected. The complaint must be filed as soon as possible, but not longer than thirty (30) days after disclosure of the facts giving rise to the complaint. The Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Compliance Officer shall permit the complainant to present witnesses and other evidence in support of the complaint. The investigation shall be completed within fifteen (15) days of the written complaint being filed. The Compliance Officer will notify the complainant in writing of his/her decision.

#### Step 2

If the complaint is not resolved satisfactorily at Step 1, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

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

#### **OCR Complaint**

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

U.S. Department of Education

Office for Civil Rights

Cleveland Office

1350 Euclid Avenue, Suite 325

Cleveland, Ohio 44115

(216) 522-4970

FAX: (216) 522-2573

TDD: (216) 522-4944

E-mail: OCR.Cleveland@ed.gov

#### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Section 2000 BP - Program

Title TITLE I SERVICES

Code 2261 BP

Status Active

Last Revised March 27, 2019

## **TITLE I SERVICES**

Reference:

20 USC 6301 et seq. 34 CFR Part 200, et seq.

The Board of Directors elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Elementary and Secondary Education Act of 1965, as amended.

The Superintendent or Superintendent Designee shall prepare and present to the State Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan. The School will periodically review and revise the plan, as necessary.

#### **Assessment**

The School shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include performance measures mandated by the Department of Education as well as those determined by the School's professional staff that will assist in the diagnosis, teaching, and learning of the participating students.

#### Scope

The School shall determine whether the funds will be used to upgrade the educational program of the entire School in Title I Schools that qualify as schoolwide schools and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The schoolwide program, for an entire School and/or a Targeted Assistance School, shall include the components required by law as well as those agreed upon by participating staff and parents.

## **Participation**

The Title I program shall be developed and evaluated in consultation with parents and professional staff members, including teachers, Superintendents, paraprofessionals, specialized instructional support personnel, administrators and other appropriate school personnel involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall be in accord with Board Policy 2261.01 and shall meet the requirements of Section 1116 of the Act.

#### **Comparability of Services**

Title I funds will be used only to augment, not to replace, State and local funds. The School will document its compliance with the supplement not supplant provisions by using a written methodology that ensures State and local funds are allocated to each School on the same basis, regardless of whether a School receives Title I funding. The Educational Service Provider shall use State and local funds to provide educational services in schools receiving Title I assistance that, taken as a whole, are at least comparable to services being provided in academies that are not receiving Title I assistance. The determination of the comparability of services may exclude, in accordance with Federal regulations, State and local funds expended for language instruction educational programs and the excess costs of providing services to children with disabilities as determined by the School.

The determination of comparability of services will not take into account unpredictable changes in student enrollments or personnel assignments that occur after the beginning of the school year.

In order to achieve comparability of services, the Superintendent or Superintendent Designee shall assign teachers, administrators, and auxiliary personnel and provide curriculum materials and instructional supplies in such a manner as to ensure equivalence throughout the PSA.

## **Professional Development**

Members of the professional staff may participate in the design and implementation of staff development activities that:

- A. involve parents in the training, when appropriate;
- B. combine and consolidate other available Federal and PSA funds;
- C. foster cooperative training with institutions of higher learning and other educational organizations including other School's;
- D. allocate part of the staff development to the following types of strategies:
  - 1. performance-based student assessment
  - 2. use of technology
  - 3. working effectively with parents
  - 4. early childhood education
  - 5. meeting children's special needs
  - 6. fostering gender-equitable education
- E. provide opportunities for paraprofessionals to work toward certification as professional educators.

Section 2000 BP - Program

Title PARENT AND FAMILY MEMBER PARTICIPATION IN TITLE I PROGRAMS

Code 2261.01 BP

Status Active

Last Revised March 27, 2019

## PARENT AND FAMILY MEMBER PARTICIPATION IN TITLE I PROGRAMS

Reference:

20 U.S.C. 6318 et seq. 34 C.F.R. Part 200 et seq.

In accordance with the requirements of Federal law, programs supported by Title I funds must be planned and implemented in meaningful consultation with parents and family members of the students being served.

Each year the Educational Service Provider shall work with parents and family members of children served in Title I Programs in order to jointly develop and agree upon a proposed written parent and family engagement policy to establish expectations for the involvement of such parents and family members in the education of their children. The proposed policy shall be reviewed and approved annually by the Board of Directors and distributed to parents and family members of children receiving Title I services. The proposed policy must establish the School's expectation and objectives for meaningful parent and family engagement, and describe how the School will:

- A. involve parents and family members in the development of the School's Title I plans and any State-mandated comprehensive support and improvement plans;
- B. provide coordination, technical assistance, and other support necessary to assist and build the capacity of all participating academies in planning and implementing effective parent involvement activities to improve student achievement and School performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;
- C. coordinate and integrate parent and family engagement strategies, to the extent feasible and appropriate, with other Federal, State, and local laws and programs;
- D. with meaningful involvement of parents and family members, annually evaluate the content and effectiveness of the parent and family engagement policy in improving the academic quality of academies, including:
  - identifying barriers to greater parent participation (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
  - 2. the needs of parents and family members to assist with the learning of their children, including engaging with School personnel and teachers; and
  - 3. strategies to support successful School and family interactions.
- E. use the findings of the above-referenced evaluation to:
  - 1. design evidence-based strategies for more effective parental involvement; and,
  - 2. revise the parent and family engagement policy, if necessary;
- F. involve parents in the activities of the School's Title I, which may include establishing a parent advisory board that may be charged with developing, revising and reviewing the parent and family engagement policy;
- G. provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency and/or disabilities, and parents and family members of migratory children, including providing information and School reports in a format, and to the extent practicable in a language, such parents can

understand;

- H. conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;
- I. develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- J. provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- K. involve parents in the planning, review, and improvement of the Title I program;
- L. communicate information concerning School performance profiles and their child's individual performance to parents;
- M. assist parents in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- N. provide timely responses to parental questions, concerns, and recommendations;
- O. coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent participation activities to improve academic achievement;
- P. conduct other activities as appropriate to the Title I plan and State and Federal requirements.

The Board will reserve the requisite percent of its allocation of Federal Title I funds to carry out the above-described activities. Parents and family members of children receiving Title I services shall be involved in the decisions regarding how the reserved funds are allotted for parent involvement activities. Reserved funds shall be used to carry out activities and strategies consistent with the Board's parent and family engagement policy (Policy 2111), including at least one (1) of the following:

- A. Supporting academies and nonprofit organizations in providing professional development for the School and School personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other Superintendent or Superintendent Designees, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.
- B. Supporting programs that reach parents and family members at home, in the community, and at School.
- C. Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.
- D. Collaborating, or providing subgrants to academies to enable such academies to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.
- E. Engaging in any other activities and strategies that the Board determines are appropriate and consistent with its parent and family engagement policy.

The Educational Service Provider and Superintendent or Superintendent Designee must also assure that each Title I participating School develops a specific written plan, with parental involvement and agreement, which includes provisions regarding the following:

- A. Each Superintendent or Superintendent Designee must convene an annual meeting at a convenient time to which all parents of participating children are invited and encouraged to attend to explain the parents' rights to be involved and the School's obligations to develop a parent and family engagement policy.
- B. Meetings with parents of children receiving Title I services must be scheduled at flexible times with assistance such as child care, transportation, home visits, or similar aid offered to parents to encourage their involvement.
- C. Parents must be involved in an organized, on-going and timely way in the development, review, and improvement of parent involvement activities, including the planning, review and improvement of the School parent and family engagement policy, and the joint development of the Schoolwide program plan, if appropriate.
- D. Parents of participating students must be provided with:
  - 1. timely information about the Title I program and the School's parent and family engagement policy;
  - 2. a description and explanation of the curriculum in use at the School, the forms of academic assessment used to measure student progress, and the achievement levels expected;

- 3. regular meetings, upon request, for parents to make suggestions, and to participate as appropriate, in decisions relating to the education of their children, and receive responses regarding the parents' suggestions about their student's education as soon as practicably possible.
- E. If the written plan is not satisfactory to the parents of participating children, the School must submit any parents' comments when it presents the plan to the Educational Service Provider and Superintendent or Superintendent Designee.
- F. As a component of the School-level parent and family engagement policy, the Superintendent or Superintendent Designee for each School shall coordinate the development of a School-parent compact jointly with parents of children served under Title I which outlines how the School staff, the parents, and the students will share responsibility for improved student academic achievement and the means by which the School and parents will build and develop a partnership to help students achieve the State's high standards. The compact must:
  - 1. describe the School's responsibility to provide a high quality curriculum and instruction in a supportive, effective learning environment;
  - 2. describe the ways in which each parent is responsible for supporting their child's learning environment such as monitoring attendance, homework, extra-curricular activities and excessive television watching; volunteering in the classroom; and participating, as appropriate, in decisions relating to the education of their children and their positive use of extra-curricular time;
  - 3. address the importance of parent/teacher communication on an on-going basis through at least annual parent teacher conferences to discuss the child's achievement and the compact; frequent progress reports to the parents on their child's progress; reasonable access to the staff and to observe and participate in classroom activities and regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.
- G. Parents of children receiving Title I services must be notified about their School's parent and family engagement policy in an understandable and uniform format, and, to the extent practicable, in a language the parents can understand. These policies must also be made available to the community.
- H. School-level parent and family engagement policies must be updated periodically to meet the changing needs of parents and the academies.

In order to involve parents in the education of their children and to support a partnership among the School, parents and the community for improving student academic achievement, the Educational Service Provider and Superintendent or Superintendent Designee and building principals must include provisions in the School and parent and family engagement policies regarding:

- A. assisting parents of children served under Title I in understanding such topics as the State academic standards, State and local academic assessments, Title I, and how to monitor their child's progress and how to work with educators to improve their child's achievement;
- B. providing materials and training to help parents work with their children to improve achievement, such as literacy training and using technology (including education about the harms of copyright privacy);
- C. educating teachers, specialized instructional support personnel, Superintendent or Superintendent Designees (including principals), and other staff, with the assistance of parents, about the value and utility of contributions of parents, how to reach out to, communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;
- D. to the extent feasible and appropriate, coordination and integration of parent involvement programs and activities with other Federal, State and local programs (including public preschool programs), and conducting other activities that encourage and support parents more fully participating in the education of their children (e.g., parent resource centers);
- E. providing information related to School and parent programs, meetings, and other activities to parents of participating children in a format, and, to the extent practicable, in a language the parents can understand;

F. providing such reasonable support for parent involvement activities as parents may request. In order to build the School's capacity for parent involvement, the Educational Service Provider and Superintendent or Superintendent Designee and building principals may also:

- A. involve parents in the development of training for teachers and administrators and other educators to improve the effectiveness of such training;
- B. provide necessary literacy training from Title I funds if the School has exhausted all other reasonably available sources of funding for such training;
- C. pay reasonable and necessary expenses associated with parental involvement activities to enable parents to participate in School related meetings and training sessions, including transportation and child care costs;

- D. train parents to enhance the involvement of other parents;
- E. arrange School meetings at a variety of times, or conduct in-house conferences between teachers or other educators who work directly with participating children, with parents who are unable to attend such conferences at School, in order to maximize parental involvement and participation;
- F. adopt and implement model approaches to improving parental involvement;
- G. establish a School parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
- H. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

Section 2000 BP - Program

Title TITLE I - PARENT'S RIGHT TO KNOW

Code 2261.02 BP

Status Active

# TITLE I - PARENT'S RIGHT TO KNOW

#### Reference:

20 USC 6311, Elementary and Secondary Education Act of 1965 34 CFR Part 200 et seq.

In accordance with the requirement of Section 1111 of Title I, for each School receiving Title I funds, the Superintendent or Superintendent Designee shall make sure that all parents of students in the School are notified that they may request, and the School will provide the following information on the student's classroom teachers:

- A. whether the teacher(s) have met the State qualification and licensing criteria for the grade level and subject areas they are teaching;
- B. whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived;
- C. the undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned;
- D. the qualifications of any paraprofessionals providing services to their child(ren).

In addition, the parents shall be provided information on the level of achievement of their child(ren) on the required State academic assessments and timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

The notices and information shall be provided in an understandable format, and to the extent possible, in a language the parent(s) understand.

Section 2000 BP - Program

Title SCHOOL AND SCHOOL REPORT CARD

Code 2261.03 BP

Status Active

Adopted November 16, 2011

Last Revised March 27, 2019

## SCHOOL AND SCHOOL REPORT CARD

References:

20 U.S.C. 6314 34 C.F.R. 200.31(h)(1)

A.C. 3301-35-02, 3301-35-02 (B)

Each School that receives Title I, Part A funds must prepare and publicly disseminate a report card on the performance and operations of the School. Report cards must be concise and presented in an understandable and uniform format that is developed in consultation with parents and accessible to persons with disabilities and, to the extent practicable, in a language that parents can understand.

The report shall contain the information called for on the form issued by the Michigan Department of Education in accordance with State and Federal law. The report must include 1) an overview section and 2) a detail section.

Report cards must begin with a clearly labeled overview section that is prominently displayed. The overview section of School report cards must include information on key metrics of State, District, and school performance and progress and is intended to help parents and other stakeholders quickly access and understand such information and provide context for the complete set of data included in the report.

The overview section of the annual report card must include for the School as a whole and each school, if appropriate:

- A. student achievement data (i.e., the number and percentage of students at each level of achievement on the State mathematics, reading/language arts, and science assessments), including how achievement in the School compares to State as a whole and, for each school in the School, how that school compares to the School and the State as a whole;
- B. English language proficiency of English learners (i.e., the number and percentage of English learners achieving English language proficiency as measured by Michigan's English proficiency assessment);
- C. performance on each measure within the Academic Progress indicator used by the State for elementary schools and secondary schools that are not high schools;
- D. high school graduation rates, including the four (4) year adjusted cohort and the extended-year adjusted cohort;
- E. performance on each measure within any School Quality or Student Success indicator used by the State;
- F. school identifying information, including student membership count and Title I participation status;
- G. summative determination for each school;
- H. whether the school was identified for comprehensive support and improvement or targeted support and improvement, and the reason(s) for such identification.

The overview section must include disaggregated data for specific student subgroups as required by the United States Department of Education (e.g., each major racial and ethnic group; children with disabilities; English learners; and economically disadvantaged students).

Report cards must include student achievement data overall and by grade, including the percentage of students at each level of achievement as determined by the State for all students and disaggregated by each major racial and ethnic group, gender, disability status, migrant status, English proficiency status, status as economically disadvantaged, status as a homeless student/youth, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces on active duty (which includes full-time National Guard duty). Data for these subgroups must be included in the detail section of report cards if it is not included in the overview section.

The details section of the School report card must include the remaining information required in the statute and applicable regulations. A School need not include information in the detail section of the report if it includes such information in the overview section. The annual report detail section must include, if appropriate:

- A. student achievement data (i.e., the number and percentage of students at each level of achievement on the State mathematics, reading/language arts, and science assessments), including how achievement in the School compares to State as a whole and, for each school in the School, how that school compares to the School and the State as a whole;
- B. percentages of students assessed and not assessed in each subject (i.e. participation rates on required assessments);
- C. extent alternate assessments aligned with alternate academic achievements standards were used for students with the most significant cognitive disabilities (i.e., the number and percentage of students assessed using alternate academic achievement standards, by grade and subject);
- D. as applicable, number and percentage of recently arrived English learners exempted from one administration of the reading/language arts assessments or whose results are excluded from certain State indicators;
- E. high school graduation rates, including the four (4) year adjusted cohort, and the extended-year adjusted cohort;
- F. postsecondary enrollment rates for each high school;
- G. information collected and reported in compliance with the Civil Rights Data Collection (CRDC) under 20 U.S.C. 3413(c)(1);
- H. progress toward State-designed long-term goals for academic achievement, graduation rates, and English learners achieving English language proficiency (including measurements of interim progress);
- I. level of performance on each indicator included in State accountability system including, as applicable, results on each individual measure within each indicator not already included in the school overview section;
- J. information on educator qualifications;
- K. information on per-pupil expenditures (i.e., actual personnel and actual non-personnel; for the School as a whole and each school);
- L. State performance on the National Assessment of Educational Progress (NAEP) math and reading, grades 4 and 8;
- M. description and Results of State accountability system (the School may provide the web address or URL of, or a direct link to, a State plan or other location on the Michigan Department of Education's web site to meet this requirement);
- N. additional information best-suited to convey the progress of each school;
- O. other information as required by the State Department of Education.

When presenting data on a report card, the School shall protect the privacy of individuals and the privacy of personally identifiable information contained in students' education records in accordance with the Family Educational Rights and Privacy Act (FERPA) and R.C. Section 3319.321.

The School's annual report card information must be made publicly available through such means as posting on the School's web site and distribution to local media and public agencies.

The Board will provide the school level overview directly to all parents in each school served by the School annually.

The data from the local report card is to be used by each of the schools and the School as a whole in revising and upgrading school and School improvement plans.

Section 2000 BP - Program

Title NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES

Code 2266 BP

Status Active

Adopted November 18, 2020

Last Revised March 15, 2023

# NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES

#### Reference:

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq.

42 U.S.C. 1983 34 C.F.R. Part 106

OCR's Revised Sexual Harassment Guidance (2001)

20 U.S.C. 1092(F)(6)(A)(v) 34 U.S.C. 12291(a)(10) 34 U.S.C. 12291(a)(8) 34 U.S.C. 12291(a)(30)

## Introduction

The Board of Directors of the Detroit Edison Public School Academy (hereinafter referred to as "the Board" or "the School") does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the School has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Educational Service Provider employees, students, third-party vendors and contractors, guests, and other members of the School community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the School's education programs and activities.

#### **Coverage**

This policy applies to Sexual Harassment that occurs within the School's education programs and activities and that is committed by a member of the School community or a Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the School's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws if committed by an Educational Service Provider employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the School's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws if committed by an Educational Service Provider employee.

### **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

- A. An Educational Service Provider employee conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct (often called "quid pro quo" harassment);
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the School's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

- 1. Rape is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genita or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- 2. Sodomy is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- 3. Sexual Assault with an Object is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.
- 4. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- 5. *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
- 6. Statutory Rape is sexual intercourse with a person who is under the statutory age of consent as defined by State law.
- 7. Consent refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.
- 8. *Incapacitated* refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.
- D. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:
  - 1. a current or former spouse or intimate partner of the victim;
  - 2. a person with whom the victim shares a child in common;
  - 3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - 4. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or

- 5. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.
- E. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- F. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant" "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the School investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the School, a Complainant must be participating in or attempting to participate in the School's education program or activity. A "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the School's Title IX Coordinator, or any School official who has authority to institute corrective measures on behalf of the Board, or any Educational Service Provider employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the School. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only School official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations), leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the School, including but not limited to inperson and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes locations, events and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

School community: "School community" refers to students and Educational Service Provider employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays),

Eligible Student: "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

### Title IX Coordinator(s)

The Board of Directors designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Director of Employee Engagement 1903 Wilkins Detroit, MI 48207 (313) 833-1100

Human Resource Officer 1903 Wilkins Detroit, MI 48207 (313) 833-1100

The Title IX Coordinator shall report directly to the Educational Service Provider. Questions about this policy should be directed to the Title IX Coordinator.

The Educational Service Provider shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Educational Service Provider employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The Board of Directors of the Detroit Edison Public School Academy does not discriminate on the basis of sex in its education program or activity, and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment.

Director of Employee Engagement 1903 Wilkins Detroit, MI 48207 (313) 833-1100

Human Resource Officer 1903 Wilkins Detroit, MI 48207 (313) 833-1100

Any inquiries about the application of Title IX and its implementing regulations to the School may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provide for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, which is available at: [insert the web address at which Policy 2266 can be found; or insert a hyperlink tied to the title of the policy] The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the School will respond.

The Educational Service Provider shall also prominently display the Title IX Coordinator's(s') contact information – including name(s) and/or title(s), phone number(s), office address(es), and e-mail address(es) – and this policy on the School's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Educational Service Provider employees, and all unions or professional organizations holding collective bargaining or professional agreements.

### **Grievance Process**

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The School's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the School's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

### **Report of Sexual Discrimination/Harassment**

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s).

Students, Board members, and Educational Service Provider employees are required, and other members of the School community, and Third Parties) are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Educational Service Provider employee, who will in turn notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Educational Service Provider, or another Educational Service Provider employee who, in turn, will notify the Educational Service Provider of the report. The Educational Service Provider will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with various vendors, contractors, and other third-parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or third-party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies, the applicable Student Code of Conduct, and/or Employee/Administrator Handbook.

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Educational Service Provider employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, an Educational Service Provider employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Educational Service Provider employee must also comply with mandatory reporting responsibilities pursuant to M.C.L. 722.623 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Educational Service Provider employee's knowledge is based on another individual bringing the information to the Educational Service Provider employee's attention and the reporting individual submitted a written complaint to the Educational Service Provider employee, the Educational Service Provider employee must provide the written complaint to the Title IX Coordinator.

If a Educational Service Provider employee fails to report an incident of Sexual Harassment of which the Educational Service Provider employee is aware, the Educational Service Provider employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) days of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under 18 years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the School to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the School may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual

Harassment that justifies removal. If the School determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 – Emergency Removal, Suspension, and Expulsion of Students and Policy 5611 – Due Process Rights.

If the Respondent is a non-student employee, the School may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the School community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

### **Formal Complaint of Sexual Harassment**

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Educational Service Provider, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the School will follow its Grievance Process, as set forth herein. Specifically, the School will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

#### **Timeline**

The School will seek to conclude the grievance process, including resolving any appeals, within sixty (60) days of receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or accommodation of disabilities.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

- A. Notice of the Board's grievance process, including any informal resolution processes;
- B. Notice of the allegations of misconduct that potentially constitutes Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:
  - 1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
  - 2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
  - 3. inform the parties of any provision in the Student Code of Conduct, and this policy, that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to

include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

### **Dismissal of a Formal Complaint**

The School shall investigate the allegations in a Formal Complaint, unless the conduct alleged in the Formal Complaint:

- A. would not constitute Sexual Harassment (as defined in this policy) even if proved;
- B. did not occur in the School's education program or activity; or
- C. did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator *shall* dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the School may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator Handbook.

The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation:

- A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- B. the Respondent is no longer enrolled in the School or employed by the Board; or
- C. specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

### **Consolidation of Formal Complaints**

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

### **Informal Resolution Process**

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

- A. the allegations;
- B. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and
- C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur have stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that an Educational Service Provider employee or another adult member of the School community or Third Party sexually harassed a student.

### **Investigation of a Formal Complaint of Sexual Harassment**

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the School, not the parties.

In making the determination of responsibility, the decision-maker(s) is(are) directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The School is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the School with voluntary, written consent to do so; if a student party is not an Eligible Student, the School must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

- A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
- B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The School may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The School will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. The investigator(s) and decision-maker(s) must provide a minimum of one (1) days' notice with respect to investigative interviews and other meetings.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the School does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the investigator or Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

### **Determination of Responsibility**

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

- A. identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence;
- C. findings of fact supporting the determination;
- D. Conclusions regarding the application of the applicable code of conduct to the facts;
- E. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the School impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the School's education program or activity should be provided by the School to the Complainant(s); and
- F. the procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The following disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. Informal Discipline
  - 1. writing assignments;
  - 2. changing of seating or location:
  - 3. before-school, lunchtime, after-school detention;
  - 4. in-school discipline.
- B. Formal Discipline
  - 1. suspension of bus riding/transportation privileges;
  - 2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
  - 3. emergency removal;
  - 4. suspension for up to ten (10) school days;
  - 5. long-term suspension or expulsion;
  - 6. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Educational Service Provider of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Emergency Removal, Suspension, and Expulsion of Students, Policy 5610.02 - In-School Discipline, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

The following disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

B. written reprimands;C. performance improvement plan;D. required counseling;E. required training or education;

A. oral or written warning;

- F. demotion:
- G. suspension with pay;
- H. suspension without pay;
- I. termination, and any other sanction authorized by any applicable Employee/Administrator Handbook.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Educational Service Provider of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual.

Discipline of an employee will be implemented in accordance with Federal and State law, and Board policy.

The following disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the School community or Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. oral or written warning;
- B. suspension or termination/cancellation of the Board's contract with the third-party vendor or contractor;
- C. mandatory monitoring of the third-party while on school property and/or while working/interacting with students;
- D. restriction/prohibition on the third-party's ability to be on school property; and
- E. any combination of the same.

If the decision-maker(s) determines the third-party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Educational Service Provider of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately, imposing a disciplinary sanction/consequence, the Educational Service Provider will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances.

The School's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process, the Educational Service Provider may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

#### **Appeal**

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

The Complainant(s) may not challenge the ultimate disciplinary sanction/consequence that is imposed.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within three (3) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Educational Service Provider from implementing appropriate remedies, however, excluding disciplinary sanction, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. The decision-maker(s) for the appeal shall determine when each party's written statement is due.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-makers(s') determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

### Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation, is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

#### **Confidentiality**

The School will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the School's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

#### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment.

#### **Training**

The School's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

- A. the definition of Sexual Harassment (as that term is used in this policy);
- B. the scope of the School's education program or activity;
- C. how to conduct an investigation and implement the grievance process, appeals and informal resolution processes, as applicable; and
- D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board and Educational Service Provider employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

#### Recordkeeping

As part of its response to alleged violations of this policy, the School shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the School shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If the School does not provide a Complainant with supportive measures, then the School will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

The School shall maintain for a period of seven (7) calendar years the following records:

- A. each Sexual Harassment investigation including any determination regarding responsibility, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the School's education program or activity
- B. any appeal and the result therefrom
- C. any informal resolution and the result therefrom, and
- D. all materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process.

The School will make its training materials publicly available on its website.

### **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Educational Service Provider employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Educational Service Provider may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation may be rescinded by the Educational Service Provider at any time.

### **Discretion in Application**

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific Complainant and/or Respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

Section 2000 BP - Program

Title RELIGION IN THE CURRICULUM

Code 2270 BP

Status Active

Last Revised November 20, 2013

# **RELIGION IN THE CURRICULUM**

Reference:

US Constitutional Amendment 1

M.C.L. 380.1170

Based on the First Amendment protection against the establishment of religion in the schools, no Board employee will promote religion in the classroom or in the Academy's curriculum, or compel or pressure any student to participate in devotional exercises. Displays of a religious character must conform with Policy 8800 and AG 8800 A-D. Instructional activities shall not be permitted to advance or inhibit any particular religion or religion generally.

An understanding of religions and their effects on civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, curriculum may include, as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board acknowledges the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the School frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the School. The Board directs that such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the School's students, not for its conformity to religious principles. Students should receive unbiased instruction in the School, so they may privately accept or reject the knowledge thus gained, in accordance with their own religious tenets.

Accordingly, no student shall be exempted from attendance in a required course of study on the grounds that the instruction therein interferes with the free exercise of his/her religion. However, if after careful, personal review of the program's lessons and/or materials, a parent indicates to the school that either the content or activities conflict with his/her religious beliefs or value system, the school will honor a written request for his/her child to be excused from particular class periods for specified reasons. The student will be provided with alternate learning activities during the times of such parent requested absence.

No classroom teacher shall be prohibited from providing reasonable periods of time for activities of a moral, philosophical, or patriotic theme. No student shall be required to participate in such activities if they are contrary to the religious convictions of the student or his/her parents or guardians.

The Board acknowledges that it may not adopt any policy or rule respecting or promoting an establishment of religion or prohibiting any student from the free, individual, and voluntary exercise or expression of the student's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when students are free to associate.

Section 2000 BP - Program

Title POSTSECONDARY (DUAL) ENROLLMENT OPTION PROGRAMS

Code 2271 BP

Status Active

Adopted November 16, 2011

Last Revised March 27, 2019

Prior Revised Dates 03/20/2013;

# POSTSECONDARY (DUAL) ENROLLMENT OPTION PROGRAM

Reference:

MCL 380.1279g, 380.1473, 380.1481, 388.1621(b), 388.513, 388.513a, 388.514, 388.1930a

The Board of Directors recognizes the value to students and to the Academy for students to participate in courses offered by accredited and degree-granting colleges and universities. Eligible postsecondary institutions shall include state universities, community colleges, and independent nonprofit degree-granting colleges or universities located in Michigan and that choose to comply with the Postsecondary Enrollment Options Act and out-of-state colleges satisfying the requirements of M.C.L. 388.513 that choose to comply with the Postsecondary Enrollment Options Act.

The Board will allow eligible high school students who meet the criteria established in guidelines/procedures to enroll in eligible postsecondary courses while in attendance at the School. The Superintendent or Superintendent Designee shall allow a student, upon written request of his/her parent to take approved readiness assessment(s) in order to establish eligibility for postsecondary enrollment. Any tests are to be administered free of charge in accordance with the School's testing schedule. Students will be eligible to receive appropriate credit for completing any of these courses providing they meet all requirements for the type of credit they wish to earn.

The Educational Service Provider shall establish the necessary Administrative Guidelines to ensure that such courses are in accord with State law and are properly communicated to both the students and their parents. The Educational Service Provider shall also establish guidelines and procedures for awarding credit and the proper entry on a student's transcript and other records of his/her participation in a postsecondary program.

Upon receipt of a bill from the postsecondary institution, itemizing the charges for a student's participation in a particular course, the School shall either pay the bill or the prorated percentage of the State portion of the foundation allowance for that student, whichever is lower.

If a student participating in the postsecondary (dual) enrollment program fails to successfully complete an eligible course, the student and his/her parents are responsible for reimbursing the School for such charges incurred by the School for such enrollment. In the event reimbursement is not made in a reasonable period of time, the Educational Service Provider is authorized to file claim against the student and/or his/her parents in Small Claims Court for collection.

The Educational Service Provider is to submit annually to the Intermediate School District the following information:

- A. the amount of money paid to postsecondary institutions for this program;
- B. the number of students in the high school and the number who participated in at least one (1) postsecondary program and received payment for all or part of the eligible charges under this program, both in the aggregate and by grade level;
- C. the percentage of the School's enrollment represented by eligible students, both in the aggregate and by grade level;
- D. the total number of postsecondary courses for which the School made payment, the number of courses for which postsecondary credit was granted, the number of courses for which high school credit was granted, and the number of courses that were not completed by eligible students.



Section 2000 BP - Program

Title HOMEWORK

Code 2330 BP

Status Active

# **HOMEWORK**

The Board of Directors acknowledges the educational validity of assignments outside the classroom as adjuncts to and extensions of the instructional program of the School.

"Homework" shall refer to those assignments to be prepared outside of the classroom by the student or independently while in attendance at the School.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the assignment of homework to meet the following criteria:

- A. Homework should be a properly planned part of the curriculum to extend and reinforce the learning experience of the School.
- B. Homework should help students learn by providing practice in the mastery of skills, experience in data gathering, and integration of knowledge, and an opportunity to remediate learning problems.
- C. Homework should help develop the student's sense of responsibility by providing an opportunity for the exercise of independent work and judgment.
- D. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the student and take into account other activities which make a legitimate claim on the student's time.
- E. As a valid educational tool, homework should be assigned with clear direction and its product carefully evaluated.
- F. The School should recognize the role of parents by suggesting ways in which parents can assist the School in helping a student carry out assigned responsibilities.
- G. Homework should always serve a valid learning purpose; it should never be used as a punitive measure.

Section 2000 BP - Program

Title FIELD AND OTHER SCHOOL-SPONSORED TRIPS

Code 2340 BP

Status Active

# FIELD AND OTHER SCHOOL-SPONSORED TRIPS

Reference:

MCLA 380.502, 380.503

The Board of Directors recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the School. Properly planned and executed field trips should:

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the classroom;
- B. arouse new interests among students;
- C. help students relate classroom experiences to the reality of the world;
- D. bring the resources of the community natural, artistic, industrial, commercial, governmental, and educational within the student's learning experience;
- E. afford students the opportunity to study real things and real processes in their actual environment. For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from the School premises, which is under the supervision of a staff member and an integral part of a course of study

Other School-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the School's total educational program.

The Board shall approve those field trips and other School-sponsored trips which are planned to keep students out of the School overnight or longer or out of the State.

The Superintendent or Superintendent Designee shall approve all other such trips.

Students may be charged fees for School-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically.

Students on all School-sponsored trips remain under the supervision of this Board and are subject to Board policy.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the School who takes students on trips not approved by the Board or the Superintendent or Superintendent Designee. No staff member may solicit students of this School for such trips within the facilities or on the School grounds of the School without permission from the Superintendent or Superintendent Designee. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the School's Administrative Guidelines for Extended Trips.

The Superintendent or Superintendent Designee shall prepare administrative guidelines for the operation of both field and other School-sponsored trips, including athletic trips, which shall ensure:

- A. the safety and well-being of students;
- B. superintendent then parental permission is sought and obtained before any student leaves the School on a trip;
- C. the effectiveness of field trip activities is judged in terms of demonstrated learning outcomes;

- D. each trip is properly monitored;
- E. student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;
- F. a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge. A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

Section 2000 BP - Program

Title EDUCATIONAL OPTIONS

Code 2370 BP

Status Active

Adopted November 16, 2011

# **EDUCATIONAL OPTIONS**

Reference:

MCL 388.1621(b)

The Board of Directors recognizes the need to provide alternative means by which students achieve the goals of the School.

An optional plan to meet the recognized educational needs of a student shall be approved by the Superintendent. The Superintendent shall prepare a plan of educational options for use in meeting special needs.

Such options may include, but not be limited to, tutorial programs, independent study, correspondence courses, educational travel, mentorship programs, summer school, early college entrance, etc.

Credit may be granted to the student upon complete evaluation of the program.

The credit shall be placed on the student's transcript. The amount of credit counting toward graduation shall comply with the School's graduation requirements.

The Superintendent shall establish administrative guidelines whereby each educational option is properly analyzed, planned, and implemented and complies with all applicable requirements of the State.

Section 2000 BP - Program

Title ONLINE/BLENDED LEARNING PROGRAM

Code 2370.01 BP

Status Active

Adopted November 20, 2013

Last Revised September 18, 2024

Prior Revised Dates 12/10/2014

# ONLINE/BLENDED LEARNING PROGRAM

#### Reference:

M.C.L. 388.1621

Michigan Department of Education Guidance on Best Practices as Defined in M.C.L. 388.1621f

The School shall provide eligible students the option of participating in online or blended learning courses. The purpose of the program is to make instruction available to eligible students using online and distance education technology in both traditional and nontraditional classroom settings. The School must make all eligible students and their parents or guardians aware of this program.

#### A. Definitions

- 1. Online learning- Means a course of study that is capable of generating a credit or a grade, that is provided in an interactive internet-connected learning environment, in which students and their teachers are separated by time or location, or both, and in which the teacher is responsible for determining appropriate instructional methods for each student, diagnosing learning needs, assessing student learning, prescribing intervention strategies, reporting outcomes, and evaluating the effects of instruction and support strategies.
- 2. Blended Learning- A hybrid instructional delivery model where students are provided content, instruction, and assessment in part at the classroom, with a teacher, and in part through internet-connected learning environments with some degree of student control over time, location, and pace of instruction.

### B. Program Eligibility

The School shall offer a program for students in K through twelve (12).

#### C. Course Availability and Access

- 1. The School shall provide access to enroll and participate in the available courses and shall award credit, as may be appropriate, for successful completion. Access shall be available to eligible students during or after the school day and during summer school enrollment. The School will provide at least one (1) of the following:
  - a. Online Learning, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-D.
  - b. Virtual Learning, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-A.
  - c. Independent Study, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-A.
- 2. The School shall enroll an eligible student in up to two (2) online courses as requested by the student during an academic term, semester, or trimester. Consent from the student's parent or legal guardian must be obtained for students under the age of eighteen (18), except that permission shall not be required if the course is being provided as permitted by M.C.L. 388.1621f(14), which allows a school to provide online instruction for not more than fifteen (15) days per school year under specific circumstances.

- 3. A student may enroll in more than two (2) virtual courses in a specific academic term, semester, or trimester if both of the following conditions are met:
  - a. The School has determined that it is in the best interest of the student.
  - b. The student agrees with the recommendation of the School.
- 4. The School will provide two (2) or fewer courses per semester in Grades K through five (5) and one (1)or more courses per semester in Grades six (6) through twelve (12). If students are taking more than two (2)courses per semester, the guidance found in the Pupil Accounting Manual 5-O-B shall be followed and seat time waivers obtained.
- 5. An eligible student may enroll in an online course published in the School online course syllabus, as described in section 8 below, or the statewide catalog of online courses maintained by the Michigan Virtual University.
- 6. The School may deny a student enrollment in an online course if any of the following apply, as determined by the School:
  - a. The student is enrolled in any of grades K to five (5).
  - b. The student has previously gained the credits provided from the completion of the online course.
  - c. The online course is not capable of generating academic credit.
  - d. The online course is inconsistent with the remaining graduation requirements or career interests of the student.
  - e. The student has not completed the prerequisite coursework for the requested virtual course or has not demonstrated proficiency in the prerequisite course content.
  - f. The online course is of insufficient quality or rigor. If the School denies a student enrollment for this reason, the School shall make a reasonable effort to assist the student in finding an alternative course in the same or a similar subject that is of acceptable rigor and quality.
  - g. The cost of the virtual course causes the School to exceed the target foundation allowance percentage.
  - h. The request for a virtual course enrollment was not made in the academic term, semester, trimester, or summer preceding the enrollment. This subsection does not apply to a request made by a student who is newly enrolled in the School.
  - i. If a student is denied enrollment in an online course by the School, the student may appeal the denial by submitting a letter to the Superintendent. The appeal must include the reason provided by the School for not enrolling the student and the reason why the student is claiming that the enrollment should be approved.
    - The Superintendent shall respond to the appeal within five (5) days after it is received. If the Superintendent determines that the denial of enrollment does not meet one (1) or more of the reasons specified in this subsection, the School shall allow the student to enroll in the online course.
- 7. An online learning student shall have the same rights and access to technology in his or her School's facilities as all other students enrolled in that School.
- 8. If a student successfully completes an online course, as determined by the School, the School shall grant appropriate academic credit for completion of the course and shall count that credit toward completion of graduation and subject area requirements. A student's school record and transcript shall identify the online course title as it appears in the online course syllabus.
- 9. The enrollment of a student in one (1) or more online courses shall not result in a student being counted as more than 1.0 full-time equivalent students under this act.
- D. Requirements Specific to Online Learning Courses

To offer an online course, the School must:

- 1. Provide the Michigan Virtual University with the course syllabus in a form and method prescribed by the Michigan Virtual University for inclusion in a statewide online course catalog.
- 2. Provide on its publicly accessible website a link to the course syllabi for all of the online courses offered by the School and a link to the statewide catalog of online courses maintained by the Michigan Virtual University.

- 3. Assign to each student a teacher of record.
- 4. Offer the online course on an open entry and exit method, or aligned to a semester, trimester, or accelerated academic term format.

### E. Online Course Syllabus

The School must publish an online course syllabus for each online course offered. The online course syllabus must include:

- 1. An alignment document showing how the course meets applicable State academic standards.
- 2. Online course content outline.
- 3. Online course required assessments.
- 4. Online course pre-requisites.
- Expectations for actual teacher contact time with the online learning student and other student-to-teacher communications.
- 6. Academic support available to the online learning student.
- 7. Online course learning outcomes and objectives.
- 8. Name of the institution or organization providing the online content.
- 9. Name of the institution or organization providing the teacher of record.
- 10. The course titles assigned by the provider and the course titles and course codes from the National Center for Education Statistics school codes for the exchange of data.
- 11. Number of eligible nonresident students that will be accepted by the School in the online course. This may include limiting enrollment to students enrolled in the School.
- 12. Results of the online course quality review using the guidelines and model review process published by the Michigan Virtual University.

The School may offer a full time or part time program for grade 9-12 students enrolled in dropout prevention, academic intervention, core courses to meet graduation requirements, or dual enrollment programs.

The School may contract other providers of such programming.

Section 2000 BP - Program

Title SOCIAL WORKER

Code 2411 BP

Status Active

# **SOCIAL WORKER**

The Board of Directors requires that a planned program of social work services should be an integral part of the educational program of the School. Such a program should:

- A. assist students in achieving their optimum growth;
- B. enable students to draw the greatest benefit from the offerings of the instructional program of the School;
- C. help integrate the entire student's experience so that s/he can better relate classroom activity to life outside the School;
- D. help students learn to make their own decisions and solve problems independently;
- E. family crisis intervention, when appropriate.

Section 2000 BP - Program

Title HOMEBOUND INSTRUCTION PROGRAM

Code 2412 BP

Status Active

Adopted September 6, 2005

Last Revised October 21, 2020

Prior Revised Dates 11/16/2011;

### HOMEBOUND INSTRUCTION PROGRAM

Reference:

MCL 388.1606, 388.1709

Pupil Accounting Manual 2019-2020, Michigan Department of Education

Pursuant to requirements of the State Department of Education, the Board shall provide individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability, and/or arrange through the Superintendent and/or the School for individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability.

Applications for individual instruction shall be made by a parent, a student, other care giver, or a physician or physician's assistant (licensed to practice in Michigan). The physician or physician's assistant must do the following:

- A. certify the nature and existence of a medical condition;
- B. state the probable duration of the confinement;
- C. request such instruction;
- D. present evidence of the student's ability to participate in an educational program. Applications must be approved by the Superintendent.

The School may provide homebound instruction only for those confinements expected to last at least five (5) days.

The School shall begin the instruction within three (3) days from the date of notification for non-special education students. In the case of students under an I.E.P., the instruction is to begin within fifteen (15) days after notification in order to arrange for a meeting of an I.E.P., if necessary.

The program of homebound or hospitalized instruction given each student shall be in accordance with regulations of the State Department of Education with such exceptions as may be recommended by the physician. Teachers of homebound special education students shall hold a Michigan teaching certificate appropriate for the level of instruction for which the assignment is made or for the type of instruction called for by an I.E.P. Teachers of non-disabled students must hold a valid teaching certificate.

The School reserves the right to withhold homebound instruction when the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher.

The Superintendent shall develop administrative guidelines for implementing the policy.

Section 2000 BP - Program

Title CRITICAL HEALTH PROBLEMS

Code 2413 BP

Status Active

# **CRITICAL HEALTH PROBLEMS**

Reference:

MCLA 388.381 et seq., 380.1170, 380.1506/1507 AC Rule 388.271 et seq.

The Superintendent or Superintendent Designee will implement a comprehensive program of health education.

The Board recognizes that this program, like others the School offers, may contain content and/or activities that some parents find objectionable. The School shall notify the parents, in advance of the instruction and about the content of the instruction and give the parents an opportunity to review the materials to be used.

The Superintendent or Superintendent Designee shall prepare administrative guidelines that will ensure:

- A. the health education program includes appropriate learning experiences related to such topics as use, abuse, and effects of drugs, alcohol, and tobacco; mental, physical, and dental health; disease prevention and control; accident prevention; and related health and safety topics;
- B. periodic evaluation of student understanding;
- C. continual analysis of the effectiveness of the programs and the accuracy, completeness, and relevancy of the information and instructional procedures.

In implementing these programs, the Superintendent or Superintendent Designee may use whatever School and outside resources, including Department of Education and ISD guidelines and consultants, s/he deems appropriate.

Section 2000 BP - Program

Title REPRODUCTIVE HEALTH AND FAMILY PLANNING

Code 2414 BP

Status Active

Last Revised September 18, 2024

Prior Revised Dates 03/21/2018; 09/18/2019; 10/21/2020

### REPRODUCTIVE HEALTH AND FAMILY PLANNING

Reference:

MCL 380.1169, 380.1506, 380.1507

AC Rule 388.273 et seq.

The Board of Directors directs that instruction be provided on the principal modes by which dangerous communicable diseases, including HIV and AIDS, are spread and the best methods for the restriction and prevention of these diseases. The instruction shall stress that abstinence from sex is the only protection that is 100% effective against unplanned pregnancy and sexually transmitted diseases, including HIV and AIDS, and that abstinence is a positive lifestyle for unmarried young people.

No person shall dispense or otherwise distribute in a School or on School property a family planning drug or device.

Each person who teaches K to twelve (12) students about human immunodeficiency virus infection and acquired immunodeficiency syndrome shall have training in human immunodeficiency virus infection and acquired immunodeficiency syndrome education for young people. Licensed health care professionals who have received training on human immunodeficiency virus infection and acquired immunodeficiency syndrome are exempt from this requirement.

For a class in which the subjects of family planning or reproductive health are discussed, the School shall notify the parents of the fact that the student will be enrolled in the course and notify the parents about the content of the instruction. Parents shall be given prior opportunity to review the materials to be used (other than tests) and shall be advised in advance of the parents' right to have their child excused from the instruction.

Before any revisions to the curriculum on the subjects taught pursuant to M.C.L. 380.1169 are implemented, the Board shall hold at least two (2) public hearings on the proposed revisions. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given in the manner required for board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to M.C.L. 380.1507.

Section 2000 BP - Program

Title STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

Code 2416 BP

Status Active

# STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

Reference:

20 USC 1232(a)(b)(g)(h)

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

- A. political affiliations or beliefs of the student or his/her parents;
- B. mental or psychological problems of the student or his/her family;
- C. sex behavior or attitudes;
- D. illegal, anti-social, self-incriminating or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally-recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations or beliefs of the student or his/her parents; or
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

The Superintendent or Superintendent Designee shall ensure that procedures are established whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the School to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the Superintendent or Superintendent Designee.

To ensure the right of parents, the Board directs the Superintendent or Superintendent Designee administrators to:

- A. Notify parents in writing of any surveys, analyses, or evaluations, which may reveal any of the information, as identified in A-H above, in a timely manner, and which allows interested parties to request an opportunity to inspect the survey, analysis, or evaluation; and the administrator to arrange for inspection prior to initiating the activity with students.
- B. Allow the parent the option of excluding their student from the activity.
- C. Report collected data in a summarized fashion which does not permit one to make a connection between the data and individual students or small groups of students.
- D. Treat information as identified in A-H above as any other confidential information in accordance with Policy 8350. Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

The Superintendent or Superintendent Designee is directed to provide notice directly to parents of students enrolled in the School of the substantive content of this policy at least annually at the beginning of the School year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent or Superintendent Designee is directed to notify parents of students in the School, at least annually at the beginning of the School year, of the specific or approximate dates during the School year when the following activities are scheduled or expected to be scheduled:

- A. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); and
- B. The administration of any survey by a third party that contains one or more of the items described in A through H above. For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Section 2000 BP - Program

Title SEX EDUCATION

Code 2418 BP

Status Active

Adopted March 21, 2018

Last Revised September 18, 2024

Prior Revised Dates 10/21/2020

### **SEX EDUCATION**

References:

M.C.L 380.1507, 380.1507b, 380.1169

In accordance with Michigan statute, the Board of Directors authorizes instruction in sex education. Such instruction may include family planning, human sexuality, and the emotional, physical, psychological, hygienic, economic, and social aspects of family life. Instruction may also include the subjects of reproductive health and the recognition, prevention, and treatment of sexually transmitted disease.

The instruction described in this policy shall stress that abstinence from sex is a responsible and effective method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted disease and is a positive lifestyle for unmarried young people.

Such instruction shall be elective and not a requirement for graduation.

A student shall not be enrolled in a class in which the subjects of family planning or reproductive health are discussed unless the student's parent or guardian is notified in advance of the course and the content of the course, is given a prior opportunity to review the materials to be used in the course and is notified in advance of the parent's/guardian's right to have the student excused from the class. The Michigan Board of Education shall determine the form and content of the notice required in this policy.

Upon the written request of a student or the student's parent or legal guardian, the student shall be excused, without penalty or loss of academic credit, from attending a class described in this policy. If a parent or guardian submits a continuing written notice, the student will not be enrolled in a class described in this policy unless the parent or guardian submits a written authorization for that enrollment.

The School shall provide the instruction by teachers qualified to teach health education. Material and instruction in a sex education curriculum shall be age-appropriate, not medically inaccurate, and shall comply with the statutory requirements of M.C.L. 380.1507b.

The Board shall establish a sex education advisory board and shall determine terms of service for the sex education advisory board, the number of members to serve on the advisory board, and a membership selection process that reasonably reflects the School's population. The Board shall appoint two (2) co-chairs for the advisory board, at least one (1) of whom is a parent of a child attending a School. At least one-half (1/2) of the members of the sex education advisory board shall be parents who have a child attending a School, and a majority of these parent members shall be individuals who are not employed by a School. The sex education advisory board shall include students of the School, educators, local clergy, and community health professionals. Written or electronic notice of a sex education advisory board meeting shall be sent to each member at least two (2) weeks before the date of the meeting.

The sex education advisory board shall:

A. Establish program goals and objectives for student knowledge and skills that are likely to reduce the rates of sex, pregnancy, and sexually transmitted diseases. Additional program goals and objectives may be established by the sex education advisory board that are not contrary to Michigan law.

- B. Review the materials and methods of instruction used and make recommendations to the Board for implementation. The advisory board shall take into consideration the School's needs, demographics, and trends, including, but not limited to, teenage pregnancy rates, sexually transmitted disease rates, and incidents of student sexual violence and harassment.
- C. At least once every two (2) years, evaluate, measure, and report the attainment of program goals and objectives established by the advisory board. The Board shall make the resulting report available to parents in the School.

Before adopting any revisions in the materials or methods used in instruction under this policy, including, but not limited to, revisions to provide for the teaching of abstinence from sex as a method of preventing unplanned or out-of-wedlock pregnancy and sexually transmitted disease, the Board shall hold at least two (2) public hearings on the proposed revisions. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given in the manner required for Board meetings. A public hearing held pursuant to this section may be held in conjunction with a public hearing held pursuant to M.C.L. 380.1169.

Each person who provides instruction to K to 12 students in accordance with this policy shall receive training based on School approved standards and in accordance with training requirements of the Michigan Department of Education (MDE) and the Michigan Department of Health and Human Services (MDHHS).

No person shall dispense or otherwise distribute in a School or on School property a family planning drug or device.

For purposes of this policy, "family planning" means the use of a range of methods of fertility regulation to help individuals or couples avoid unplanned pregnancies; bring about wanted births; regulate the intervals between pregnancies; and plan the time at which births occur in relation to the age of parents. It may include the study of fetology. It may include marital and genetic information. Clinical abortion shall not be considered a method of family planning, nor shall abortion be taught as a method of reproductive health.

Section 2000 BP - Program

Title SCHOOL-SPONSORED CLUBS AND ACTIVITIES

Code 2430 BP

Status Active

# SCHOOL-SPONSORED CLUBS AND ACTIVITIES

Reference:

MCLA 380.1282, 380.1316 PL 98-377

The Board of Directors believes that the goals and objectives of this School are best achieved by a diversity of learning experiences, including those that are not conducted in a regular classroom but are directly related to the curriculum.

The purpose of curricular-related activities shall be to enable students to explore a wider range of individual interests than may be available in the School's courses of study but are still directly related to accomplishing the educational outcomes for students as adopted by the Board in Policy 2131.

For purposes of this policy, curricular-related activities are defined as those activities in which:

- A. the subject matter is actually taught or will be offered;
- B. the subject matter concerns the School's composite curriculum;
- C. participation is required;
- D. participation results in a grade.

No curricular-related activity shall be considered to be under the sponsorship of this Board unless it meets one or more of the criteria stated above and has been approved by the Superintendent or Superintendent Designee.

Such activities, along with extra-curricular activities (not directly related to the curriculum), may be conducted on or off School premises by clubs, associations, and organizations of students sponsored by the Board and directed by a staff advisor. The Board expressly declines to create a limited open forum for clubs and activities, initiated by students that cannot meet one of the four criteria stated above.

No non-School sponsored organization may use the name of the School or any other name which would associate an activity with the School.

Students shall be fully informed of the curricular-related activities available to them and of the eligibility standards established for participation in these activities. School-sponsored activities shall be available to all students who elect to participate and who meet eligibility standards. Whenever a student becomes a member of the School-established student group or national organization such as the National Honor Society, in order to remain a member, s/he must continue to meet all of the eligibility criteria and abide by the principles and practices established by the group or the organization.

The Superintendent or Superintendent Designee shall prepare administrative guidelines to implement a program of curricular-related clubs and activities. Such guidelines should ensure that the needs and interests of the students are properly assessed and procedures are established for continuing evaluation of each club and activity.

Section 2000 BP - Program

Title INTERSCHOLASTIC ATHLETICS

Code 2431 BP

Status Active

Adopted November 16, 2011

# INTERSCHOLASTIC ATHLETICS

Reference:

MCL 380.1289, 380.1318

Good Sportsmanship Campaign, Michigan High School Athletic Association

The Board of Directors recognizes the value to the School and to the community of a program of interscholastic athletics for as many students as feasible.

The program of interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by or the School alone.

The program should foster the growth of school loyalty with the student body as a whole and stimulate community interest in athletics.

Game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

The Board believes that it is the purpose of an interscholastic program to provide the benefits of an athletic experience to as large a number of students as feasible within the School.

The Board further adopts those eligibility standards set by the Constitution of the Michigan High School Athletics Association (MHSAA) and shall review such standards annually to ascertain that they continue to be in conformity with the objectives of this Board.

Since the primary purpose of the athletic program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels. The Principal is to develop guidelines for coaches to follow which will ensure that as many team members as possible get the chance to play, so they have the opportunity to benefit from the learning experience.

Use of a performance-enhancing substance by a student is a violation that will affect a pupil's athletic eligibility and extra curricular participation, as determined by the Board.

A list of performance-enhancing substances developed by the Department of Community Health can be found in AG 2431D. This list will be distributed to parents.

The Principal shall develop appropriate Administrative Guidelines for the operation of the Athletic Program and a Code of Conduct for those who participate. Such guidelines should provide for the following safeguards:

- A. Prior to enrolling in the sport,
  - 1. each participant shall submit to a thorough physical examination by a licensed physician.
  - 2. parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation.
- B. Any student who is found to have a health condition which may be life-threatening to self or others shall not be allowed to participate until the situation has been analyzed by a medical review panel that has determined the conditions under which the student may participate.

C. Any student who incurs an injury requiring a physician's care is to have written approval by a physician prior to the student's return to participation.

A female student shall be permitted to compete for a position in all interscholastic athletic activities. If the School has a girl's team in an interscholastic athletic activity, a female shall be permitted to compete for a position on any other team for that activity.

### **Drug-Testing of Athletes**

The Board requires that each student enrolling in any of the School's interscholastic athletic programs agree to sign an enrollment application by which they agree to participate in a random and reasonable suspicion drug-testing program.

The Principal shall develop administrative guidelines which provide for a drug-testing procedure that will produce consistently-reliable test results and protects the student's rights to privacy. A list of performance-enhancing substances developed by the State Department of Community Health shall be included in AG 2431.

Any athlete who tests positive for any drug other than a prescribed medication shall be disciplined in accordance with due process and the Discipline Code adopted by the Board.

In an effort of the Michigan High School Athletic Association's program to strengthen sportsmanship, ethics, and integrity, the Board commits itself to:

- A. adopt policies (upon recommendation of the administration) which reflect the School's educational objectives and promote, the ideals of good sportsmanship, ethics, and integrity;
- B. establish standards for athletic participation which reinforce the concept that athletic activities are a privilege, not a right;
- C. attend and enjoy school athletic activities, serving as a positive role model and expecting the same from parents, fans, participants, coaches, and other school personnel;
- D. support and reward participants, coaches, school administrators, and fans who display good sportsmanship;
- E. recognize the value of school athletic activities as a vital part of education.

In an effort to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.

The Principal is also to develop guidelines for ensuring that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate. Such guidelines should include the MHSAA's set of expectations for each type of participant as well as the Sportsmanship Code of Conduct which each type of participant is to follow. The Principal is authorized to implement suitable disciplinary procedures against those who violate this Code of Conduct.

Section 2000 BP - Program

Title MANAGING HEAT AND HUMIDITY IN INTERSCHOLASTIC ATHLETIC PROGRAMS

Code 2431.01 BP

Status Active

Adopted November 20, 2013

# MANAGING HEAT AND HUMIDITY IN INTERSCHOLASTIC ATHLETIC PROGRAMS

The Board of Directors authorizes the implementation of the model policy and procedures of the Michigan High School Athletic Association (MHSAA) for managing heat and humidity to minimize the risk of heat-related illness in interscholastic athletic programs. For all interscholastic athletic programs and activities as prescribed by the MHSAA, temperature and humidity shall be monitored and recorded in accordance with this policy and administrative guidelines (AG 2431.01). Temperature and humidity readings are to be recorded in writing and maintained for each school by the Athletic Director or Designee.

Heat Index measurements thirty (30) minutes prior to the start of the activity and again sixty (60) minutes after the start of the activity shall determine the appropriate measures to be followed with regard to the practice or competition activity. In all such circumstances, coaches/advisors shall provide the following, as indicated by the heat index:

- A. ample amounts of water
- B. water breaks
- C. ice-down towels, and
- D. careful monitoring of athletes/participants for necessary action

  Coaches/advisors shall consider the nature of the sport/activity requiring additional equipment and shall adjust the time of outside activity and time of day for the activity in accordance with the MHSAA model policy.

If the Heat Index is above 104 degrees, the coach/advisor shall stop all outside activity in practice and/or play and shall stop all inside activity if air conditioning is unavailable. When the temperature is below 80 degrees, there is no combination of heat and humidity that will result in the need to curtail activity.

Section 2000 BP - Program

Title OPERATION OF A CHILD CARE CENTER OR BEFORE-OR AFTER-SCHOOL PROGRAM

Code 2433 BP

Status Active

# OPERATION OF A CHILD CARE CENTER OR BEFORE-OR AFTER-SCHOOL PROGRAM

#### Reference:

MCL 380.1285a; R 400.5102; R 400.5104a; R 400.5107; R 400.5111b; R 400.5114

If a child care center or before/after-school program is operated by the School, the Board, in consultation with the director of the program and/or the Superintendent, shall develop, adopt, and annually review policies concerning the program that, at a minimum, address safety procedures for the program, including first aid, food safety, discipline, dispensing and storage of medication, and access to student emergency information and telephones.

If the School operates a child care center, it shall develop and implement the following written policies:

- A. a screening policy for all staff and volunteers, including parents, who have contact with children;
- B. a policy regarding supervision of volunteers, including volunteers who are parents of a child in care;
- C. an age-appropriate policy regarding the discipline of children, which shall be provided to staff and parents;
- D. a health care plan that includes health-related resources and health practices and policies including procedures for child and staff hand washing; handling children's bodily fluids; cleaning and sanitizing all equipment, toys and other surfaces; and controlling infection, including universal precautions; and a fee policy

Section 2000 BP - Program

Title ACADEMY NURSES AND ACADEMY HEALTH PROGRAMS

Code 2434 BP

Status Active

Adopted November 16, 2011

# SCHOOL NURSES AND SCHOOL HEALTH PROGRAMS

#### Reference:

R 340.1162; R 340.1163 [Required if the School provides a professional school nursing services program]

The School's professional school nursing services program shall comply with all applicable laws and shall include:

- A. a plan for in-service education for School personnel, including observations of the health of students, referral systems, and first aid and emergency procedures;
- B. policies and procedures enabling School personnel to comply with established health laws;
- C. policies and procedures for the prevention and control of health problems, including communicable diseases;
- D. policies and procedures for maintaining a healthful School environment.

The School nurse shall:

- A. assume leadership in the development and revision of written first aid and emergency care policies;
- B. recommend and implement School policies and procedures that comply with established health laws, and make specific recommendations to students and School personnel regarding immunizations and communicable diseases; and
- C. cooperate with School administration and staff in establishing School health program policies and procedures in order that professional skills and knowledge may be used effectively in working with students, teachers, and parents.

Section 2000 BP - Program

Title SPECIAL EDUCATION

Code 2460 BP

Status Active

# **SPECIAL EDUCATION**

Reference:

MCLA 380.1751

AC Rule 340.1721A et seq., 340.1861 et seq.

The Board of Directors shall enter into an agreement with the Wayne RESA Intermediate School District to provide a comprehensive, free, and appropriate educational program to all eligible disabled persons ages zero (0) through twenty-five (25) which complies with Federal and State laws and guidelines.

The Superintendent or Superintendent Designee shall prepare administrative guidelines necessary to ensure effective implementation of the special education program.

Section 2000 BP - Program

Title LEAST RESTRICTIVE ENVIRONMENT POSITION STATEMENT

Code 2460.02 BP

Status Active

## LEAST RESTRICTIVE ENVIRONMENT POSITION STATEMENT

Reference:

IDEA, 20 USC 1400 et seq.

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

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

Section 2000 BP - Program

Title ADOPTION OF TEXTBOOKS

Code 2510 BP

Status Active

# **ADOPTION OF TEXTBOOKS**

The Board of Directors shall approve all textbooks used as part of the educational program of this School. "Textbook", for purposes of this policy, shall mean the principle source of instructional material for any given course of study, in whatever form the material may be presented, that is available or distributed to every student enrolled in the course.

The Superintendent or Superintendent Designee shall be responsible for the selection and recommendation of textbooks that are aligned with the School curriculum and Michigan's Curriculum Framework, for Board consideration. In considering the approval of any proposed textbook, the Board will weigh its decisions based on recommendations related to:

- A. suitability for the maturity level and educational accomplishment of the students who will be using the material;
- B. freedom from bias;
- C. relationship to the curriculum adopted by the Board;
- D. relationship to a continuous multi-grade program;
- E. impact on community standards;
- F. manner of selection;
- G. cost;
- H. appearance and durability;
- I. has completed piloting process, when utilized.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the selection of textbooks that includes effective consultation with professional staff members at all appropriate levels.

Section 2000 BP - Program

Title SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT

Code 2521 BP

Status Active

# **SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT**

Reference:

MCLA 380.1274, 380.1277

The Board of Directors shall provide instructional materials and equipment, within budgetary constraints, to implement the School's educational goals and objectives and to meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the School.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the selection and maintenance of all educational and instructional materials and equipment. In addition s/he shall periodically provide for a systematic review by the Board of the School's educational resources in order to ensure that they are appropriate for the current educational program. Any revisions that occur should be a result of the school-improvement process.

Students shall be held responsible for the cost of replacing any materials or properties which are lost or damaged through their negligence.

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in shop activities where the product becomes the property of the student.

Section 2000 BP - Program

Title COPYRIGHTED WORKS

Code 2531 BP

Status Active

# **COPYRIGHTED WORKS**

Reference:

17 USC 101 et seq.

The Board of Directors directs the use of copyrighted works only to the extent that the law permits. The Board recognizes that Federal law applies to public school academies and the staff must, therefore, avoid acts of copyright infringement under penalty of law.

In order to help the staff abide by the laws set forth in Title 17 of the United States Code, the Board directs the Superintendent or Superintendent Designee to provide administrative guidelines regarding the copying and distribution of copyrighted materials for instructional purposes.

Section 2000 BP - Program

Title PROGRAM ACCOUNTABILITY AND EVALUATION

Code 2605 BP

Status Active

# PROGRAM ACCOUNTABILITY AND EVALUATION

The Board of Directors believes that effective education includes proper evaluation of the results produced from the educational resources provided by the community and the government. The Superintendent or Superintendent Designee has the responsibility for assessing and evaluating academic growth of its students.

The Board reserves the right to employ experts from outside the School to serve in the evaluation process.

Section 2000 BP - Program

Title STUDENT ASSESSMENT

Code 2623 BP

Status Active

Last Revised October 18, 2023

Prior Revised Dates 11/16/2011; 02/15/2017; 09/13/2017

### STUDENT ASSESSMENT

#### Reference:

MCL 380.1279, 380.1279g, 390.1451 et seq., 380.1280b, 380.1280f

A.C. Rule 340.1101 et seq.

The Board of Directors shall, in compliance with law, assess student achievement and needs in designated subject areas in order to determine the progress of students and to assist them in attaining School goals.

Each student's proficiencies and needs will be assessed by staff members upon the student's entrance into the School and annually or more frequently, as required by law or Charter contract, thereafter. Procedures for such assessments will include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing programs and/or diagnostic reading assessment systems, student portfolios, and physical examinations.

The Educational Service Provider shall develop and the Board shall approve a program of testing and assessment that is in compliance with the Charter Contract and applicable law.

The Superintendent or designee is responsible for the School's assessment and testing program and shall implement the program in accordance with the provisions of the Office of Educational Assessment and Accountability (OEAA) and the reporting requirements of the Michigan Department of Education (MDE). The Superintendent or designee will appoint an individual to act as each assessment's School Assessment Coordinator. All staff members who participate in a state assessment must be fully trained in proper test administration procedures pertaining to their role in the assessment.

The Superintendent or designee shall require that all appropriate staff have knowledge of the prescribed standards of ethical assessment practice and shall monitor the assessment practices for compliance with these standards. These duties shall include:

- A. communicating standards of ethical assessment practice;
- B. communicating security procedures for assessment;
- C. establishing procedures for reviewing assessment materials and procedures and assessment preparation materials and procedures;
- D. establishing channels of communication that allow teachers, other educators, students, parents, and other members of the community to voice concerns about assessment practices;
- E. establishing written procedures for investigating complaints, allegations, and/or concerns about assessment practices, protecting the rights of an individual, the integrity of an assessment, and the results of an assessment.

The Board requires that:

- A. any assessment tests used shall not be a psychiatric examination, testing, or treatment; or a psychological examination, testing, or treatment in which the primary purpose is to reveal information concerning:
  - 1. political affiliations;

- 2. mental and psychological problems potentially embarrassing to the student or the student's family;
- 3. sexual behavior and attitude;
- 4. illegal, anti-social, self-incriminating, and demeaning behavior;
- 5. critical appraisals of other individuals with whom respondents have close family relationships;
- 6. legally-recognized, privileged and analogous relationships, such as those of lawyers, physicians, and ministers; and
- 7. income without the prior consent of the adult student or without the prior written consent of the parent;
- B. any personality testing complies with Department of Education guidelines.

#### The Board also requires that:

- A. tests be administered by persons who are qualified under State law and regulation;
- B. parents be informed of the testing program of the School and of the special tests that are to be administered to their children;
- C. students who have not attained satisfactory scores on the fourth grade test should be provided special assistance that will enable them to bring reading skills up to grade level within a twelve (12) month period;
- D. data regarding individual test scores be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records; and
- E. the results of each School-wide, program-wide, and School-wide test be made part of the public record.

All eleventh grade students shall participate in the Michigan Merit Examination, unless excluded under the guidelines established by the State Department of Education.

A student who wants to repeat a State approved readiness assessment (other than the Michigan Merit Examination and any ACT component) may repeat the assessment in the next school year or after graduation on a date when the School is administering the assessment. Only this type of repeat assessment testing will be without charge to the student.

The School shall administer the complete Michigan Merit Examination to a student only once and shall not administer the complete Michigan Merit Examination to the same student more than once if the student has valid scores in some or all Michigan Merit Examination components. If a student does not take the complete Michigan Merit Examination in grade eleven (11), the School shall administer the complete Michigan Merit Examination to the student in grade twelve (12). If a student chooses to retake the college entrance examination component of the Michigan Merit Examination, the student may do so through the provider of the college entrance examination component and the cost of the retake is the responsibility of the student unless all of the following are met:

- A. the student has taken the complete Michigan Merit Examination;
- B. the student did not qualify for a Michigan Promise Grant based on the student's performance on the complete Michigan Merit Examination;
- C. the student meets the Federal income eligibility criteria for free breakfast, lunch, or milk;
- D. the student has applied to the provider of the college entrance examination component for a scholarship or fee waiver to cover the cost of the retake and that application has been denied;
- E. after taking the complete Michigan Merit Examination, the student has not already received a free retake of the college entrance examination component paid for either by the State of Michigan, or through a scholarship or fee waiver by the provider

In addition to the testing programs, the Principal shall develop administrative guidelines whereby a portfolio is developed and maintained for each student.

Section 2000 BP - Program

Title STATE AID INCENTIVES

Code 2628 BP

Status Active

Adopted February 15, 2017

Last Revised October 21, 2020

### STATE AID INCENTIVES

Reference:

State School-Aid Act

The Board of Directors, in its efforts to provide a quality education for the students of this School, shall review annually the State School Aid Act to determine any programs or incentives that offer additional revenues.

The Educational Service Provider shall examine the requirements for each of the programs or incentives to determine which are feasible for this School and provide the Board with the necessary resolutions for those selected.

#### **At Risk Funding**

The State School Aid Act provides Section 31a funding for instructional and pupil support services who meet the at-risk identification characteristics specified in Section 31a(20).

At-risk characteristics include low achievement on State- or local-administered assessments in mathematics, English language arts, social studies or science; failure to meet proficiency standards in reading by the end of 3rd grade or career and college readiness for high school students at the end of 12th grade; a victim of child abuse or neglect; is a pregnant teenager or teenage parent; has a family history of school failure, incarceration or substance abuse; is economically disadvantaged; is an English learner (EL); is chronically absent as defined and reported to the Center for Educational Performance and Information (CEPI); is an immigrant who has immigrated within the immediately-preceding three (3) years; and in the absence of State or local assessment data, meets at least two or more identified risk factors.

Section 31a funds are limited to instructional services, and direct non-instructional services to pupils. They may not be used for administration or other related costs. The School shall implement multi-tiered systems of support, as required, in order to access such funding.

Annually, the Educational Service Provider shall allocate such funding to appropriate programs and services based on School priorities. Section 31a funds may be used to provide an anti-bullying or crisis intervention program.

Section 2000 BP - Program

Title P.A. 25 ANNUAL REPORTS

Code 2700 BP

Status Active

## P.A. 25 ANNUAL REPORT

Reference:

MCL 380.1204a(1)

The School must prepare and publicly disseminate the P.A. 25 Annual Report no later than the beginning of each school year to all parents of all students. Required information for the School and each individual building includes the following:

#### **Assessment Data**

- A. Aggregate student achievement at each proficiency level on state assessments.
- B. Student achievement at each proficiency level disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and economic status. The federal requirement is to report this data only when it is statistically sound. The Michigan Department of Education recommends reporting on subgroups if the size is more than thirty (30) students in the School or thirty students across each grade level tested.
- C. Percentage of students not tested, disaggregated by each group (if statistically sound).
- D. Most recent 2-year trend in achievement for each subject area and grade level.
- E. Report of the School's results of locally administered student competency tests and/or nationally normed achievement tests. This should include data from the assessments for students in grades 1-5, as required by section 1280b of the School Code (PA 25).

### **School Programs**

- A. Accreditation status. Public Act 25 (P.A. 25) requires schools to report on state accreditation status, accreditation by the North Central Association Commission on Accreditation and School Improvement, or another specialized accreditation authority approved by the US Department of Education (PA 25).
- B. School pupil retention data, in addition to the data on graduation rate referenced earlier. (PA 25)
- C. Number and percentage of pupils enrolled in post-secondary programs and/or college level equivalent courses, if the School has a high school (dual enrollment) (PA 25).
- D. The status of the core curriculum and the School Improvement Plan (PA 25).

### <u>Staff</u>

- A. The professional qualifications of teachers, the percentage of teachers teaching with emergency or provisional credentials, and the percentage of classes not taught by highly qualified teachers (disaggregated by high-poverty compared to low-poverty schools).
- B. The annual progress toward meeting state objectives for percentage of highly qualified teachers.

#### **Parents**

- A. Information on parent-teacher conference attendance rates, a requirement of P.A. 25.
- B. Dissemination of the School's parent and family engagement policy. The School may include additional data if it chooses.



Section 3000 BP - Staff

Title TABLE OF CONTENTS

Code 3000 BP - STAFF

Status Active

Adopted February 10, 2016

Last Revised March 15, 2023

Prior Revised Dates 2/15/17; 9/13/17; 3/21/18; 9/19/18; 03/27/2019

# 3000 **STAFF**

3000 Educational Service Provider Statement

Section 3000 BP - Staff

Title EDUCATIONAL SERVICE PROVIDER STATEMENT

Code 3000 BP

Status Active

Adopted December 10, 2014

# **EDUCATIONAL SERVICE PROVIDER STATEMENT**

All staff of the Detroit Edison Public School Academy are employees of New Paradigm, the employer of record, as per the contractual agreement between the Detroit Edison Public School Academy Board of Directors and New Paradigm. All employees, therefore, are subject to all personnel policies and regulations established by New Paradigm.

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

Section 5000 BP - Students

Title TABLE OF CONTENTS

Code 5000 BP - STUDENTS

**Admission of Students** 

**Homeless Students** 

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 10/03/13; 11/20/13; 12/10/14; 11/20/13; 4/18/12; 9/2/15; 2/10/16; 2/15/17;

9/13/17; 3/21/18; 9/19/18; 3/27/19; 9/18/19; 10/21/20; 11/18/2020

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# **5000 STUDENTS**

5111

5111.01

3111.01	nomerces stadents	
5111.02	Educational Opportunity for Military Children	LR
5111.03	Children and Youth in Foster Care	LR
5112	Entrance Age	LC
5114	Foreign and Foreign-Exchange Students	LR
5130	Withdrawal from the School	LC
5136	Wireless Communication Devices	ВР
5200	Attendance	LC
5215	Missing and Absent Children	LC
5223	Absences for Religious Instruction	LC
5230	Late Arrival and Early Dismissal	ВР
5231	Tardy Policy	
5232	Late Pick-Up	
5310	Health Services	LR
5320	Immunization	LC
5330	Use of Medications	LR
5330.01	Epinephrine Auto-Injectors	LR
5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
5340.01	Concussions and Athletic Activities	LR
5341	Emergency Medical Authorization	LC
5342	Do Not Resuscitate Orders (DNR) for Minor Students	LR
5343	Physician Order for Scope of Treatment (POST)	LR
5350	Suicide Prevention	LC
5410	Promotion, Placement, and Retention	BP

5420	Reporting Student Progress	BP
5421	Grading	BP
5430	Class Rank	ВР
5451	Student Recognition	ВР
5460	Graduation Requirements	LC
5463	Credits from Nonpublic Schools	BP
5500	Student Conduct	LC
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5512	Use of Tobacco by Students	LC
5513	Care of Academy Property	BP
5514	Student Use of Bicycles	BP
5516	Student Hazing	LC
5517	Anti-Harassment	LR
5517.01	Bullying	LR
5520	Disorderly Conduct	BP
5530	Drug Prevention	LR
5532	Performance-Enhancing Drugs/Compounds	LR
5540	Interrogation of Students	LC
5600	Student Discipline	LC
5610	Emergency Removal, Suspension, and Expulsion of Students	LR
5611	Due Process Rights	LR
5710	Student Grievance	BP
5722	School-Sponsored Publications and Productions	LC
5730	Equal Access for Non-school Sponsored, Student Clubs and Activities	LC
5771	Search and Seizure	LR
5772	Possession of Weapons	LR
5780	Student/Parent Rights	LR
5820	Student Government	ВР
5830	Student Fund-Raising	LC
5850	Social Events	BP

Section 5000 BP - Students

Title ADMISSION OF STUDENTS

Code 5111 BP

Status Active

Last Revised September 19, 2018

Prior Revised Dates 11/16/2011; 02/15/2017;

# **ADMISSION OF STUDENTS**

Reference:

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

The Board of Directors will allow students who reside in Michigan, regardless of their citizenship or immigration status to enroll in the School in accordance with limits established by the Board of Directors. The Board shall meaningfully communicate material information about enrollment requirements and procedures with parents, including parents who have limited proficiency in English. Access to information regarding enrollment requirements and procedures shall be available on the School's web site. Because space is limited, each student must enroll each year. Preferences will be in writing and given to currently-enrolled students and siblings of enrolled students.

- A. pupils who were enrolled in the School in the immediately preceding school year;
- B. siblings of enrolled students;
- C. children of a person who is employed by or at the School or who is on the Board of Directors of the School. When maximum enrollment for a grade has been reached, applicants shall be placed on a waiting list and admitted on the basis of a lottery system.

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

Section 5000 BP - Students

Title HOMELESS STUDENTS

Code 5111.01 BP

Status Active

Adopted September 13, 2017

Last Revised March 21, 2018

## **HOMELESS STUDENTS**

References:

42 U.S.C. 11431 et seq. (McKinney - Vento Homeless Act)

#### **Definitions**

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the School. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The School shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The School shall regularly review and revise its policies, including school discipline policies that may impact homeless students, including those who may be a member of any of the Protected Classes (Policy 2260).

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing1, bus or train station, or similar setting Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or quardian.

#### **Services to Homeless Children and Youth**

The School will provide services to homeless students that are comparable to other students in the School, including:

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
  - 1. programs for children with disabilities;
  - 2. programs for English Learners (ELs) (i.e., students with Limited English Proficiency (LEP));
  - 3. programs in career and technical education;
  - programs for gifted and talented students;
  - 5. school nutrition programs; and

6. before - and after-school programs.

The Board will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent or Superintendent designee and the Educational Service Provider. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. For more information on the role of the Liaison, refer to AG 5111.01.

### School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the School must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The School must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

When determining a child or youth's best interest, the School must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the School must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The School also considers the school placement of siblings when making this determination.

If the School finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the School must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

#### **Immediate Enrollment**

The School has an obligation to remove barriers to the enrollment and retention of homeless students. A school chosen on the basis of a best interest determination must immediately enroll the homeless student, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of guardianship, birth certificate or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the local liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or School. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, the School will also make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available). Additionally, the School should consider giving homeless children and youth's priority if there is a waitlist for these schools, programs, and activities.

#### **Transportation**

The School provides homeless students with transportation services that are comparable to those available to non-homeless students. The School also provides or arranges for transportation to and from the school of origin at the parent or guardian's request, or the liaison's request in the case of an unaccompanied youth. Transportation is arranged promptly to allow for immediate enrollment and will not create barriers to a homeless student's attendance, retention, and success. The following procedures also apply subject to a determination of the student's best interest:

A. If the homeless student moves but continues to live within the area covered by the School's charter the School is considered the school of origin and the school of residence and, therefore, transportation will be provided or arranged for the student's transportation to or from the school of origin by the School.

- B. If the homeless student moves to an area outside of the School's charter, though continuing his/her education at the school of origin, the School and the public school district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the School and the public school district cannot agree upon such a method, the responsibility and costs will be shared equally.
- C. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The School determines the mode of transportation in consultation with the parent or guardian and based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The School will work with the State to resolve transportation disputes with other Academies. If the disputing School is in another State, the School will turn to the State for assistance as Federal guidance says that both States should try to arrange an agreement for the Academies.

#### **Dispute Resolution**

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the School must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the School will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, School and Board of Directors policies, the School will provide the parent, guardian or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the School or State, along with a written explanation of appeal rights.

The School's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The School must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The School will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The School ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominate language is not English, the School will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to federal laws. The School will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

#### **Homeless Children in Preschool**

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the School. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the School takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The School must also provide transportation services to the school of origin for a homeless child attending preschool. It is the School's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the School moves to another School that does not provide widely available or universal preschool.

## **Public Notice**

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the School shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the School shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

#### Records

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The School shall incorporate practices to protect student privacy as described in AG 5111.01, AG 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

1 According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing."

Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, at A-3 (July 27, 2016).

Section 5000 BP - Students

Title EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

Code 5111.02 BP

Status Active

Adopted November 16, 2011

## **EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN**

Reference:

Interstate Compact on Educational Opportunity for Military Children  $MCL\ 3.1041$ 

Children of an active duty member of the United States armed services shall be entitled to all of the rights and protections afforded under the Interstate Compact on Educational Opportunity for Military Children (Compact).

The intent of this policy is to minimize the potential challenges to educational success for children of military families because of frequent moves and deployment of their parents by:

- A. facilitating the timely enrollment and placement of children of military families in educational and other school programs and activities;
- B. facilitating the on-time graduation of children of military families; and
- C. providing for the uniform collection and sharing of information between and among schools and military families. The Superintendent or Superintendent Designee shall maintain guidelines for implementation of this policy which are consistent with the Compact and State law.

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

Section 5000 BP - Students

Title CHILDREN AND YOUTH IN FOSTER CARE

Code 5111.03 BP

Status Active

Adopted September 13, 2017

### CHILDREN AND YOUTH IN FOSTER CARE

References:

45 C.F.R. 1355.20

The Board of Directors recognizes the importance of educational stability for children and youth in foster care. Further, the Board recognizes these children and youth as a vulnerable subgroup of students in need of safeguards and supports in order to facilitate a successful transition through elementary and secondary education and into college and/or careers. To that end, the School will collaborate with the Michigan Department of Education (MDE), other Schools, and the appropriate child welfare agencies to provide educational stability for children and youth in foster care.

#### **Definitions**

Children who meet the Federal definition of "in foster care" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the School. To that end, students in foster care will not be stigmatized or segregated on the basis of their status. The School shall establish safeguards that protect foster care students from discrimination on the basis of their foster care status or other of the recognized Protected Classes (Policy 2260). The School shall regularly review and revise its policies, including School discipline policies that may impact students in foster care.

Consistent with the Fostering Connections Act, "foster care" means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in:

- A. foster family homes;
- B. foster homes of relatives;
- C. group homes;
- D. emergency shelters;
- E. residential facilities;
- F. child care institutions; and
- G. preadoptive homes.

A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (45 C.F.R. 1355.20 (a)).

#### **School Stability**

The School shall remove barriers to the enrollment and retention of children and youth in foster care in the School. Foster care students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, School records, and other documentation.

The School shall meet the Title I requirements for educational stability for children and youth in foster care, including those awaiting foster care placement. The School shall identify which students are in foster care and shall collaborate with State and tribal child welfare agencies to provide educational stability for these children and youth. School staff will work closely with child welfare agency personnel to develop and implement processes and procedures that include these enrollment safeguards:

- A. a child/youth in foster care shall remain in his/her School of origin, unless it is determined that remaining in the School of origin is not in that child's best interest;
- B. if it is not in the child's best interest to stay in his/her School of origin, the child shall be immediately enrolled in the determined new School even if the child is unable to produce records normally required for enrollment; and
- C. the new (enrolling) School shall immediately contact the School of origin to obtain relevant academic and other records, including the student's Individualized Education Program (IEP) if applicable. (ESEA Section 1111(g)(1)(E)(i)-(iii)).

#### School of Origin

The School of origin is the School in which a student is enrolled at the time of placement in foster care. If a student's foster care placement changes, the School of origin would then be considered the School in which the child is enrolled at the time of the placement change. A student in foster care shall remain in his/her School of origin, if it is determined to be in the student's best interest, for the duration of the student's placement in foster care.

When a student exits foster care, the School will continue to prioritize the student's educational stability in determining placement, supports, and services deemed to be in the child's best interests.

A student who has exited foster care shall be permitted to remain in the School of origin until the end of the School year.

#### **Best Interest Determination**

In making the best interest determination, the School will follow the guidelines established by MDE and the State or tribal custodial agencies. The School shall utilize the prescribed process in conjunction with local custodial agencies in making best interest determinations, and shall make such determination within five (5) School days of the child's placement in foster care or change in child's living arrangement. Once a determination is made the School shall provide the decision in writing to all relevant parties, in collaboration with the appropriate custodial agency. When making decisions regarding educational placement of students with disabilities under IDEA and Section 504, the School shall provide all required special educational and related services and supports provided in the least restrictive placement where the child's unique needs, as described in the student's IEP or Section 504 plan, can be met.

If there is a dispute regarding whether the educational placement of a child in foster care is in the best interest of that child, the dispute resolution process established by the Michigan Department of Education (MDE) shall be used.

The School's representatives shall collaborate fully in this process, considering relevant information regarding academic programming and related service needs of the child, and advocating for what the School believes is in the best interest of the child.

To the extent feasible and appropriate, the child will remain in his/her School of origin while disputes are being resolved in order to minimize disruption and reduce the possible number of moves between academies. (ESEA Section 1111(g)(1)(E)(i)).

Since the custodial agency holds ultimate legal responsibility for making the best interest determination for the foster child in their care, if the dispute cannot be resolved, the custodial agency will make the final determination. Such final determination will be made within five (5) School days of the child's placement in foster care or change in the child's living arrangement.

All notifications and reports regarding foster care placement, changes in School enrollment, transportation services, and changes in the child's living arrangements shall be provided to the affected parties, in writing, in accordance with the forms, procedures, and requirements of the MDE and the State or tribal custodial agencies.

### **Local Point of Contact**

The Superintendent or Superintendent designee and the Educational Service Provider shall designate and make public a local point of contact who will perform the duties as assigned by the Superintendent or Superintendent designee and the Educational Service Provider. The point of contact shall serve as a liaison to coordinate with child protection agencies, lead the development of a process for making the best determination for a student, facilitate the transfer of records, and oversee the enrollment and regular School attendance of students in foster care.

#### **Records**

The School shall provide privacy protections for children and families and shall facilitate appropriate data-sharing pertaining to children in foster care between child welfare and educational agencies, in accordance with the Family Educational Rights and Privacy Act (FERPA) and Policy 8330 – Student Records.

#### Services to Children and Youth in Foster Care

Foster care children and their families shall be provided equal access to the educational services for which they are eligible comparable to other students in the School including:

- A. educational services for which the student in foster care meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- B. preschool programs;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students;
- E. School nutrition programs; and
- F. before and after-School programs.

#### **Transportation Services**

The School must ensure that transportation is provided for children in foster care consistent with the procedures developed by the School in collaboration with the State or local child welfare agency. These requirements apply whether or not the LEA already provides transportation for children who are not in foster care.

In order for a student in foster care in his/her School of origin, when in his/her best interest, transportation services shall be provided, arranged, and funded for the duration of the child's placement in foster care. The School's transportation services will provide that:

- A. Children in foster care needing transportation to their academies of origin will promptly receive that transportation in a cost effective manner and in accordance with Section 475(4)(A) of the Social Security Act; and
- B. If there are additional costs incurred in providing transportation to the School of origin, the School shall provide such transportation if 1) the local child welfare agency agrees to reimburse the School for the cost of such transportation; 2) the School agrees to pay for the cost; or 3) the School and the local child welfare agency agree to share the cost. (ESEA 1112(c) (5)(B)).

Additional costs incurred in providing transportation to the School of origin should reflect the difference between what the School would otherwise spend to transport a student to his/her assigned School and the cost of transporting the foster care student to the School of origin. The School will collaborate with the State Education Agency (SEA), other LEAs, and child welfare agencies to pursue possible funding sources and arrangements to deal with transportation costs.

Since foster care placements may occur across School, county, or State boundary lines, coordination among multiple agencies may be necessary. The School will work with appropriate State and local agencies to address such placement and transportation issues that arise. The School shall provide or arrange for adequate and appropriate transportation to and from the School of origin while any disputes are being resolved.

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or School success of children and youth in foster care.

Section 5000 BP - Students

Title ENTRANCE AGE

Code 5112 BP

Status Active

Adopted December 10, 2014

Last Revised September 2, 2015

### **ENTRANCE AGE**

#### Reference:

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

IDEA, Part B; 34 CFR Part 300

Dear Colleague Letter, Feb. 29, 2012, U.S.D.O.E., Office of Special Education

and Rehabilitative Services

A.C. Rule 340.1754

The Board shall establish student entrance age requirements which are consistent with Michigan Law and sound educational practices which ensure equitable treatment.

A child who turns six (6) years of age before December 1st must be enrolled on the first school day of the school year in which the child's sixth birthday occurs, and a child who turns six (6) years of age on or after December 1st must be enrolled on the first school day of the school year following the school year in which the child's sixth birthday occurs.

## A. Prekindergarten

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

### B. Kindergarten

A child who is at least five (5) years of age on or before September 1st of the school year of enrollment is eligible for entrance to the kindergarten program for that school year. The child may not be placed in an alternative program without permission of the parent.

#### C. Early Entrance

A child who is not yet five (5) years of age on or before September 1st for the applicable school year will be admitted to kindergarten under the following circumstances:

- 1. the child will have attained the age of five (5) by December 1st of the school year of enrollment; and either two (2) or three (3) below;
- 2. the parent or guardian provides written notice to the School of intent to enroll the child for that school year.

Section 5000 BP - Students

Title FOREIGN AND FOREIGN-EXCHANGE STUDENTS

Code 5114 BP

Status Active

Adopted September 2, 2015

# FOREIGN AND FOREIGN-EXCHANGE STUDENTS

Reference:

M.C.L 380.504(3) 8 C.F.R. 214 et seq.

8 U.S.C. 1101 (Immigration Reform and Control Act)

M.C.L. 380.1147 1985 O.A.G. 6316

Plyler v Doe, 457 U.S. 202 (1982)

The Board of Directors recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having foreign students as members of the student body of this School.

In accordance with other admissions policies, the Board will permit the admission of foreign students and foreign-exchange students (from recognized and approved student exchange programs) who are either deemed legal residents of the State of Michigan under applicable law or are permitted under MCL 380.504(3).

### Student and Exchange Visitor Program for Nonimmigrant Students with F-1 Visas

Provided such petition is not prohibited by the School's authorizer, the Board authorizes the School to petition for approval to provide a Student and Exchange Visitor Program (SEVP). As an authorized SEVP provider, the School will issue the certificate of eligibility to nonimmigrant students who complete the application process successfully, which will enable them to apply for an F-1 Visa. All students entering under this section must be deemed residents of the State of Michigan or be permitted under MCL 380.504(3).

Participation by nonimmigrant students in this program will be consistent with Federal law that requires the following:

- A. the student possess sufficient English language proficiency to participate in the high school curriculum
- B. the student's participation does not exceed an academic year
- C. the student pays to the Board the full amount of tuition prior to the commencement of the academic term of attendance
- D. the student otherwise maintains his/her lawful temporary immigration status

## **Other Nonimmigrant Students**

This policy does not apply to nonimmigrant students with citizenship in countries other than the United States who are not participating in an approved exchange visitor program or who are not sponsored by the School so they can attend the School as participants in the student and exchange visitor program (SEVP) on a valid F-1 visa.

All other nonimmigrant students with citizenship in countries other than the United States who seek to enroll in the School are subject to State law and the School's policies regarding enrollment and, if applicable, tuition. All such students must be deemed to be residents of the State of Michigan under applicable law or be permitted under MCL 380.504(3).

Section 5000 BP - Students

Title WITHDRAWAL FROM THE SCHOOL

Code 5130 BP

Status Active

# WITHDRAWAL FROM THE SCHOOL

Reference:

MCLA 380.1561, 388.1705

The Board of Directors affirms that, while Michigan law requires attendance of each student until sixteen (16) years of age, it is in the best interests of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life.

The Board directs that whenever a student wishes to withdraw from the School, efforts should be made to determine the underlying reason for such action and the resources of the School should be used, when and as appropriate, to assist the student in reaching his/her career goals.

No student under the age of eighteen (18) will be permitted to withdraw without the written consent of a parent or the approval of the Board of Directors.

The Superintendent or Superintendent Designee shall develop administrative guidelines for withdrawal from the School which:

- A. make counseling services available to any student who wishes to withdraw;
- B. make every effort to satisfy the student's future educational needs;
- C. help the student define his/her own educational life goals and help plan the realization of those goals;
- D. inform the student of the G.E.D.;
- E. assure the timely return of all School-owned supplies and equipment in the possession of the student.

Section 5000 BP - Students

Title WIRELESS COMMUNICATION DEVICES

Code 5136 BP

Status Active

Last Revised November 16, 2011

## WIRELESS COMMUNICATION DEVICES

In order to avoid disruption of the educational environment and protect students' right of privacy, student possession and/or use of wireless communication devices (WCDs) is prohibited on school grounds, at school-sponsored events and on school buses or other vehicles provided by the School. A "wireless communication device" is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of WCDs: cellular and wireless telephones (including camera phones), pagers/beepers, personal digital assistants (PDAs), BlackBerrys/Smartphones, Wi-Fi-enabled or broadband access devices, and other devices that allow a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

Violation of this policy can result in discipline ranging from a warning up to and including suspension or expulsion, and notification of law enforcement authorities. The particular discipline imposed will depend on the number of prior violations and the nature of the violation at issue. In addition, if a student violates this policy, his/her WCD may be confiscated. Under such circumstances, the WCD will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequence that is imposed.

"Sexting" is prohibited at any time on school property or at school functions. Sexting is the electronic transmission of sexual messages or pictures, usually through cell phone text messaging. Such conduct not only is potentially dangerous for the involved students, but can lead to unwanted exposure of the messages and images to others, and could result in criminal violations related to the transmission or possession of child pornography. Such conduct will be subject to discipline and possible confiscation of the WCD.

A person who discovers a student in possession of or using a WCD in violation of this policy is required to report the violation to the building principal.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/guardians during the school day.

Section 5000 BP - Students

Title ATTENDANCE

Code 5200 BP

Status Active

Last Revised October 21, 2020

### **ATTENDANCE**

Reference:

MCLA 380.1561, 380.1561(3a-3c), 380.1586(3)
Pupil Accounting Manual 2019-2020, Michigan Department of Education

The Board of Directors shall enforce the regular attendance of students. The Board recognizes that the presence in the classroom enables the student to participate in instruction, class discussions, and other related activities. As such, regular attendance and classroom participation are integral to instilling incentives for the student to excel.

Attendance shall be required of all students during the days and hours that the School is in session.

A student may be considered a full-time equivalent student provided the student is enrolled in at least seven (7) units of instruction (courses), as defined by State law, per school year.

The School shall require, from the parent of each student or from an adult student who has been absent for any reason, a written statement and/or confirmation of the cause for such absence. The Superintendent or Superintendent Designee is authorized to verify such statements and to investigate the cause of each absence.

The Board considers the following factors to be reasonable excuses for time missed:

- A. illness
- B. recovery from accident
- C. required court attendance
- D. professional appointments
- E. death in the immediate family
- F. observation or celebration of a bona fide religious holiday
- G. such other good cause as may be acceptable to the Superintendent or Superintendent Designee

Attendance need not always be within the School facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

The Board authorizes, but does not encourage the Superintendent or Superintendent Designee to suspend a student from a particular class or from school if sincere efforts by the staff and parents cannot rectify the pattern of absence.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the attendance of students which:

- A. ensure a school session which is in conformity with the requirements of the law;
- B. ensure that students absent for any excusable reason have an opportunity to make up work they missed;
- C. ensure the student is not given a failing grade or his/her credit is not unconditionally revoked where lack of attendance is the sole or primary determining factor, but which allow reduction in grade or denial of credit, if the student does not make

appropriate use of make-up sessions provided by the instructor or administrator;

- D. govern the keeping of attendance records in accordance with the rules of the State Board and the Michigan Department of Education Pupil Accounting Manual, including a written electronic attendance procedure, if applicable;
- E. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- F. ensure that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the School's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

Such guidelines should provide that a student's grade in any course is based on his/her performance in the instructional setting and is not reduced for reasons of conduct. If a student violates the attendance or other rules of the School, s/he should be disciplined appropriately for the misconduct, but his/her grades should be based upon what the student can demonstrate s/he has learned.

Section 5000 BP - Students

Title MISSING AND ABSENT CHILDREN

Code 5215 BP

Status Active

# MISSING AND ABSENT CHILDREN

Reference:

MCLA 380.1134, 1135

It is the intent of this Board of Directors to cooperate with local, state, and national efforts to decrease the number of missing children.

The Superintendent or Superintendent Designee is instructed to promulgate administrative guidelines to consider admittance of a student lacking records into the School followed by notification of the police rather than refusing entrance and notification of authorities. Such a procedure may reduce the risk of removal of the student from the area.

Section 5000 BP - Students

Title ABSENCES FOR RELIGIOUS INSTRUCTION

Code 5223 BP

Status Active

## **ABSENCES FOR RELIGIOUS INSTRUCTION**

Reference:

MCLA 380.1561(3c) AC Rule R340.71, R340.74

The Board of Directors desires to cooperate with those parents who wish to provide for religious instruction for the children but also recognizes its responsibility to enforce the attendance requirements of the State.

Upon the signed request of a student's parent, the Board will allow exceptions to the student's continuous attendance:

- A. for religious instruction outside the building for no more than two (2) class hours per week;
- B. for attendance at confirmation classes provided the child is twelve (12) or thirteen (13) years of age and the instructional period is no longer than five (5) months in either of those years.

A student must be properly registered and a copy of such registration must be filed with the Superintendent or Superintendent Designee.

The time for release for religious instruction or education shall be arranged by the Superintendent or Superintendent Designee in keeping with the regulations of the State Board of Education. S/He will also assure the appropriate continuance of the instructional program in the public school academy during such release times.

No solicitation for attendance at religious instruction shall be permitted on School premises. No member of the staff shall encourage nor discourage participation in any religious instruction program.

Section 5000 BP - Students

Title LATE ARRIVAL AND EARLY DISMISSAL

Code 5230 BP

Status Active

Last Revised October 21, 2020

## LATE ARRIVAL AND EARLY DISMISSAL

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the School.

The Board of Directors recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this School, the Superintendent or Superintendent Designee shall require that the School be notified in advance of such absences by written and/or personal request of the student's parent, which shall state the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the Superintendent or Superintendent Designee.

If one parent has been awarded custody of the student by the courts, the parent of custody shall provide the School with a copy of the custody order and inform the School in writing of any limitations in the rights of the non-custodial parent. Absent such notice, the School will presume that the student may be released into the care of either parent.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her. No student shall be released to anyone who is not authorized such custody by the parents.

Presentation of photo identification is required of anyone authorized such custody. (See Form 5230 F1)

The Superintendent or Superintendent Designee shall develop administrative guidelines to ensure the proper implement of this policy.

Section 5000 BP - Students

Title TARDY POLICY

Code 5231 BP

Status Active

# **TARDY POLICY**

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Students must arrive in class on time daily. Any student arriving after 8:05 a.m. is considered "tardy".

Failure to adhere to the designated arrival schedule may result in the following action:

- A. May result in the parent being cited for neglect.
- B. The student may be asked to find an alternative learning environment.
- C. The student may be denied admission to the school the following year.

Section 5000 BP - Students

Title LATE PICK-UP POLICY

Code 5232 BP

Status Active

# **LATE PICK-UP POLICY**

Students must be picked up at the designated time of dismissal daily. Any student left at the end of school's scheduled dismissal time is considered "late pick-up".

Failure to adhere to the designated pick-up schedule may result in the following action:

- A. Fines levied against parents as dictated by the Superintendent/Chief Administrative Officer.
- B. May result in the parent being cited for neglect.
- C. The student may be dropped off at the neighboring police precinct.
- D. The student may be denied admission to the school the following year.

Section 5000 BP - Students

Title HEALTH SERVICES

Code 5310 BP

Status Active

## **HEALTH SERVICES**

Reference:

20 USC 1232(h)

In compliance with law, the Board of Directors may require students to submit to periodic health examinations to:

- A. protect the School community from the spread of communicable disease;
- B. determine that each student's participation in health, safety, and physical education courses meets his/her individual needs;
- C. determine that the learning potential of each child is not lessened by a remediable, physical disability.

The School shall specify the need for services which may include, but not be limited to:

- A. student physical examinations;
- B. athlete physical examinations;
- C. dental examinations;
- D. tests for communicable disease;
- E. vision screening;
- F. audiometric screening;
- G. scoliosis test screening;

Any health services program should also include instruction to staff members on the observance of students for conditions that indicate physical defect or disability.

The Superintendent or Superintendent Designee shall directly notify the parents of students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening is scheduled or expected to be scheduled for students if the examination or screening is: (1) required as a condition of attendance; (2) administered by the School and scheduled by the School in advance; and (3) not necessary to protect the immediate health and safety of a specific student, or other students.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

Section 5000 BP - Students

Title IMMUNIZATION

Code 5320 BP

Status Active

Last Revised September 2, 2015

Prior Revised Dates 11/16/2011;

## **IMMUNIZATION**

Reference:

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

The Board believes immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the Board requires that all students be properly immunized at the time of registration or not later than the first day of school pursuant to the provisions of the Department of Health and Human Services (DHHS) regulations.

However, students who do not meet the immunization requirements on the opening day of school shall be admitted in accordance with School administrative guidelines. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

- A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify said contraindication.
- B. The parent(s)/guardian(s) hold religious or philosophical beliefs against receiving a vaccination. Any parent or guardian who wants to claim a nonmedical waiver must receive education regarding the benefits of vaccination and the risks of disease from a county health department before obtaining the certified nonmedical waiver form through the Local Health Department, and present same to the appropriate School personnel.
- C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet. When the School provides information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of pupils in at least grades 6, 9, and 12, then with that information the Board is required to include information about meningococcal meningitis and the vaccine for meningococcal meningitis as well as about the human papillomavirus and the vaccine for human papillomavirus. The information shall include at least the causes and symptoms of meningococcal meningitis, how it is spread, and the risks associated with human papillomavirus. In addition, the information shall include sources where parents and guardians may obtain additional information about both diseases and where they may obtain the associated vaccinations.

The Superintendent shall develop Administrative Guidelines to ensure the proper implement of this policy.

Section 5000 BP - Students

Title USE OF MEDICATIONS

Code 5330 BP

Status Active

Adopted September 6, 2005

Last Revised March 27, 2019

Prior Revised Dates 11/16/2011;

# **USE OF MEDICATIONS**

#### Reference:

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

Neither the Board of Directors nor the Superintendent or Superintendent Designee shall be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or the child is disabled and requires medication to benefit from his/her educational program.

For purposes of this policy, medication means all medicines, including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, and/or remedies, and performance-enhancing drugs as defined in AG 2431C. Treatment refers to the manner in which a medication is administered and to health-care procedures that require special training, such as catheterization.

Before any prescribed medication or treatment may be administered to any student during school hours, the Board shall require the written prescription from the child's physician accompanied by the written authorization of the parent. Both must also authorize any self-medication by the student.

Before any non-prescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent who must also authorize any self-medication by his/her child. Medications will be administered by the School in accordance with the Superintendent or Superintendent Designee's guidelines.

Only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be administered. Parents, or students authorized in writing by their physician and parents, may administer medication or treatment.

Staff members are to administer medication or treatment only in the presence of another adult, except in the case of an emergency that threatens the life or health of the student. Staff licensed as professional registered nurses are exempt from this requirement.

All staff authorized to administer medication or treatment will receive training on appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with both knowledge of the School's policy and procedures and the administration of medications or treatment. Where possible, this training should be provided by a licensed registered nurse, a licensed physician's assistant, or a licensed physician.

All medication shall be kept in a locked storage case in the School office/Nurse's office.

Students who may require the administration of an emergency medication may have such medication in accord with the Superintendent or Superintendent Designee's administrative guidelines.

Students may possess and self-administer a metered dose or dry powder inhaler for relief of asthma (or before exercise to prevent onset of asthma symptoms), while at school, on school-sponsored transportation, or at any school-sponsored activity in accord with the Superintendent or Superintendent Designee's guidelines, if all of the following conditions are met:

- A. There is written approval from the student's physician or other health care provider and the student's parent/guardian (if student is under eighteen (18) to possess and use the inhaler (Form 5330 F1c); and
- B. The building administrator has received a copy of the written approvals from the physician and the parent/guardian; and
- C. There is on file at the student's school a written emergency care plan prepared by a licensed physician in collaboration with the student and his/her parent/legal guardian. The plan shall contain specific instructions on the student's needs including what to do in the event of an emergency.

Students with a need for emergency medication may also be allowed to self possess and self administer such medication, provided that they meet the same conditions established above. Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self possess and administer the medication if they meet the conditions stated above.

Students shall be permitted to possess and self-administer U.S. Food and Drug Administration (FDA) approved, over-the-counter topical products while on school property or at a school-sponsored event provided the student has submitted prior written approval of his/her parent/guardian to the Superintendent or Superintendent designee or other chief administrator of the student's school.

This policy and the Administrative Guidelines developed to establish appropriate procedures shall be implemented in such a manner to comply with School's obligations and the student's needs under any Individualized Education Plan, Section 504 Plan, or other legally required accommodation for individuals with disabilities.

The Superintendent or Superintendent Designee shall prepare Administrative Guidelines to ensure the proper implementation of this policy.

Section 5000 BP - Students

Title EPINEPHRINE AUTO-INJECTORS

Code 5330.01 BP

Status Active

Adopted December 10, 2014

# **EPINEPHRINE AUTO-INJECTORS**

Reference:

M.C.L. 380.1178, 380.1179, 380.1179A

Michigan Department of Education, Model Policy and Guidelines for Administering

Medications to Pupils at School

Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self-possess and self-administer the medication if they meet the conditions as stated in Policy 5330.

Commencing with the 2014-15 school year, the School shall have at least two (2) epinephrine auto-injectors (Epi-Pens) available at the school site. It shall be the responsibility of the Superintendent to be sure that the supply of Epi-Pens is maintained at the appropriate level and they have not expired. The Superintendent shall also be responsible for coordinating the training of employees to administer Epi-Pen injections and to maintain the list of employees authorized to administer such injections.

#### **Individuals Qualified to Administer**

Only a licensed, registered professional nurse employed or contracted by the School or a school employee who has successfully passed the required training shall be allowed to possess and administer Epi-Pen injections to students. The persons authorized to use the School maintained Epi-Pens will be maintained in each school by the Principal, and shall be available on an electronically accessible site for employees' reference.

Each school shall have at least one person trained in the appropriate use and administration of an Epi-Pen injection. In each school with ten (10) or more combined instructional and administrative staff, at least two (2) employees at that site shall be appropriately trained in the use of an Epi-Pen.

Training of employees on the appropriate use and administration of an Epi-Pen injection shall be done in accordance with any guidelines provided by the Michigan Department of Education, and shall be conducted under the supervision of a licensed registered professional nurse. The training shall include an evaluation by the nurse of the employees' understanding of the protocols for administering an Epi-Pen injection.

### Students to Whom Injections May Be Administered

A licensed, registered, professional nurse or trained and authorized employees under this policy may administer Epi-Pen injections to 1) any student who has a prescription on file with the School, in accordance with the directives in such prescription, and 2) any individual on school grounds who is believed to be having an anaphylactic reaction.

### **Reporting of Injections**

Any person who administers an Epi-Pen injection to a student shall promptly notify the student's parent/guardian and may call 911.

All Epi-Pen injections by employees to students shall be reported in writing to the Superintendent. The report shall include whether the school's or student's Epi-Pen was used, and whether the student was previously known to be subject to severe allergic reaction (anaphylaxis).

The Superintendent shall at least annually report to the Department of Education, in the form and manner determined by the Department, information on the number of injections provided to students, the number of injections with School Epi-Pens and the number of incidents where students were not know to be subject to severe allergic reactions.



Section 5000 BP - Students

Title STUDENTS WITH SPECIAL DIETARY NEEDS

Code 5331 BP

Status Active

# STUDENTS WITH SPECIAL DIETARY NEEDS

The Board of Directors believes all students, through necessary accommodations where required, shall have the opportunity to participate fully in all School programs and activities.

In some cases, a student's disability may prevent him/her from eating meals prepared for the general School population.

Substitutions to the regular meal will be made for students who are unable to eat meals at school because of their disabilities, when that need is certified in writing by a physician. Meal service shall be provided in the most integrated setting appropriate to the needs of the student with this disability.

The licensed physician's statement shall specifically describe:

- A. the nature of the student's disability;
- B. the reason the disability prevents the student from eating the regular school meals;
- C. foods to be omitted from the student's diet;
- D. the specific diet prescription along with the substitution(s) needed.

The School, in compliance with USDA Child Nutrition Division guidelines, will provide substitute meals to food-allergic students based upon the physician's signed statement.

The Board recognizes that students with documented life-threatening food allergies are considered disabled and are covered by The Disabilities Act and Public Law 93-112 and Section 504 of The Rehabilitation Act of 1973. A clearly-defined "504 Accommodation Plan" shall be developed and implemented for all such identified students in which necessary accommodations are made to ensure full participation of identified student in student activities. Such plan shall be signed by the appropriate staff, the parent/guardian of the student and the student's physician.

The Superintendent or Superintendent Designee shall prepare administrative guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, staff development, strategies for identifying students at risk for life-threatening allergic reactions, means to manage the student's allergy including avoidance measures, designation of typical symptoms and dosing instructions for medications.

Section 5000 BP - Students

Title STUDENT ACCIDENTS

Code 5340 BP

Status Active

# STUDENT ACCIDENTS

The Board of Directors believes that School personnel have certain responsibilities in case of accidents which occur in school. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration personnel, notification of parents, and the filing of accident reports.

Staff should administer first aid within the limits of their knowledge of recommended practices. All staff should make an effort to increase their understanding of the proper steps to be taken in the event of an accident.

The staff member in charge must submit an accident report on all student accidents.

The Superintendent or Superintendent Designee shall prepare administrative guidelines to assure the prompt reporting of all student accidents.

Section 5000 BP - Students

Title CONCUSSIONS AND ATHLETIC ACTIVITIES

Code 5340.01 BP

Status Active

Adopted November 20, 2013

# **CONCUSSIONS AND ATHLETIC ACTIVITIES**

Reference:

M.C.L. 333.9155 - 333.9156

To provide for the safety of student athletes, all athletic programs of the Academy shall comply either with the concussion protocols of the Michigan High School Athletic Association, or the protocols set forth in AG 5340.01, which shall meet all the requirements of state law and Department of Community Health guidelines regarding concussion awareness training and protection for youth athletes. The Academy shall comply with whichever standards are more protective.

Section 5000 BP - Students

Title EMERGENCY MEDICAL AUTHORIZATION

Code 5341 BP

Status Active

Last Revised March 15, 2023

# **EMERGENCY MEDICAL AUTHORIZATION**

The Superintendent or Superintendent Designee will distribute annually to parents or guardians of all students the Emergency Medical Authorization Form. In the event emergency medical treatment for a student is necessary, the School will adhere to the instructions on the authorization form.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in the School office during the year.

Any time a student or a group of students is taken out of the School to participate in a School event, the staff in charge of the event must take the Emergency Medical Forms for those students. This includes, and is not limited to, students involved in music trips, athletic trips, field trips, and academic contests. This does not include student spectators at events.

The Superintendent or Superintendent Designee shall develop administrative guidelines to ensure the prompt return of said form by parents or guardians, and the implementation of other provisions of this policy. Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to follow the procedures described in this policy and in Policy 5342 related to Do Not Resuscitate Orders.

Section 5000 BP - Students

Title DO NOT RESUSCITATE ORDERS (DNR) FOR MINOR STUDENTS

Code 5342 BP

Status Active

Adopted March 15, 2023

# DO NOT RESUSCITATE ORDERS (DNR) FOR MINOR STUDENTS

Reference:

M.C.L. 333.1051, et. seq.

M.C.L. 380.1180

After April 4, 2021, if a parent or legal guardian who is legally authorized to execute a "Do Not Resuscitate" order ("DNR Order") for a student provides School administration with a copy of a duly executed DNR Order compliant with the law and in substantially the same form as dictated by statute, School administration shall proceed as follows.

If the administrator who receives a copy of a DNR Order from a parent or legal guardian of a student is not the Educational Service Provider, the administrator shall immediately provide the Educational Service Provider with the DNR Order.

The Educational Service Provider shall ensure that all of the following conditions are met:

- A. The copy of the DNR Order must be placed in a file created specifically for a copy of a DNR Order or the revocation of a DNR Order in a manner and location to be determined by the Educational Service Provider, regardless of whether the order pertains to a student with an individualized education program.
- B. If the School received a copy of a DNR Order for a student during the immediately preceding school year, the Educational Service Provider, or his/her designee, must inquire of the student's parent or legal guardian at the beginning of each school year subsequent to which the DNR Order was in effect to determine if the order is still in effect.
- C. The Educational Service Provider, or his/her designee, must provide actual notice of the DNR Order to each teacher or other school employee who provides instructional or noninstructional services directly to the student.

If an administrator received actual notice of a revocation of a DNR Order, s/he shall immediately provide the revocation to the Educational Service Provider and the Educational Service Provider, or his/her designee shall immediately place the revocation in the file created per the instruction and provide actual notice of the revocation to each teacher or other school employee who provides instructional or noninstructional service directly to the student.

The Board shall ensure that timely and appropriate training regarding compliance with the DNR Order is provided to each teacher or other school employee who provides services to a student with a DNR Order, according to his/her level of responsibility.

An individual who determines that a minor student, while located at the school, is wearing a do-not-resuscitate identification bracelet or an individual who has actual notice of valid DNR Order related to the minor student shall not attempt to resuscitate the minor student before an appropriate health professional arrives to assist.

Section 5000 BP - Students

Title PHYSICIAN ORDER FOR SCOPE OF TREATMENT (POST)

Code 5343 BP

Status Active

Adopted March 15, 2023

# PHYSICIAN ORDER FOR SCOPE OF TREATMENT (POST)

Reference:

M.C.L. 380.1181

An administrator who receives a copy of a physician order for scope of treatment ("POST") form from a parent or legal guardian of a student enrolled in the School shall immediately provide the form to the Educational Service Provider.

- A. The Educational Service Provider shall ensure that all of the following conditions are met:
  - 1. The copy of the POST form must be placed in a file created specifically for a copy of a POST form or the revocation of a POST form, in a manner and location to be determined by the Educational Service Provider or his/her designee, regardless of whether the form pertains to a student with an individualized education program.
  - 2. If the School received a copy of a POST form for a student during the immediately preceding school year, the Educational Service Provider, or his/her designee, must inquire of the student's parent or legal guardian at the beginning of each school year subsequent to which the POST form was in effect to determine if the order is still in effect and request an updated copy of the form, if applicable.
  - 3. The Educational Service Provider, or his/her designee, must provide actual notice of the POST form described in this subsection to each teacher or other school employee who provides instructional or noninstructional services directly to the student.
- B. If an administrator receives actual notice of a revocation of a POST form, s/he shall immediately provide the revocation to the Educational Service Provider and the Educational Service Provider or his/her designee shall immediately place the revocation in the file described under subsection (1)(a) and shall provide actual notice of the revocation to each teacher or other school employee who provides instructional or noninstructional services directly to the student, regardless of whether the revocation pertains to a student with an individualized education program.
- C. The Board shall ensure that timely and appropriate training regarding compliance with the POST form is provided to each teacher or other school employee who provides services to a student with a POST form, according to his/her level of responsibility.

Section 5000 BP - Students

Title SUICIDE PREVENTION

Code 5350 BP

Status Active

# SUICIDE PREVENTION

#### Reference:

Kelson v City of Springfield, 767 F2d 651 (9th Cir. 1985)

The Board of Directors recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the School, and a student who has attempted self-destruction poses a danger both to himself/herself and to other students.

All School personnel should be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

The Superintendent or Superintendent Designee shall develop and implement administrative guidelines whereby members of the staff understand how to use an intervention procedure which includes the following:

Step 1 - Stabilization

Step 2 - Assessment of the Risk

Step 3 - Use of Appropriate Risk Procedure

Step 4 - Communication with Appropriate Parties

Step 5 - Follow-up

Throughout any intervention, it is essential that Board policies and administrative guidelines regarding confidentiality be observed at all times.

Section 5000 BP - Students

Title PROMOTION, PLACEMENT, AND RETENTION

Code 5410 BP

Status Active

# PROMOTION, PLACEMENT, AND RETENTION

The Board of Directors recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the Board that each student is moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

A student will be promoted to the succeeding grade level when s/he has:

- A. in the opinion of the professional staff, achieved the instructional objectives set for the present grade;
- B. demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

The Superintendent or Superintendent Designee shall develop administrative guidelines for promotion, placement, and retention of students which:

- A. ensure students who are falling seriously behind their peers or who may not be promoted receive the special assistance they may need to achieve the academic outcomes of the School's core curriculum;
- B. require the recommendation of the relevant staff members for promotion, placement, or retention;
- C. require that parents are informed in advance of the possibility of retention of a student at a grade level;
- D. assure that efforts are made to remediate the student's difficulties before s/he is retained;
- E. assign to the Superintendent or Superintendent Designee the final responsibility for determining the promotion, placement, or retention of each student.

Section 5000 BP - Students

Title REPORTING STUDENT PROGRESS

Code 5420 BP

Status Active

# REPORTING STUDENT PROGRESS

The Board of Directors believes that the cooperation of the School and home is a vital ingredient to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of student welfare and progress in school.

The Board directs the establishment of a system of reporting student progress which shall include written reports and parent conferences with teachers and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The Superintendent or Superintendent Designee shall develop administrative guidelines for reporting student progress to parents which:

- A. ensure that both student and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the student's status;
- B. enable the scheduling of parent-teacher conferences at such times and in such places as will ensure the greatest degree of participation by parents;
- C. specify the issuance of report cards at intervals of not more than quarterly.

Section 5000 BP - Students

Title GRADING

Code 5421 BP

Status Active

## **GRADING**

Reference:

MCL 380.11 et seq.

The Board of Directors recognizes its responsibility for providing a system of grading student achievement that can help the student, teachers, and parents judge properly how well the student is achieving the goals of the School's program.

The Board believes that the School's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning outcomes which are to be stated for each program at every grade level, kindergarten through twelfth.

The Board directs the Superintendent or Superintendent Designee to develop administrative guidelines for grading which:

- A. develop clear, consistent criteria and standards particularly when grades are based on subjective assessment;
- B. help each student understand in each course or program what behavior and/or achievement is needed to earn each grade as well as what will produce a failing grade;
- C. provide frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs;
- D. provide for a pass/fail grade in programs for which it is appropriate;
- E. provide students the opportunity to assess both their own achievements and their areas of difficulty.

The grading system should not inhibit the professional staff member from learning the strengths and weaknesses of each student on an individual basis.

The grading system should be subject to continual review by staff, students, and parents. Revisions shall be made only when such changes will assure a clearer, more valid, or more reliable system of grading.

The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may not be changed without the permission of the Superintendent or Superintendent Designee.

## **Changing Student Grades**

A student, parent, guardian or another person (referred to as the student) wanting to have a grade changed may follow the guidelines set forth in this policy but only for grades on final exams or grades at the end of a marking period, term, or semester.

## **Step One: Informing the Teacher**

If a student is dissatisfied with a grade received, the student informs the teacher, within five (5) calendar days, of the reason(s) for wanting the grade changed.

### **Step Two: Teacher Response**

A. the teacher who gave the original grade agrees to the student's request for change. However, the teacher must notify the principal in writing regarding such change within five (5) calendar days, and the procedure ends, or

B. the teacher who gave the grade does not agree, or does not respond to the student's request within five (5) calendar days, and the student proceeds to the next step.

### **Step Three: Principal Receives Request**

Within ten (10) calendar days after the student receives the grade and the teacher does not agree to change the grade, the principal or the principal's designee must receive a written from the student stating the reasons for wanting the grade change.

Meeting the principal: The principal shall consult with the teacher who assigned the grade, and the student, within ten (10) calendar days after receiving the written request from the student. The student, parent or guardian may attend this meeting or make a presentation, oral or written, to the principal.

Rational Basis Guideline: The principal cannot change the grade unless he/she finds that the student requesting the change has established that there was not a "rational basis" for the challenged grade under the teacher's established grading procedures. If a "rational basis" has been established by the student, the principal may change the grade.

Principal's Decision: The principal shall make his/her decision within ten (10) calendar days after the meeting with the teacher and student.

### **Step Four: Timely Appeals**

Either the teacher or the student may appeal the principal's decision to the Board of Directors within ten (10) calendar days after receiving the principal's decision. Failure to make a timely appeal means the principal's decision is final.

# **Step Five: Board of Directors Meet**

The Board of Directors shall meet within thirty (30) calendar days to consider the appeal, reviewing the reasons for and against the proposed change. The Board will neither interview the parties nor hear oral presentations. The Board shall either approve or disapprove the principal's decision. The Board shall not modify the principal's decision. The Board's decision is final.

### **Step Six: The Student's Record**

If the principal or Board acts to change a grade under this policy, a notation shall be made in the student's record that the grade was changed by the principal or Board.

Section 5000 BP - Students

Title CLASS RANK

Code 5430 BP

Status Active

# **CLASS RANK**

The Board of Directors acknowledges the usefulness of a system of computing grade point averages and class ranking for high school students, both to inform students of their relative academic placement among their peers and to provide students, prospective employers, and institutions of higher learning with a predictive device so that each student is more likely to be placed in an environment conducive to success.

The Board authorizes a system of class ranking, by grade point average, for students in grade(s) kindergarten – eighth grade.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the computation of grade point averages and the assignment of class rank to implement this policy which shall include:

- A. a system for fairly averaging makeup work;
- B. a statement of the methods for such computation and assignment to be made available for those to whom a student's grade point average or rank in class is released.

Section 5000 BP - Students

Title STUDENT RECOGNITION

Code 5451 BP

Status Active

# STUDENT RECOGNITION

The Board of Directors values excellence and wishes to instill in students the desire to do their best in all things. It shall be the policy of this Board, therefore, to recognize outstanding accomplishment in the curricular, co-curricular, and extra-curricular areas.

The Board authorizes the Superintendent or Superintendent Designee to develop a plan for recognition of outstanding student achievement based on well-defined, consistent criteria and standards.

Section 5000 BP - Students

Title GRADUATION REQUIREMENTS

Code 5460 BP

Status Active

Adopted November 16, 2011

Last Revised March 27, 2019

Prior Revised Dates 09/02/2015;

# **GRADUATION REQUIREMENTS**

#### Reference:

MCL 380.1166, 380.1278a(1), 380.1278a(2), 380.1278a(4)(c), 380.1279b M.C.L. 380.1278d, 380.1279h 20 USC 1400, et. seq. 20 USC 1401 et. Seq. 29 USC 794 42 USC 12131, et. seq.

It shall be the policy of the Board of Directors to acknowledge each student's successful completion of the instructional program or a personal curriculum appropriate to the achievement of School goals and objectives as well as personal proficiency by the awarding of a diploma at graduation ceremonies.

The Board shall award a regular high school diploma to every student enrolled in this School who meets the requirements of graduation established by this Board (see AG 5460), the Michigan Department of Education (MDE), and as provided by State law.

The Board shall annually notify each of its students and a parent or legal guardian of each of its high school students that all students are entitled to a personal curriculum. The annual notice shall include an explanation of what a personal curriculum is and state that if a personal curriculum is requested, the School will grant that request. The School shall provide this annual notice to parent and legal guardians by sending a written notice to each high school student's home or by including the notice in a newsletter, student handbook, or similar communication that is sent to a student's home, and also shall post the notice on the School's website.

Credit towards a high school diploma may be earned by:

- A. traditional course work:
- B. demonstrating mastery of subject area content expectations or guidelines for the credit;
- C. related course work in which content standards are embedded;
- D. non-traditional course work;
- E. independent teacher-guided study;
- F. testing out;
- G. dual enrollment;
- H. advanced placement courses;
- I. international baccalaureate or other "early college" programs; or
- J. Michigan Department of Education (MDE)-approved formal career and technical (CTE) program or curriculum; or

### K. on-line class.

High school special education students who properly complete the programs specified in their I.E.P., or in a personal curriculum, and meet the requirements for a high school diploma, and have received the recommendation of the I.E.P.C. may participate in graduation activities as recommended by the student's I.E.P.C. Reasonable accommodation shall be made for students with disabilities, as defined under State or Federal law, to assist them in taking any required tests or assessments for graduation.

For State-mandated curriculum requirements, a high school student shall be granted credit toward graduation if s/he successfully completes the subject area content expectations or guidelines developed by the department that apply to the credit. A high school student may also receive credit if s/he earns a qualifying score, as determined by the State on the assessments developed or selected for the subject area by the State or the student earns a qualifying score, as determined by the School on one or more assessments developed or selected by the School that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit. For subject areas and courses in which a final examination is used as the assessment for successful attainment of the subject area content, a grade of C+ or better is required.

The Board shall grant credit to any high school student who has exhibited a reasonable level of mastery of the subject matter of the course. Mastery includes achieving C+ or better in the final exam for the course, or – if there is no final exam – through the basic assessment used for the course, which may consist of a portfolio, paper, project, presentation or other established means.

Credit earned through mastery without enrollment in the course shall be based on a "pass" grade and shall not be included in the computation of grade point average for any purpose. Mastery credits shall not be counted toward any subject area requirement and any course sequence requirement. Once mastery credit is earned in a subject area, a student may not receive further credit for a lower sequence course in the same subject area. The student may not receive credit for a course in the same area but lower in the course sequence.

A high school student shall be granted credit in any foreign language not offered by the School providing s/he meets the competency criteria established by the Board.

A high school student shall be granted credit for completion of an internship or work experience that meets all of the requirements of MCL 380.1279h, subject to the Board's right to deny credit for the reasons and in the manner set out in MCL 380.1279h. The appeal rights set out in this statute apply in the event of a denial.

Many high school credit requirements may be fulfilled through state approved career and technical education programs (see AG 5460.01). The career and technical education credits may include work-based learning by a student working at a business or other work setting with appropriate oversight by the School over the student's experience and learning in the work setting in which the work-based learning occurs.

Commencement exercises will include only those students who have successfully completed requirements as certified by the Board. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation, however, when personal conduct so warrants.

Section 5000 BP - Students

Title CREDITS FROM NONPUBLIC SCHOOLS

Code 5463 BP

Status Active

Adopted November 16, 2011

# **CREDITS FROM NONPUBLIC SCHOOLS**

In recognizing its responsibility to uphold the minimum educational standards of the State of Michigan, the Board of Directors establishes the following policy and criteria regarding the acceptance of credits from nonpublic schools whether they are State-approved, non-approved, or home schools.

For credit or course-work to be accepted for courses taken in such schools, assurance of compliance with minimum requirements established by the State must be provided.

Recognition of credits or course-work shall be granted when the proper assurance and the student's transcript has been received. The School reserves the right to assess such transfer students in order to determine proper placement and to be assured the student can demonstrate the learnings which are prerequisite to a placement.

Although credits from nonpublic schools may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking. Only grades awarded for courses taken at the School or at a school approved by a State education agency shall be considered in class ranking and for entering on the transcript.

Section 5000 BP - Students

Title STUDENT CONDUCT

Code 5500 BP

Status Active

# STUDENT CONDUCT

Reference:

MCLA 380.1311, 380.1312

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to School rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the School community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in this School.

The Superintendent or Superintendent Designee shall establish administrative guidelines to carry out Board policy and philosophy, and shall hold all School personnel, students, and parents responsible for the conduct of students in the School, on School vehicles, and at School-related events.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct. This Code of Conduct shall be reviewed annually and/or periodically.

Section 5000 BP - Students

Title STUDENTS – SEX OFFENDER REGISTRY; CRIMINAL CONVICTIONS

Code 5510 BP

Status Active

Adopted November 16, 2011

Last Revised September 2, 2015

# STUDENTS - SEX OFFENDER REGISTRY; CRIMINAL CONVICTIONS

Reference:

M.C.L. 28.721 et al.

Students who are convicted of criminal conduct which requires their listing on the State's Sexual Offender Registry, shall be prohibited from participating in:

- 1. all extracurricular activities;
- 2. all in-school activities which deal with younger students, such as tutoring, classroom assistance, coaching, etc.;
- after school social activities, such as attendance at school-sponsored clubs, dances, athletic events, musical or theatrical
  performances, or outside clubs or activities, which meet on school property such as Girl or Boy Scouts, non-school athletics
  or religious/political groups.
- 4. activities as designated in writing by the Superintendent or Superintendent Designee.

Any exceptions to the above exclusions must be approved by the Superintendent or Superintendent Designee.

Any exceptions must be confirmed in writing by the authorizing individual, and must specifically state any requirements for participation, such as parental or adult supervision. The writing shall be provided to the parent, student, principal and Superintendent. Exceptions may be revoked at any time, with cause.

The Superintendent or Superintendent Designee may also adjust the student's classes and schedule to provide for adequate supervision and student safety during the school day.

Additional restrictions on in-school activity and student contacts may be implemented by the Superintendent or Superintendent Designee. Such restrictions shall be based on student/school safety and/or maintaining an appropriate educational environment. Restrictions will be in writing and provided to the student, parents/guardians and those staff with a need to know.

Such students shall only be on school premises as necessary for normal instructional purposes, or as permitted under any exceptions granted by the District. Students shall not arrive earlier than necessary and shall leave promptly upon completion of their approved attendance.

Students who have been convicted of a crime shall be reviewed by the District administration for possible limitation of school related activities consistent with the nature of the crime and the interest of the District in maintaining school safety.

Section 5000 BP - Students

Title USE OF TOBACCO BY STUDENTS

Code 5512 BP

Status Active

Adopted November 16, 2011

Last Revised October 21, 2020

## **USE OF TOBACCO BY STUDENTS**

Reference:

MCL 333.12601 et seq.

MCL 750.473

The Board of Directors recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco on school premises, in school vehicles, and in all school buildings owned and/or operated by the School.

The Board prohibits the use or possession of tobacco product by students in school buildings, on school property (owned or leased), on school buses, and at any school-related event.

For purposes of this policy:

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth;
- B. "use of a tobacco product" means any of the following:
  - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device;
  - 2. the inhaling or chewing of a tobacco product;
  - 3. the placing of a tobacco product within a person's mouth;
  - 4. and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL's"), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, the Board prohibits the possession, consumption, purchase or attempt to purchase and/or use of tobacco or tobacco substitute products by students at all times on Board premises, in Board-owned vehicles, within any indoor facility owned or leased or contracted for by the Board, and/or used to provide education or library services to children, and at all Board-sponsored events.

This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to:

- A. school grounds,
- B. athletic facilities, and

C. any school-related event.

# **Advertising/Promotion**

In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.

# **Notification**

Students will be provided notice of this policy through student handbooks.

Section 5000 BP - Students

Title CARE OF ACADEMY PROPERTY

Code 5513 BP

Status Active

# **CARE OF SCHOOL PROPERTY**

Reference:

MCLA 600.2913

Basic to the philosophy of the Board of Directors is a respect for the rights of others. Students are urged to exercise this respect in regard to the belongings of others, including School property. Each student should realize that vandalism to School property is costly to repair and is directly related to increased School costs.

Attempts should be made to teach students respect for property which can be done in connection with the care of textbooks and the use of School materials and equipment.

In accordance with law, students who cause damage to School property shall be subject to disciplinary measures, and their parents shall be financially liable for such damage to the extent of the law.

The Board authorizes the imposition of fines for the loss, damage, or destruction of School equipment, apparatus, musical instruments, library materials, textbooks, and for damage to the building.

The Superintendent or Superintendent Designee may report to the appropriate authorities any student whose damage of School property has been serious or chronic in nature.

In no case shall such referral to juvenile authorities be made without prior notification to the student's parent.

The Superintendent or Superintendent Designee shall develop administrative guidelines to implement this policy.

Section 5000 BP - Students

Title STUDENT USE OF BICYCLES

Code 5514 BP

Status Active

# STUDENT USE OF BICYCLES

The Board of Directors regards the use of bicycles for travel to and from School by students as an assumption of responsibility on the part of those students, a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The Board will permit the use of bicycles by students at the discretion of the school leader.

The Superintendent or Superintendent Designee shall develop administrative guidelines to ensure the proper implementation of this policy.

Section 5000 BP - Students

Title STUDENT HAZING

Code 5516 BP

Status Active

# STUDENT HAZING

The Board of Directors believes that hazing activities of any type are inconsistent with the educational process and prohibits all such activities at any time in school facilities, on school property, and at any School-sponsored event.

Hazing shall be defined for purposes of this policy as performing any act or coercing another, including the victim, to perform any act of initiation into any class, group, or organization that causes or creates a risk of causing mental, emotional, or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Hazing involves conduct such as but not limited to:

- A. illegal activity, such as drinking or drugs;
- B. physical punishment or infliction of pain;
- C. intentional humiliation or embarrassment;
- D. dangerous activity;
- E. activity likely to cause mental or psychological stress;
- F. forced detention or kidnapping;
- G. undressing or otherwise exposing initiates.

Administrators, faculty members, and other employees of the School shall be alert particularly to possible situations, circumstances, or events which might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent or Superintendent Designee. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil or criminal penalties.

The Superintendent or Superintendent Designee shall distribute this policy to all students and School employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or inservice programs.

Section 5000 BP - Students

Title ANTI-HARASSMENT

Code 5517 BP

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 12/10/14; 11/20/13; 04/18/12; 03/27/2019

# ANTI-HARASSMENT

#### Reference:

Titles VI and VII of the Civil Rights Act of 1964, 42 USC 2000d et seq.

20 U.S.C. 1400 ET SEQ., The Individuals with Disabilities Education improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq.

29 U.S.C. 794, Rehabilitation Act of 1973, as amended

29 U.S.C. 6101, the Age Discrimination Act of 1975

42 U.S.C. 2000d et seq.

42 USC 2000e et seq.

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

42 USC 1983

42 USC 2000ff et seg., The Genetic Information Nondiscrimination Act

29 C.F.R. Part 1635

Title IX of the Educational Amendments of 1972, 20 USC 1681 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 USC 794

The Americans with Disabilities Act of 1990, 42 USC 12101 et seg.

The Handicappers' Civil Rights Act, MCL 37.1101 et seq. The Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.

Policies on Bullying, Michigan State Board of Education, 7-19-01

Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006

National School Boards Association Inquiry and Analysis - May 2008

## **General Policy Statement**

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

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

## **Other Violations of the Anti-Harassment Policy**

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

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

### **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**School community** means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Complainant** is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

**Respondent** is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

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

**Day(s)**: Unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

### **Bullying**

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

A.	teasing;
В.	threats;
C.	intimidation;
D.	stalking;
E.	cyberstalking;
F.	cyberbullying;
G.	physical violence;
Н.	theft;
I.	sexual, religious, or racial harassment;
J.	public humiliation; or

# **Harassment**

K. destruction of property.

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

A. places a student or School employee in reasonable fear of harm to his/her person or damage to his/her property;

- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of the School.

### **Sexual Harassment**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964 "sexual harassment" is defined as:

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

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

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

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

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videotapes, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship;
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin;
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. Inappropriate boundary invasions by a employee or other adult member of the School community into a student's personal space and personal life.
- M. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

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

the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

### **Race/Color Harassment**

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

### Religious (Creed) Harassment

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

### **National Origin Harassment**

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

## **Disability Harassment**

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

### **Anti-Harassment Compliance Officers**

The following individual(s) shall serve as the School's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

Superintendent 1903 Wilkins St. Detroit, MI 48207 (313) 833-1100

The names, titles, and contact information of these individuals will be published annually on the School's web site.

The Compliance Officer(s) are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

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

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other School official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Educational Service

Provider and/or Superintendent or Superintendent Designee will oversee the preparation of such recommendations by a designee. All Educational Service Provider employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Educational Service Provider employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Educational Service Provider employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Educational Service Provider employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

#### **Reports and Complaints of Harassing Conduct**

Members of the School community along with Third Parties are encouraged to promptly report incidents of harassing conduct to the School's Anti-Harassment Compliance Officer so that the School's Anti-Harassment Compliance Officer may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other School official who receives such a report shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

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

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Superintendent or Superintendent Designee believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Superintendent or Superintendent Designee will report the act of bullying, aggressive behavior and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Superintendent or Superintendent Designee shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Superintendent or Superintendent Designee informed of the status of the 3362 investigation and provide the Superintendent or Superintendent

## **Investigation and Complaint Procedure**

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any student who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through either the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

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

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a Educational Service Provider employee, any other adult member of the School community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Educational Service Provider and/or Superintendent or Superintendent Designee; and/or (3) directly to one of the Compliance Officers.

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

The Board's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this anti-harassment policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint, the Complainant process may proceed to file a formal complaint and, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, principal, or other School official at the student's school, the Compliance Officer, Educational Service Provider and/or Superintendent or Superintendent Designee, or another School employee who works at another school. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, Educational Service Provider and/or Superintendent or Superintendent Designee, or other School official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer/designee within two (2) business days.

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

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent . In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Educational Service Provider and/or Superintendent or Superintendent Designee.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Educational Service Provider will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

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

At the conclusion of the investigation, the Compliance Officer/designee shall prepare and deliver a written report to the Educational Service Provider and/or Superintendent or Superintendent Designee that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider and/or Superintendent or Superintendent Designee.

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

If the Educational Service Provider and/or Superintendent or Superintendent Designee requests additional investigation, the Educational Service Provider and/or Superintendent or Superintendent Designee must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the Educational Service Provider and/or Superintendent or Superintendent Designee shall issue a written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Educational Service Provider and/or Superintendent or Superintendent Designee may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Educational Service Provider and/or Superintendent or Superintendent Designee's decision.

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

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

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

### **Privacy/Confidentiality**

The School will employ all reasonable efforts to protect the rights of the complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related Administrative Procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the Compliance Officer/designee will instruct all members of the School community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

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

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

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person from making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanction/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

### Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

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

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

## **Education and Training**

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

## **Retention of Investigatory Records and Materials**

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by School personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the School's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the School to conduct the investigation, and any documents used by the School at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. documentation of any training provided to School personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all School personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy;
- O. documentation that any rights or opportunities that the School made available to one party during the investigation were made available to the other party on equal terms;
- P. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- Q. copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;

R. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the School's records retention schedule.

Section 5000 BP - Students

Title BULLYING

Code 5517.01 BP

Status Active

Last Revised September 13, 2017

Prior Revised Dates 11/16/2011; 09/02/2015;

## **BULLYING**

#### Reference:

The Matt Epling Safe School Law, Public Act 241 of 2011, as amended by Public Act 478 of 2014 (MCL § 380.1310b).

The Board believes that a safe and nurturing educational environment in school is necessary for students to learn and achieve high academic standards. Therefore, it is the policy of the School to provide a safe and nurturing environment for all of its students. Appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of students, as well as administrators, faculty, staff, visitors, and volunteers.

#### **BULLYING AND CYBERBULLYING ARE PROHIBITED**

Bullying and cyberbullying of a student, whether by other students, staff, visitors, Board members, parents, guests, contractors, vendors and volunteers, is prohibited. All pupils are protected under this policy, and bullying and cyberbullying are prohibited without regard to its subject matter or motivating animus.

## **DEFINTION OF BULLYING**

"Bullying" means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

- A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.
- B. Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- C. Having an actual and substantial detrimental effect on a pupil's physical or mental health.
- D. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

"Cyberbullying" means any electronic communication that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

- A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.
- B. Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- C. Having an actual and substantial detrimental effect on a pupil's physical or mental health.
- D. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Since "bullying" also includes "cyberbullying," any reference in this policy to "bullying" shall also be deemed to refer to "cyberbullying."

Bullying and cyberbullying are prohibited at school. "At school" is defined as on school premises, at school- sponsored activities or events, in a school-related vehicle, or using telecommunications access device or a telecommunications service provider if the telecommunications access device or telecommunications service provider is owned by or under the control of the school district. "Telecommunications access device" and "telecommunications service provider" mean those terms as defined in Section 219a of the Michigan Penal Code (MCL § 750.219a).

Bullying and cyberbullying that does not occur "at school," as defined above, but that causes a substantial disruption to the educational environment may be subject to disciplinary action in accordance with this policy and applicable law.

#### REPORTING AND INVESTIGATING REPORTS OF BULLYING

Every student is encouraged to report any situation that he or she believes to be bullying behavior directed toward a student to a teacher, a counselor, administrator, or other staff member. Staff members shall report any reports made by students or situations that they believe to be bullying behavior directed toward a student to the Superintendent or Superintendent Designee. Complaints against the Superintendent or Superintendent Designee shall be reported to the Board.

Under state law, a school employee, school volunteer, student, or parent or guardian who promptly reports in good faith an act of bullying to the appropriate school official designated in this policy and who makes this report in compliance with the procedures set forth in this policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. This immunity does not apply to a school official responsible for implementing this policy or for remedying the bullying, when acting in that capacity.

Retaliation or false accusation against a target of bullying, a witness, or another person with information about an act of bullying is prohibited. Suspected retaliation should be reported in the same manner as suspected bullying behavior. Making intentionally false accusations of bullying is likewise prohibited. Retaliation and making intentionally false accusations of bullying may result in disciplinary action up to and including expulsion.

All complaints about bullying that may violate this policy shall be promptly investigated and documented. The Superintendent or Superintendent Designee or designee is responsible for the investigation. If the investigation results in a finding that bullying has occurred, it shall result in prompt and appropriate disciplinary action, up to and including expulsion for students up to and including discharge for employees, and up to and including exclusion from school property for parents, guests, volunteers, and contractors. Individuals may also be referred to law enforcement officials.

The Board may utilize restorative practices that emphasize repairing the harm to the victim and school community in the correction of bullying behavior, which may include victim-offender conferences that:

- A. Are initiated by the victim;
- B. Are approved by the victim's parent or legal guardian or, if the victim is at least 15, by the victim;
- C. Are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team"); and
- D. Would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these. The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Where the investigation results in a finding that bullying has occurred, both the parent or legal guardian of a victim of bullying and the parent or legal guardian of a perpetrator of the bullying shall be notified promptly in writing. In addition, administrators investigating alleged bullying may notify parents of the victim or perpetrator of bullying sooner than the conclusion of the investigation if circumstances dictate such earlier notification.

The School shall document any prohibited incident that is reported and shall document all verified incidents of bullying and the resulting consequences, including the required notification of parents or guardians and any discipline and referrals.

The Superintendent or Superintendent Designee is the school official responsible for ensuring that this policy is implemented.

## **CONFIDENTIALITY**

The School will comply with all applicable laws regarding confidentiality of personally identifiable information within education records. In addition, the identity of an individual who reports an act of bullying or cyberbullying shall be and remain confidential. The Superintendent or Superintendent Designee, or the Superintendent or Superintendent Designee's designee, shall ensure that the name of an individual who reports an act of bullying or cyberbullying is withheld from the alleged perpetrator and the perpetrator's parent(s), legal guardian(s) and representative(s), and is redacted from any report of bullying or cyberbullying that is publically disclosed.

## **NOTIFICATION**

This policy will be annually circulated to parents and students, and shall be posted on the School website.

# **REPORTING**

As required by state statute, the School shall provide a report of all verified incidents of bullying and other required information to the Michigan Department of Education on an annual basis, according to the form and procedures established by the Department.

As required by state statute, the School's procedures with respect to bullying are contained within this policy, and thus no administrative guidelines accompany this policy.

Section 5000 BP - Students

Title DISORDERLY CONDUCT

Code 5520 BP

Status Active

# **DISORDERLY CONDUCT**

It is the purpose of the Board of Directors, acting within the intent and letter of the laws of this State, to provide instruction for students at public expense. Any act of any person(s) to interfere with or to thwart that purpose is unlawful or is in violation of Board policy. Therefore, actions by a student(s) to interfere materially or substantially with the operations of the School by defacing or destroying School property, by rioting, breaking-in, sitting-in, lying-in, smashing-in, or picketing to force students not to cross picket lines are illegal. Students who engage in such activities may be punished to the full extent of the law and Board policy.

For the purposes of this policy, the term "disorderly conduct" shall mean any unlawful student assemblage; or group act of violence, disruption, vandalism, or building seizure; or interference with the functioning of School personnel or any student or group of students.

Section 5000 BP - Students

Title DRUG PREVENTION

Code 5530 BP

Status Active

Last Revised November 16, 2011

## **DRUG PREVENTION**

Reference:

MCL 333.26301, et. seq., 333.7410, 333.7410A

AC Rule R388.271, et. seq. Senate Bill 350, 1990

Drug-Free Schools and Communities Act of 1986, 20 USC 3171, et. seq.

20 USC 3224A

The Board of Directors recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire School community.

As an educational institution in this community, the School should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Michigan statute;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- E. "look-alikes";
- F. performance-enhancing drugs as determined annually by the Department of Community Health;
- G. any other illegal substance so designated and prohibited by law.

In accordance with Federal and State law, the Board hereby establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on School property, within the Drug-Free School Zone, or at any School-related event.

Note: In order to make this policy operational it must be transmitted to local authorities in order to establish this zone.

Furthermore, the Superintendent or Superintendent Designee shall take the necessary steps to report an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person for prosecution to the fullest extent of the law.

The Superintendent or Superintendent Designee shall prepare administrative guidelines for the identification, and regulation of drug use in the School. Such guidelines shall:

A. emphasize the prevention of drug use;

- B. provide for a comprehensive, age-appropriate, developmentally based drug and alcohol education and prevention program which:
  - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
  - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
  - 3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
  - 4. promotes positive emotional health, self-esteem, and respect for one's body;
  - 5. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State's Department of Education;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on School premises or as a part of any School activity;
- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the School standards of conduct and a description of those sanctions. The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.
- F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;
- I. provide a biennial review of the School's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;
- J. establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and ensure that the School's policy and administrative guidelines on Search and Seizure (Policy 5771) and Suspension and Expulsion (Policy 5610) are complied with fully.

The Superintendent or Superintendent Designee shall establish Administrative Guidelines necessary to implement this policy.

Section 5000 BP - Students

Title PERFORMANCE-ENHANCING DRUGS/COMPOUNDS

Code 5532 BP

Status Active

Last Revised November 16, 2011

# PERFORMANCE-ENHANCING DRUGS/COMPOUNDS

Reference:

MCL 333.26301, et. seq., 380.1318

The Board of Directors recognizes that the use of dietary supplements that contain performance-enhancing compounds and/or performance-enhancing drugs poses a serious health risk to students.

Accordingly, no staff member, volunteer, or contractor shall knowingly sell, market, distribute, or promote the use of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug (e.g., anabolic steroids) to a student with whom the staff member, volunteer, or contractor has contact as a part of his/her duties. Furthermore, the staff member, volunteer, or contractor shall not endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug by a student with whom s/he has contact as part of his/her duties.

Use of a performance-enhancing substance regardless of source by a student is a violation that will affect a pupil's athletic eligibility and extra-curricular participation, as determined by the Board. A list of performance-enhancing substances developed by the State Department of Community Health shall be updated annually and included in AG 2431. This notice and list shall also be published in the Parent/Student Handbook provided annually.

Section 5000 BP - Students

Title INTERROGATION OF STUDENTS

Code 5540 BP

Status Active

Last Revised March 27, 2019

Prior Revised Dates 11/16/2011;

## INTERROGATION OF STUDENTS

Reference:

MCI 722.627

Attorney General's Opinion No 6869, September 6, 1995

The Board of Directors is committed to protecting students from harm that may or may not be directly associated with the school environment but also recognizes its responsibility to cooperate with law enforcement and State's child protection agency.

Whenever it has been determined that an agency has a legitimate purpose and it is necessary to interrogate a student within the confines of the School, the Superintendent or Superintendent Designee or representative shall attempt to be present throughout the proceedings. S/He should also verify that the student(s) has been informed of his/her rights to refuse to answer questions, to be informed that anything s/he says may be used against him/her in court, and to consult with and be advised by legal counsel.

Such agencies should be encouraged to investigate alleged violations of the law off school property if at all possible. An investigation can take place immediately on school property at the request of the Educational Service Provider and the Superintendent or Superintendent Designee if the alleged violation of law took place on school property or in emergency situations.

When police or other authorities arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the Educational Service Provider and the Superintendent or Superintendent Designee indicating the nature of their investigation and their desire to question a student or students.

The Educational Service Provider and the Superintendent or Superintendent Designee shall ask the investigator whether s/he may contact the parents prior to the interview and document the response. Unless the investigator specifically requests that s/he not contact the parents, the Educational Service Provider and the Superintendent or Superintendent Designee shall attempt to contact the parents prior to questioning.

Before the student(s) is (are) questioned as a witness to or suspect in an alleged violation of law, the building administrator shall attempt to contact the parent prior to questioning and shall request to remain in the room during the questioning.

In those circumstances when an interrogation may expose a student to criminal charges, the building principal should also verify that the student(s) has been informed of his/her right to refuse to answer questions, to be informed that anything s/he says may be used against him/her in court, and to consult with and be advised by legal counsel.

If the student is the subject of a child abuse/neglect investigation, the building administrator shall attempt to contact the parent prior to questioning, and s/he or a designated guidance counselor will make every effort to remain in the room during questioning. If an agency investigating child abuse/neglect indicates that the parent or a family member is believed to be the perpetrator, the Educational Service Provider and the Superintendent or Superintendent Designee will not contact either parent prior to the interview if so requested by the investigator.

All attempts to notify the parents should be documented.

When an authorized law enforcement officer or child protection agency removes a student, the building administrator will record the name of the investigator, the public agency involved and the destination of the student if possible. S/he shall also notify the parent and the Superintendent or Superintendent Designee.

No school official may release personally identifiable student information in education records to the police or children's services agency without prior written permission of the parent, a lawfully-issued subpoena, or a court order, unless it is an emergency situation involving the health or safety of the involved student or other students. Proper directory information may be disclosed upon request. See Board Policy 8330.

Section 5000 BP - Students

Title STUDENT DISCIPLINE

Code 5600 BP

Status Active

## STUDENT DISCIPLINE

The Board of Directors acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment, which is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

The Board shall require each student of this School to adhere to the Code of Conduct established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The Superintendent or Superintendent Designee shall develop administrative guidelines for student conduct which carry out the purposes of this policy and:

- A. are not arbitrary but bear a reasonable relationship to the need to maintain a school environment conducive to learning;
- B. do not discriminate among students;
- C. do not demean students;
- D. do not violate any individual rights constitutionally guaranteed to students.

The Superintendent or Superintendent Designee shall designate sanctions, excluding corporal punishment, for the infractions of rules which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

The School shall publish to all students and their parents the rules of this School regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Code of Conduct.

The Superintendent or Superintendent Designee shall have the authority to assign discipline to students, subject to School administrative guidelines and the student's due process right to notice, hearing, and appeal.

Staff having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the School or threatens the health and safety of others.

Section 5000 BP - Students

Title EMERGENCY REMOVAL, SUSPENSION, AND EXPULSION OF STUDENTS

Code 5610 BP

Status Active

Last Revised November 18, 2020

Prior Revised Dates 11/16/11; 11/20/13; 09/13/17; 03/27/19;

# **EMERGENCY REMOVAL, SUSPENSION, AND EXPULSION OF STUDENTS**

Reference:

M.C.L. 380.1301, 380.1309, 380.1310d, 380.1311

20 U.S.C. 3351

State Board of Education, Resolution to Address School Discipline Issues

Impacting Student Outcomes, Adopted June 12, 2012

The Board of Directors is continually concerned about the safety and welfare of School students and staff and, therefore, will not tolerate behavior that creates an unsafe environment, a threat to safety or undue disruption of the educational environment.

Factors to be Considered Before Suspending or Expelling a Student

The Board of Directors also recognizes that exclusion from the educational program of the School's is a severe sanction that should only be imposed after careful and appropriate consideration. Except as otherwise noted below with respect to possession of a firearm in a weapon free school zone, if suspension or expulsion of a student is considered, the Board or the Educational Service Provider shall consider the following factors prior to making a determination of whether to suspend or expel:

- A. the student's age
- B. the student's disciplinary history
- C. whether the student has a disability
- D. the seriousness of the violation or behavior
- E. whether the violation or behavior committed by the student threatened the safety of any student or staff member
- F. whether restorative practices will be used to address the violation or behavior
- G. whether a lesser intervention would properly address the violation or behavior

The Board, the Educational Service Provider and the Superintendent or Superintendent designee will exercise discretion over whether or not to suspend or expel a student. In exercising that discretion for a suspension of more than ten (10) days or expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the Board and the Educational Service Provider can demonstrate that it considered each of the factors listed above. For a suspension of ten (10) days or fewer, there is no rebuttable presumption, but the Educational Service Provider and the Superintendent or Superintendent designee will still consider these factors in making the determination.

## **Restorative Practices**

The Board, Educational Service Provider and the Superintendent or Superintendent designee shall consider using restorative practices as an alternative to or in addition to suspension or expulsion. If the School determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will engage in restorative practices which emphasize repairing the harm to the victim and School community caused by the student's misconduct.

Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption and harassment and cyberbullying.

If the Board, Educational Service Provider and the Superintendent or Superintendent designee decides to utilize restorative practices as an alternative to or in addition to suspension or expulsion, the restorative practices may include victim-offender conferences that:

- A. are initiated by the victim;
- B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;
- C. are attended voluntarily by the victim, a victim advocate, the offender, members of the School community, and supporters of the victim and the offender (the "restorative practices team");
- D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these.

The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

#### **Due Process**

The Board recognizes exclusion from the educational programs of the School, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without appropriate due process, since exclusion deprives a child of the right to an education. The Board also recognizes that it may be necessary for a teacher to remove a student from class for conduct disruptive to the learning environment, and that such removals are not subject to a prior hearing, provided the removal is for a period of less than twenty-four (24) hours. However, if an emergency removal may result in a suspension, then due process must be ensured.

In all cases resulting in short-term suspension, long-term suspension or expulsion, appropriate due process rights described in Policy 5611 and AG 5610 must be observed. The Superintendent or Superintendent designee shall check to make sure the student is not classified as disabled under Section 504. Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under Federal law.

For purposes of this policy, suspension shall be either short-term (not more than ten (10) days) or long-term (for more than ten (10) days but less than permanent expulsion) removal of a student from a regular School program. The Educational Service Provider and the Superintendent or Superintendent designee may suspend a student for a period not to exceed 10 school days.

For purposes of this policy, unless otherwise defined in Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the School. Students who are expelled may petition for reinstatement as provided below.

#### **Emergency Removal or Short-Term Suspension**

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct, or he/she may be given a short-term suspension by the Educational Service Provider and the Superintendent or Superintendent designee. A student so removed may be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will be entitled to the process for short-term suspensions outlined in AG 5610. A student removed from the same class for more than ten (10) days will be entitled to the process for long-term suspensions outlined in AG 5610. The Board designates the Educational Service Provider and the Superintendent or Superintendent designee as its representative at any hearings regarding the appeal of a suspension.

## **Long-Term Suspension or Expulsion**

Due process set out in Policy 5611 and AG 5610 shall be followed in all circumstances in which a student may be expelled or suspended for a period of more than ten (10) days.

The Educational Service Provider and the Superintendent or Superintendent designee may recommend to the Board a long-term suspension or that a student be expelled.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed. In determining whether a student is to be suspended or expelled, the Board and Educational Service Provider shall use a preponderance of evidence standard.

The Educational Service Provider and the Superintendent or Superintendent designee shall develop procedures to implement this policy that shall include the following:

A. strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the School's core curriculum;

- B. standards of behavior for all students in accordance with School Board policy on student discipline;
- C. procedures that ensure due process; and
- D. provision for make-up work at home, when appropriate.

When making a determination whether or not a student will be expelled or permanently excluded under this policy, the Educational Service Provider shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the School's records retention schedule.

#### Persistent Disobedience or Gross Misconduct/CSC Against Another School Student

Any student may be removed from the classroom, and/or, after consideration of the factors identified above, suspended or expelled for persistent disobedience or gross misconduct or if the student commits criminal sexual conduct against another student enrolled in the School regardless of the location of the conduct. A student may not be expelled or excluded from the regular School program based on pregnancy status.

## **Physical and Verbal Assault**

Unless a different determination is made after consideration of the factors identified above, the School shall permanently expel a student in grade six or above if that student commits physical assault at the School against a staff member, a volunteer, or a contractor.

Unless a different determination is made after consideration of the factors identified above, the School shall suspend or expel a student in grade six or above for up to 180 school days if the student commits physical assault at the School against another student.

Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."

Unless a different determination is made after consideration of the factors identified above, the School shall suspend or expel a student in grade six or above and may discipline, suspend or expel at student in grade five and below for a period of time as determined at the Board's discretion if the student commits verbal assault at the School against a School employee, volunteer, or contractor or makes a bomb threat or similar threat directed at a School building, property, or at a School-related activity.

Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

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

## Weapons, Arson, Criminal Sexual Conduct

In compliance with State and Federal law, and unless a different determination is made after consideration of the factors identified above, the School shall expel any student who possesses a dangerous weapon, other than a firearm, in the School's weapon-free school zone (except as noted below), commits either arson or criminal sexual conduct in a School building or on School property, including School buses and other School transportation, or pleads to, is convicted of or is adjudicated of criminal sexual conduct against another student enrolled in the School.

In compliance with State and Federal law, the School shall expel any student who possesses a firearm in the School's weapon-free school zone in violation of State law, unless the student can establish the mitigating factors relating to possession of a dangerous weapon set out below, by clear and convincing evidence.

For purposes of this policy, a "dangerous weapon" is defined by law as a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles. This definition also includes other devices designed to (or likely to) inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame, or the bearer of any such weapon, as well as a firearm muffler, firearm silencer, or any such destructive device.

The School need not expel a student for possession of a dangerous weapon, including a firearm, if the student can establish in a clear and convincing manner the following mitigating factor(s) to the satisfaction of the Board the:

- A. object or instrument was not possessed for use as a weapon, or for direct (or indirect) delivery to another person for use as a weapon; or
- B. weapon was not knowingly possessed; or
- C. student did not know (or have reason to know) that the object or instrument in his/her possession constituted a dangerous weapon; or
- D. weapon was possessed at the suggestion, request, direction of, or with the express permission of the police.

There is a rebuttable presumption that expulsion for possessing the weapon is not justified if the Board, Educational Service Provider and the Superintendent or Superintendent designee determines in writing that the student has established that he or she fits under one of the exceptions above by clear and convincing evidence, and that the student has no previous history of suspension or expulsion.

For expulsions for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor, the Educational Service Provider and the Superintendent or Superintendent designee shall provide that the expulsion is duly noted in the student's record, the student is referred to the Department of Human Services or Department of Community Health within three (3) school days after the expulsion, and the parents are informed of the referral. Furthermore, if a student who is expelled is below the age of sixteen (16), the Educational Service Provider and the Superintendent or Superintendent designee shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with Federal law, the Educational Service Provider and the Superintendent designee shall also refer any student (regardless of age) expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the School. In addition, the Educational Service Provider and the Superintendent or Superintendent designee shall send a copy of this policy to the State Department of Education and shall include a description of the circumstances surrounding the expulsion of the student for possessing a firearm or weapon in the School's weapon-free school zone, together with the name of the School, the number of students so expelled, and the types of firearms or weapons brought into the weapon-free school zone.

A student expelled under this policy for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may apply for reinstatement in accordance with the following guidelines:

- A. If the student is in grade five (5) or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.
- B. If the student is in grade five (5) or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, or emancipated minor may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.
- C. If the student is in grade six (6) or above at the time of the expulsion, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after one hundred and fifty (150) school days from the date of the expulsion, but the student may not be reinstated before one hundred eighty (180) school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Educational Service Provider and the Superintendent or Superintendent designee.
- E. Within ten (10) school days after receiving the petition, the Board shall appoint a committee consisting of two (2) Board members, a School administrator, a teacher, and a School-parent representative. During this time period, the Educational Service Provider and the Superintendent or Superintendent designee shall prepare and submit for consideration by the committee information concerning the circumstances of the expulsion and any factors mitigating for or against reinstatement.
- F. Within ten (10) school days after being appointed, the committee shall review all pertinent information and submit its recommendation to the Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of the following:
  - 1. extent to which reinstatement would create a risk of harm to students or School staff;
  - 2. extent to which reinstatement would create a risk of School or individual liability for the Board or School staff;
  - 3. age and maturity of the student;

- 4. student's School record before the expulsion incident;
- 5. student's attitude concerning the expulsion incident;
- 6. student's behavior since the expulsion and the prospects for remediation;
- 7. The degree of cooperation and support the parent has provided and will provide if the student is reinstated (if the request was filed by a parent), including, but not limited to the parent's receptiveness toward any conditions placed on the reinstatement. Such conditions, for example, might include a written agreement by the student and/or a parent who filed the reinstatement request to accomplish the following:
  - a. abide by a behavior contract involving the student, his/her parents, and an outside agency;
  - b. participate in an anger management program or other counseling activities;
  - c. cooperate in processing and discussing periodic progress reviews;
  - d. meet other conditions deemed appropriate by the committee;
  - e. accept the consequences for not fulfilling the agreed upon conditions.
- 8. student's behavior since the expulsion and the prospects for remediation.

The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Board's decision shall be final and is not subject to appeal.

In the event a student who has been permanently expelled from another School requests admission to this School, in making its decision, the Board shall follow the same procedure it has established in paragraphs A-F, above, for the reinstatement of a student.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition in accordance with the procedures set forth above or upon any standards and with any procedures it determines appropriate under the circumstances.

The Educational Service Provider and the Superintendent or Superintendent designee shall ensure Board policies and procedures regarding a student's rights to due process are followed when dealing with a possible suspension or expulsion under this policy.

# **In-School Discipline**

The purpose of this policy is to provide an alternative to out of school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board to support such a program.

In-school discipline will only be offered at the discretion of the Superintendent or Superintendent designee for offenses found in the Student Code of Conduct.

The Educational Service Provider and the Superintendent or Superintendent designee is to establish procedures for the proper operation of such a program and to ensure appropriate due-process procedures are followed as applicable. (See Policy 5630.01)

#### **Due Process Rights**

The Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the School's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following:

#### A. Students Subject to Short-Term Suspension

Except when emergency removal is warranted, a student must be given at least oral notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The Educational Service Provider and the Superintendent or Superintendent designee or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Educational Service Provider whose decision will be final.

## B. Students Subject to Long-Term Suspension and Expulsion

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and must also be given an opportunity to appear before the Board with a representative to answer the charges.

The student and/or his/her guardian must also be provided a brief description of the student's rights and the hearing procedure, a list of the witnesses who will provide testimony to the Board, and a summary of the facts to which the witnesses will testify. At the student/parent's request, the hearing shall be held in closed session, but the Board must act publicly. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another School.

The Educational Service Provider and the Superintendent or Superintendent designee shall develop procedures to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

## **Corporal Punishment**

While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or School through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

- A. restrain or remove a student who refuses to comply with a request to behave or report to the office;
- B. quell a disturbance threatening physical injury to self or others;
- C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or
- D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the School contracts for services.

The Educational Service Provider and the Superintendent or Superintendent designee shall provide guidelines, including a list of alternatives to corporal punishment.

#### Removal, Suspension, and Expulsion of Students with Disabilities

The School shall abide by Federal and State laws in matters relating to discipline, suspension, and expulsion of disabled students.

Section 5000 BP - Students

Title DUE PROCESS RIGHTS

Code 5611 BP

Status Active

Adopted March 27, 2019

Last Revised November 18, 2020

## **DUE PROCESS RIGHTS**

The Board of Directors recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the School's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following guidelines which the Board and Educational Service Provider shall use when dealing with students:

#### A. Students subject to short-term suspension:

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The Superintendent or Superintendent designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Educational Service Provider whose decision will be final.

## B. Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and an opportunity to appear with a representative before the Board, Educational Service Provider and the Superintendent or Superintendent designee to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure, a list of the witnesses who will provide testimony to the Board, Educational Service Provider and the Superintendent or Superintendent designee, and a summary of the facts to which the witnesses will testify. At the student's request, the hearing may be private, but the Board must act publicly. The Board shall act on any appeal, which must be submitted in writing, to an expulsion, to a request for reinstatement, or to a request for admission after being permanently expelled from another district (Policy 5610).

In determining whether disciplinary action set forth in this policy is to be implemented, the Board and Educational Service Provider shall use a preponderance of evidence standard. Further, any individual charged with making a disciplinary determination under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the School's records retention schedule.

Section 5000 BP - Students

Title STUDENT SECLUSION AND RESTRAINT

Code 5630.01 BP

Status Active

Adopted November 16, 2011

Last Revised March 27, 2019

Prior Revised Dates 09/26/2017;

## STUDENT SECLUSION AND RESTRAINT

This policy is intended to provide the framework for organizational supports that result in effective interventions based on teambased leadership, data-based decision-making, continuous monitoring of student behavior, regular universal screening and effective on-going professional development. The School is committed to investing in prevention efforts and to teach, practice and reinforce behaviors that result in positive academic and social outcomes for students.

In the event that staff members need to restrain and/or seclude students, it must be done in accordance with this policy, which is intended to:

- A. promote the care, safety, welfare and security of the school community and the dignity of each student;
- B. encourage the use of proactive, effective, evidence and research based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all students; and
- C. ensure that seclusion and restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation and reporting by trained personnel.

In furtherance of these objectives, the School will utilize Positive Behavioral Interventions and Supports (PBIS) to enhance academic and social behavior outcomes for all students. PBIS implemented by the School will include socially valued and measurable outcomes, empirically validated and practical practices, systems that efficiently and effectively support implementation of these practices, and continuous collection and use of data for decision-making.

#### **EMERGENCY SECLUSION**

#### A. Prohibited Practices and Limitations on Use

The following practices are prohibited under all circumstances, including emergency situations:

- 1. confinement of students who are severely self-injurious or suicidal
- 2. corporal punishment, as defined in M.C.L. 380.1312(1) of the revised school code, 1976 PA 451
- 3. the deprivation of basic needs
- 4. anything constituting child abuse
- 5. seclusion of pre-school children
- 6. seclusion that is used for the convenience of school personnel
- 7. seclusion as a substitute for an educational program

- 8. seclusion as a form of discipline or punishment
- 9. seclusion as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
- 10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

## B. Definition of Emergency Seclusion

Seclusion means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of students.

Emergency seclusion is a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the student to regain self-control while maintaining the safety of the student and others.

To qualify as emergency seclusion, there must be continuous observation by school personnel of the student and the room or area used for confinement:

- 1. must not be locked
- 2. must not prevent the student from exiting the area should staff become incapacitated or leave that area
- 3. must provide for adequate space, lighting, ventilation, viewing, and the safety of the student
- 4. must comply with State and local fire and building codes
- C. **Time and Duration** Emergency seclusion should not be used any longer than necessary, based on research and evidence, to allow a student to regain control of his/her behavior to the point that the emergency situation necessitating the use of emergency seclusion is ended, but generally no longer than:
  - 1. fifteen (15) minutes for an elementary school student;
  - 2. twenty (20) minutes for a middle school or high school student

If an emergency seclusion lasts longer than the suggested maximum times above, the following are required:

- a. additional support (which may include change of staff, introducing a nurse or specialist, or additional key identified personnel)
- b. documentation to explain the extension beyond the time limit

# Additional procedures and requirements applicable to both seclusion and restraint are set out below.

#### A. Prohibited Practices

The following procedures are prohibited under all circumstances, including emergency situations:

- 1. mechanical restraint
- 2. chemical restraint
- 3. corporal punishment as defined in 380.1312(1) of the revised school code, 1976 PA 451, otherwise known as the Corporal Punishment Act
- 4. the deprivation of basic needs
- 5. anything constituting child abuse
- 6. restraint that is used for the convenience of school personnel
- 7. restraint as a substitute for an educational program
- 8. restraint as a form of discipline or punishment
- 9. restraint as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
- 10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

- 11. any restraint that negatively impacts breathing, including any positions, whether on the floor, facedown, seated or kneeling, in which the student's physical position (e.g., bent over) is such that it is difficult to breathe, including situations that involve sitting or lying across an individual's back or stomach
- 12. prone restraint (the restraint of a person face down)

NOTE: School personnel who find themselves involved in the use of a prone restraint as the result of responding to an emergency must take immediate steps to end the prone restraint.

13. the intentional application of any noxious substance(s) or stimuli that results in physical pain or extreme discomfort

A noxious substance or stimuli can either be generally acknowledged or specific to the student.

- 14. physical restraint, other than emergency physical restraint
- 15. any other type of restraint not expressly allowed

#### **B. Definition of Restraint**

Restraint means an action that prevents or significantly restricts a student's movement. Physical restraint is intended for the purposes of emergency situations only, in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

Emergency physical restraint is a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provide an opportunity for the student to retain self-control while maintaining the safety of the student and others. An emergency situation requires an immediate intervention. Emergency physical restraint may not be used in place of appropriate less restrictive interventions.

There are three (3) types of restraint: physical, chemical, and mechanical.

1. Physical restraint involves direct physical contact.

Restraint does not include actions undertaken for the following reasons:

- a. to break up a fight
- b. to take a weapon away from a student
- c. to briefly hold the student (by an adult) in order to calm or comfort him/her
- d. to have the minimum contact necessary to physically escort a student from one area to another
- e. to assist a student in completing a task/response if the student does not resist or if resistance is minimal in intensity or duration
- f. to hold a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car)
- g. to stop a physical assault as defined in M.C.L. 380.1310
- h. actions that are an integral part of a sporting event, such as a referee pulling football players off from a pile or similar action
- 2. Chemical Restraint is the administration of medication for the purpose of restraint.

Restraint does not include administration of medication prescribed by and administered in accordance with the directions of a physician.

3. Mechanical Restraint means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

Restraint does not include the following:

- a. an adaptive or protective device recommended by a physician or therapist (when it is used as recommended)
- b. safety equipment used by the general student population as intended (e.g., seat belts, safety harness on school transportation)

#### C. Time and Duration

Restraint should not be used:

- 1. any longer than necessary, based on research and evidence, to allow students to regain control of their behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended; and
- 2. generally no longer than ten (10) minutes.

If an emergency restraint lasts longer than ten (10) minutes, all of the following are required:

- additional support, which may include a change of staff, or introducing a nurse, specialist, or additional key identified personnel
- 2. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

#### **USE OF EMERGENCY SECLUSION/RESTRAINT**

A. When to Use Emergency Seclusion/Restraint

Seclusion/restraint must be used only under emergency situations and if essential. Emergency situation means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

#### **B. General Procedures for Emergency Seclusion/Restraint**

- 1. An emergency seclusion/restraint may not be used in place of appropriate, less restrictive interventions.
- 2. Emergency seclusion/restraint shall be performed in a manner that is:
  - a. safe;
  - b. appropriate; and
  - c. proportionate to and sensitive to the student's:
    - i. severity of behavior;
    - ii. chronological and developmental age;
    - iii. size;
    - iv. gender;
    - v. physical condition;
    - vi. medical condition;
    - vii. psychiatric condition; and
    - viii. personal history, including any history of physical or sexual abuse or other trauma.
- 3. School personnel shall call key identified personnel for help from within the school building either immediately at the onset of an emergency situation or, if it is reasonable under the particular circumstances for school personnel to believe that diverting their attention to calling for help would increase the risk to the safety of the student or to the safety of others, as soon as possible once the circumstances no longer support such a belief.
- 4. While using emergency seclusion/restraint, staff must do all of the following:
  - a. involve key identified personnel to protect the care, welfare, dignity, and safety of the student
  - b. continually observe the student in emergency seclusion for indications of physical distress and seek medical assistance if there is a concern
  - c. document observations
  - d. ensure to the extent practicable, in light of the ongoing emergency situation, that the emergency seclusion/restraint does not interfere with the student's ability to communicate using the student's primary mode of communication
  - e. ensure that at all times during the use of emergency seclusion/restraint there are school personnel present who can communicate with the student using the student's primary mode of communication

- 5. Each use of an emergency seclusion/restraint and the reason for each use shall be documented and reported according to the following procedures:
  - a. document in writing and report in writing or orally to the building administration immediately
  - b. report in writing or orally to the parent or guardian immediately
  - c. a report shall be written for each use of seclusion/restraint (including multiple uses within a given day) and the written report(s) provided to the parent or guardian within the earlier of one (1) school day or seven (7) calendar days
- 6. After any use of an emergency seclusion/restraint, staff must make reasonable efforts to debrief and consult with the parent or guardian, or the parent or guardian and the student (as appropriate) regarding the determination of future actions.

#### C. Students Exhibiting a Pattern of Behavior

- 1. If a student exhibits a pattern of behavior that poses a substantial risk of creating an emergency situation in the future that could result in the use of emergency seclusion/restraint, school personnel should do the following:
  - a, conduct a functional behavioral assessment
  - b. develop or revise a PBIS plan to facilitate the reduction or elimination of the use of seclusion/restraint
  - c. develop an assessment and planning process conducted by a team knowledgeable about the student, including at least:
    - i. the parent or guardian
    - ii. the student (if appropriate)
    - iii. people who are responsible for implementation of the PBIS plan
    - iv. people who are knowledgeable in PBIS
  - d. develop a written emergency intervention plan ("EIP") to protect the health, safety, and dignity of the student. An EIP may not expand the legally permissible use of emergency seclusion/restraint.

The EIP should be developed by a team in partnership with the parent or guardian. The team shall include:

- i. teacher;
- ii. an individual knowledgeable about legally permissibly use of seclusion/restraint; and
- iii. an individual knowledgeable about the use of PBIS to eliminate the use of seclusion/restraint.

The EIP should be developed and implemented by taking all of the following documented steps:

- a. describe in detail the emergency intervention procedures
- b. describe in detail the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses
- c. inquire of the student's medical personnel (with parent or guardian consent) regarding any known medical or health contraindications for the use of seclusion/restraint
- d. conduct a peer review by knowledgeable staff
- e. awareness training for all school personnel who have regular contact with students; and
- f. comprehensive training for key identified personnel.

All substitute teachers must be informed of and understand the procedures regarding the use of emergency seclusion and emergency restraint. This requirement may be satisfied using online training developed or approved by MDE and online acknowledgement of understanding and completion of the training by the substitute teacher.

#### **Comprehensive Training for Identified Personnel**

Each building administrator will identify sufficient key personnel to ensure that trained personnel are generally available for an emergency situation. Before using emergency seclusion or emergency physical restraint with students, key identified personnel who may have to respond to an emergency safety situation must be trained in all of the following:

- A. proactive practices and strategies that ensure the dignity of students
- B. conflict resolution
- C. mediation
- D. social skills training
- E. de-escalation techniques
- F. positive behavioral intervention and support strategies
- G. techniques to identify student behaviors that may trigger emergency safety situations
- H. related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used
- I. instruction in the use of emergency seclusion and emergency physical restraint
- J. identification of events and environmental factors that may trigger emergency safety situations
- K. instruction on the State policy on the use of seclusion and restraint
- L. description and identification of dangerous behaviors
- M. methods for evaluating the risk of harm to determine whether the use of emergency seclusion or emergency physical restraint is warranted
- N. types of seclusion
- O. types of restraint
- P. the risk of using seclusion and restraint in consideration of a student's known and unknown medical or psychological limitations
- Q. cardiopulmonary resuscitation and first aid
- R. the effects of seclusion and restraint on all students
- S. how to monitor for and identify physical signs of distress and the implications for students generally and for students with particular physical or mental health conditions or psychological limitations
- T. ways to obtain appropriate medical assistance

## **GLOSSARY OF TERMS**

"Chemical Restraint" means the administration of medication for the purpose of restraint.

"De-escalation Techniques" means evidence- and research-based strategically employed verbal or nonverbal interventions used to reduce the intensity of threatening behavior before, during, and after a crisis situation occurs.

"Documentation" means documentation developed by the Michigan Department of Education that is uniform across the State.

"Emergency Situation" means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

"Functional Behavioral Assessment" means an evidence- and research-based systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavioral assessment shall describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.

"Key Identified Personnel" means those individuals who have received the mandatory training described in M.C.L. 380.1307G(B)(I) to (XVI), listed under Comprehensive Training for Identified Personnel above.

"Law Enforcement Officer" means an individual licensed under the Michigan Commission on Law Enforcement Standards Act, M.C.L. 28.601 to 28.615.

"Mechanical Restraint" means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

"Physical Restraint" means restraint involving direct physical contact.

"Positive Behavioral Intervention and Support (PBIS)" means a framework to assist school personnel in adopting and organizing evidence-based behavioral interventions into an integrated continuum of intensifying supports based on student need that unites examination of the function of the problem behavior and the teaching of alternative skill repertoires to enhance academic and social behavior outcomes for all students.

"Positive Behavioral Intervention and Support Plan" means a student-specific support plan composed of individualized, functional behavioral assessment-based intervention strategies, including, as appropriate to the student, guidance or instruction for the student to use new skills as a replacement for problem behaviors, some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and procedures for monitoring, evaluating, and modifying the plan as necessary.

"Prone Restraint" means the restraint of an individual face down.

"Regularly and Continuously Work Under Contract" means that term as defined in section M.C.L. 380.1230.

"Restraint" means an action that prevents or significantly restricts a student's movement. Restraint does not include the brief holding of a student in order to calm or comfort, the minimum contact necessary to physically escort a student from one area to another, the minimum contact necessary to assist a student in completing a task or response if the student does not resist or resistance is minimal in intensity or duration, or the holding of a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety, such as running in front of a car. Restraint does not include the administration of medication prescribed by and administered in accordance with the directions of a physician, an adaptive or protective device recommended by a physician or therapist when it is used as recommended, or safety equipment used by the general student population as intended, such as a seat belt or safety harness on school transportation. Restraint does not include necessary actions taken to break up a fight, to stop a physical assault, as defined in M.C.L. 380.1310, or to take a weapon from a student. Restraint does not include actions that are an integral part of a sporting event, such as a referee pulling football players off of a pile or a similar action.

Restraint that negatively impacts breathing means any restraint that inhibits breathing, including floor restraints, facedown position, or any position in which an individual is bent over in such a way that it is difficult to breathe. This includes a seated or kneeling position in which an individual being restrained is bent over at the waist and restraint that involves sitting or lying across an individual's back or stomach.

"School Personnel" includes all individuals employed in a public school or assigned to regularly and continuously work under contract or under agreement in a public school, or public school personnel providing service at a nonpublic school. Except for the obligations set out above to document seclusion or restraint, report to/consult with parents, undertake the required actions if a student shows a pattern of behavior, and collect and report data to the state, academy personnel does not include a law enforcement officer (as defined above) assigned to regularly and continuously work under contract or under agreement in a public school.

"Seclusion" means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of student.

Adapted from Michigan State Board of Education Policy for the Emergency Use of Seclusion and Restraint adopted in March of 2017

Section 5000 BP - Students

Title STUDENT GRIEVANCE

Code 5710 BP

Status Active

# STUDENT GRIEVANCE

The Board of Directors recognizes that, as citizens, students have the right to request redress of grievances. Further, the Board believes that fostering respect for lawful procedures is an important part of the educational process. Accordingly, individual and group grievances should be provided for and appropriate appeal procedures implemented.

For purposes of this policy, a student complaint or grievance shall be any such that arises out of actions, procedures, and policies of this Board, staff or the lack of such policy or procedure.

The Board or its staff will hear the complaints and grievances of students, provided that such complaints and grievances are made according to procedures established by administrative guidelines of the Superintendent or Superintendent Designee.

Section 5000 BP - Students

Title SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS

Code 5722 BP

Status Active

Adopted November 16, 2011

# SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS

The Board of Directors sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "school-sponsored student media" shall include both student publications and productions. "Student publications" shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school-sponsored clothing), as well as material in electronic or on-line form (including, but not limited to, websites, web logs ("blogs"), video or audio clips, and newsletters or announcements transmitted by e-mail, wireless broadcast or other similar distribution/dissemination). "Student productions" shall include vocal and theatrical performances, impromptu dramatic presentations, or any electronic media (including, but not limited to, radio and television programs, podcasts, and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). Further, the term "publication" shall include distribution and dissemination of a student publication; and the term "performance" shall include presentation and broadcast of a student production.

The following speech is unprotected and prohibited in all school-sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to juveniles; speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorizes the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

All school-sponsored student publications and productions are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the style and/or content of all school-sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues, but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may prohibit speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudice, vulgar or profane, or unsuitable for immature audiences.

School-sponsored student media may not be published/performed outside the school community (i.e., publication/performance is limited to students, staff and parents/family members) except with the prior written approval of the Superintendent or Superintendent Designee

Advertising is permitted in

- A. all school-sponsored media that have been designated as limited-purpose public forums.
- B. the following school-sponsored student media that have been designated as limited-purpose public forums: [identify publications/productions].

## **General Prohibitions**

Regardless of their status as non-public or limited-purpose public forums, the Board prohibits publications, productions and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or questions submitted at any election;
- B. fail to identify the student or organization responsible for the publication/performance;
- C. solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Chief Administrative Officer.

Section 5000 BP - Students

Title EQUAL ACCESS FOR NON-SCHOOL SPONSORED, STUDENT CLUBS AND ACTIVITIES

Code 5730 BP

Status Active

# EQUAL ACCESS FOR NON-SCHOOL SPONSORED, STUDENT CLUBS AND ACTIVITIES

Reference:

MLA 380.1299

Equal Access Act of 1984, 20 USC 4071 et seq. Americans with Disabilities Act of 1990, 42 USC 12101 et seq. Civil Rights Act of 1964, 42 USC 2000e

The Board of Directors will not permit the use of School facilities by non-School sponsored, student clubs and activities or School-sponsored, extra-curricular clubs and activities during instructional hours. During non-instructional time, however, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

An application for permission for non-School sponsored, student clubs and activities to meet on School premises shall be made to the Superintendent or Superintendent Designee, who shall grant permission provided that s/he determines that:

- A. the activity has been initiated by students;
- B. attendance at the meeting is voluntary;
- C. no agent or employee of the School will promote, lead, or participate in the meeting;
- D. the meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the School;
- E. School persons do not direct, conduct, control, or regularly attend the activity.

A student initiated group granted permission to meet on School premises shall be provided the same rights and access and shall be subject to the same administrative guidelines that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's gender, religion, race, color, national origin or ancestry, age, disability, height, weight, marital status, social or economic status, and/or any other legally protected characteristic. In addition, there shall be no discrimination on the basis of the religious, political, philosophical, or other content of the speech at the meeting.

A professional staff member may be assigned to attend a student initiated meeting in a custodial capacity but shall not participate directly in the activity. No professional staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The Superintendent or Superintendent Designee may take such actions as may be necessary to maintain order and discipline on School premises and to protect the safety and well-being of students and staff members.

The Board will not permit the organization of a fraternity, sorority, or secret society. A student initiated meeting may be attended by no more than two (2) outside resource person(s). The Superintendent or Superintendent Designee may exclude non-students from directing, controlling, or attending any such meetings of students.

Section 5000 BP - Students

Title SEARCH AND SEIZURE

Code 5771 BP

Status Active

# **SEARCH AND SEIZURE**

Reference:

MCLA 380.1306

US Constitution, 4th Amendment

The Board of Directors has charged School authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, School authorities may search School property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

#### **School Property**

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy as to prevent examination by a School official. The Board directs the Superintendent or Superintendent Designee to conduct a routine inspection at least annually of all such storage places. In the course of any search, student's privacy rights will be respected regarding any items that are not illegal or against Board policy.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the Superintendent or Superintendent Designee has reasonable suspicion that illegal drugs or devices may be present in the School. This means of detection shall be used only to determine the presence of drugs in locker areas and other places in the where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or other certified organizations and is not to be used to search students unless either a warrant or parental permission has been obtained prior to the search.

#### **Student Person and Possessions**

The Board recognizes that the privacy of students or his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Reasonable suspicion that a communication device has been used to violate School policies or administrative guidelines shall be subject to disciplinary action and may result in the communication device being confiscated.

Administrators are authorized to arrange for a breath-test instrument, according to the Superintendent or Superintendent Designee's guidelines, for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the Superintendent or Superintendent Designee. S/He shall attempt to obtain the freely-offered consent of the student to the inspection; however, provided there is reasonable suspicion, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the Superintendent or Superintendent Designee in the presence of the student and a staff member other than the Superintendent or Superintendent Designee. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened.

The Superintendent or Superintendent Designee shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found and the disposition made of them; and any subsequent action taken. The Superintendent or Superintendent Designee shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The Superintendent or Superintendent Designee shall prepare administrative guidelines to implement this policy.

Section 5000 BP - Students

Title POSSESSION OF WEAPONS

Code 5772 BP

Status Active

Last Revised February 10, 2016

# **POSSESSION OF WEAPONS**

Reference:

MCLA 380.1311, 380.1312(1), 380.1313

20 USC 7151

The Board of Directors prohibits students from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the School for the purpose of School activities approved and authorized by the School including, but not limited to, property leased, owned, or contracted for by the School, a School-sponsored event, including athletic events, or in a School vehicle.

The term "weapon" means any object capable of inflicting serious bodily harm or property damage or endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including spring, air and gaspowered guns (whether loaded or unloaded) that will expel a BB, pellet, or paintballs, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives or any other weapon described in 18 USC 921.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

The Superintendent or Superintendent Designee will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

This policy will be published annually in all School student and staff handbooks. Publication is not a precondition to enforcement of this policy.

Section 5000 BP - Students

Title STUDENT/PARENT RIGHTS

Code 5780 BP

Status Active

# STUDENT/PARENT RIGHTS

Reference:

20 USC 1232(h)

The Board of Directors recognizes that students possess not only the right to an education but the rights of citizenship as well.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted School authority, and compliance with the guidelines and rules of the School.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those School matters previously handled by his/her parents, but s/he also assumes the responsibility for his/her performance in the School, attendance, and compliance with School rules.

Administrators, counselors, and teachers shall not provide a supporting affidavit for students who have petitioned the court to grant them the status of emancipated minors unless prior approval has been obtained from the Superintendent or Superintendent Designee.

Parents also have the right to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

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

The Superintendent or Superintendent Designee shall, in consultation with parents, develop a procedure addressing the rights of parents and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials.

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

Section 5000 BP - Students

Title STUDENT GOVERNMENT

Code 5820 BP

Status Active

# STUDENT GOVERNMENT

The Board of Directors acknowledges the importance of offering students the opportunity to participate in self-government within the establishment of the School.

Students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board.

The Board will recognize the Student Council as the official voice of the student body and for the purpose of:

- A. giving students practical experience in organizing, planning, and affecting outcomes;
- B. developing student leadership;
- C. providing a learning experience in democratic decision making;
- D. offering another avenue toward the realization of the goals of this School.

The Superintendent or Superintendent Designee shall establish administrative guidelines to implement this policy.

Section 5000 BP - Students

Title STUDENT FUND-RAISING

Code 5830 BP

Status Active

Last Revised February 15, 2017

Prior Revised Dates 12/10/2014; 02/10/2016;

## STUDENT FUND-RAISING

Reference:

MCL 380.1272b

7 CFR Parts 210 and 220

42 USC 1779

The Board of Directors acknowledges that the solicitation of funds from students must be limited since compulsory attendance laws make the student a captive donor and may also disrupt the program of the School.

For purposes of this policy "student fund-raising" shall include the solicitation and collection of money from students for any purpose and shall include the collection of money in exchange for tickets, papers, or any other goods or services for approved student activities. Student fundraising also includes giving away goods or services, but suggesting a monetary donation.

The Board will permit student fund-raising by students in the School, on School property, or at any School-sponsored event only when the profit there from is to be used for School purposes or for an activity connected with the School.

Fund raising by approved School organizations, those whose funds are managed by the School may be permitted in the School by the Superintendent or Superintendent Designee. Such fund rising off School grounds may be permitted by the Superintendent or Superintendent Designee.

The Board permits twenty (20) fundraisers per year per school that involve the sale of food items and/or beverages that are an exception to the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations for consumption on campus during the school day by students.

Other than approved non-compliant fundraisers, the food and/or beverage items to be sold for any other fundraisers by student clubs and organizations, parent groups, or booster clubs and consumed on campus, shall comply with the current USDA Dietary Guidelines for Americans, and the USDA Smart Snacks in Schools nutrition standards, and also be consistent with requirements set forth in Policy 8500 – Food Services.

If approved, fundraisers that involve the sale of food items or beverages to students on campus must be consistent with regulations established in Policy 8500, Food Services, pertaining to the sale of foods and beverages during food-service hours, whether those food items and beverages are complaint with, or an exception to, the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools nutrition standards.

If an exception is granted to the requirement that food items and beverages are complaint with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools nutrition standards, the Educational Service Provider shall also maintain records for each exception, including, but not limited to, the length of the fundraiser, the type, quantity, and price of the food item and/or beverage sold, and the gross and net amount raised.

Use of the name, logo, or any assets of the School, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Superintendent of Superintendent Designee.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Superintendent of Superintendent

designee or of the Educational Service Provider with Board approval.

Fundraising by students on behalf of those school-related organizations and School support organizations (with funds not managed by the School) may be permitted on or off school grounds by the Educational Service Provider. All fundraising by School-related organizations and School support organizations shall be done in accordance with Policy 9211 and Policy 9700.

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

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation which do not place undue pressure on students;
- C. limit the kind and amount of advertising for solicitation;
- D. require that the Educational Service Provider approve the distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded; and
- E. limit the number of fund raising events.

Advisors for approved School organizations shall not accept any form of compensation from vendors that might influence their selection or a vendor that will provide a fundraising activity or a product that will be sold as a fundraiser. Furthermore, advisors for approved School organizations shall not accept any compensation from a vendor after a decision has been made regarding a fundraising activity or a product that will be sold as a fundraiser. In addition, advisors for approved School organizations who make the selection of a vendor that will provide a fundraising activity or a product that will be sold as a fundraiser shall not enter into a contractual arrangement whereby an advisor receives compensation in any form from the vendor that provides a fundraising activity or a product that will be sold as a fundraiser.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that an advisor of an approved School organization receives such compensation, albeit unsolicited, from a vendor, the individual shall notify the Board President or designee, in writing, that s/he received such compensation and shall thereafter properly transmit said compensation to the Board President or designee at his/her earliest opportunity.

The Educational Service Provider shall distribute this policy and the guidelines which implement it to each organization granted permission to solicit funds.

Section 5000 BP - Students

Title SOCIAL EVENTS

Code 5850 BP

Status Active

## **SOCIAL EVENTS**

Reference:

AC Rule 340.241 et seq.

The Board of Directors recognizes the value of student social events in enhancing and enriching the educational experience for the children of this community.

The Board will make School facilities available and provide appropriate staff for the conduct of social events within the School facilities which have been approved by the Superintendent or Superintendent Designee.

School social events which take place outside School facilities must be approved by the Superintendent or Superintendent Designee.

As voluntary participants in School social events, students shall be held responsible for compliance with the rules set forth for their conduct, and infractions of those rules will be subject to the same disciplinary measures applicable during the regular School program.

Participation in School events is not a right and may be denied to any student who has demonstrated disregard for the rules of the School.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the conduct of student social events which shall include:

- A. designation of a staff member who shall be the Board employee responsible for the event;
- B. provision for chaperonage, adult supervision, and/or police protection required by the circumstances of the event;
- C. provisions for the safety of all students and adults involved.

Section 6000 BP - Finances

Title TABLE OF CONTENTS

Code 6000 BP - FINANCES

Status Active

Last Revised September 18, 2024

Prior Revised Dates 11/16/11; 3/20/13; 10/03/13; 11/20/13; 11/20/13; 4/18/12; 2/10/16; 5/18/16; 2/15/17;

3/27/19; 9/18/19; 10/21/2020; 03/15/2023

Pre-Approved Contract

# 6000 FINANCES

6005

0003	The Approved Contract	
6107	Authorization to Accept and Distribute Electronic Records and to Use Electronic Signatures	LC
6108	Authorization to Use Electronic Fund Transfers and Automated Clearing House Arrangements	ВР
6110	Grant Funds	LR
6111	Internal Controls	LR
6112	Cash Management of Grants	LC
6114	Cost Principles – Spending Federal Funds	LC
6116	Time and Effort Reporting	LC
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6146	Post-Issuance Compliance for Tax-Exempt and Tax- Advantaged Obligations	LC
6151	Bad Checks	ВР
6152	Student Fees, Fines, and Supplies	ВР
6210	Fiscal Planning	ВР
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Section 6000 BP - Finances

Title PRE APPROVED CONTRACT

Code 6005 BP

Status Active

## PRE APPROVED CONTRACT

The Board of Directors, at its October 20, 2004 approved the following recommendation:

Whereas, any consultant servicing the Detroit Edison Public School Academy must have a pre-approved contract including the number of agreed upon work hours and salary from the Superintendent/Chief Administrative Officer with the approval of the Board of Directors prior to beginning an assignment or any services rendered. If work is done prior to an approved contract, Detroit Edison Public School Academy will not pay for this service.

Section 6000 BP - Finances

Title AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE

**ELECTRONIC SIGNATURES** 

Code 6107 BP

Status Active

Adopted November 20, 2013

Last Revised October 21, 2020

# AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURES

Reference:

15 U.S.C. 7001 et seq M.C.L. 450.831-450.849

Unless a provision of law specifically prohibits the use of an electronic record for the specified purpose, the Board of Directors authorizes the acceptance and distribution/transmission of electronic records and electronic signatures to and from School staff and other persons, as well as between School staff members. The Board further authorizes School staff to create, generate, send, communicate, receive, store, process, use, and rely upon electronic records and electronic signatures. The Superintendent/Superintendent designee, shall put in place measures to protect the integrity, security, and accessibility of electronic signatures and electronic records to comply with mandates of State and Federal agencies or programs, including Medicaid.

All Academy staff shall comply with all provisions of the Uniform Electronic Transaction Act when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all School staff and other persons who use electronic signatures when completing transactions with the Board shall do so in compliance with State law.

The Educational Service Provider and/or Superintendent/Superintendent Designee is authorized to develop administrative guidelines concerning the acceptance and distribution/transmission of electronic records and electronic signatures. After giving due consideration to security, the Educational Service Provider and/or Superintendent/ Superintendent Designee may specify the following:

- A. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored, and the systems established for those purposes.
- B. If electronic records must be signed by electronic means, the type of electronic signature that is required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by any third party used by a person filing a document to facilitate the process.
- C. Control processes and procedures as appropriate to provide for adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.
- D. Any other required attributes for electronic records that are specified for nonelectronic records or reasonably necessary under the circumstances.

Section 6000 BP - Finances

Title AUTHORIZATION TO USE ELECTRONIC FUND TRANSFERS AND AUTOMATED CLEARING

HOUSE ARRANGEMENTS

Code 6108 BP

Status Active

Legal M.C.L. 124,301 - 124,305

Adopted October 18, 2023

# AUTHORIZATION TO USE ELECTRONIC FUND TRANSFERS AND AUTOMATED CLEARING HOUSE ARRANGEMENTS

Reference:

M.C.L. 124.301 - 124.305

In accordance with the provisions of law, the Board of Directors authorizes the acceptance and distribution/transmission of electronic fund transfers (EFTs) and automatic clearing house arrangements (ACH). The Superintendent or Superintendent's designee shall put in place measures to protect the integrity and security of such transactions to comply with mandates of State and Federal agencies or programs, including Medicaid.

## **Definitions**

"ACH arrangement" means the agreement between the originator of the ACH transaction and the receiver of the ACH transaction.

"ACH transaction" means an electronic payment, debit, or credit transfer processed through an automated clearing house.

"Automated clearing house" or "ACH" means a national and governmental organization that has authority to process electronic payments including, but not limited to, the national automated clearing house association and the Federal reserve system.

"Electronic transactions officer" or "ETO" means the Superintendent or Superintendent's designee or another person designated by the Board to have the responsibilities of the ETO as prescribed in the Michigan Electronic Transactions of Public Funds Act.

All School staff shall comply with all provisions of the Uniform Electronic Transaction Act when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all School staff and other persons who use electronic signatures when completing transactions with the Board shall do so in compliance with State law.

#### **ACH Transactions and Arrangements**

The Superintendent or Superintendent's designee or another employee designated by the ETO is authorized to engage in electronic transfer of funds and ACH arrangements in accordance with this policy. The Superintendent or Superintendent's designee shall be responsible for overseeing the School's ACH transactions, including payment approval, accounting, reporting, and compliance with this ACH policy.

#### **Internal Controls**

The Superintendent or Superintendent's designee is responsible for disbursement of funds and shall submit appropriate documentation to the Board. Such documentation shall include:

- A. information regarding the goods or services purchased;
- B. the cost of goods or services;
- C. the date of the payment; and

D. departments serviced by the payment.

This documentation shall be contained in the School's electronic general ledger software system or in a separate report to the Board. ACH invoices must be reviewed and approved prior to payment.

The School's system of internal controls (see Policy 6111 - Internal Controls) shall be used to monitor the use of ACH transactions.

Section 6000 BP - Finances

Title GRANT FUNDS

Code 6110 BP

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 03/20/13; 02/10/16; 02/15/2017

## **GRANT FUNDS**

#### Reference:

2 CFR 200.112, 200.302, 200.310, 200.403, 200.404 and 200.406 Compliance Supplement for Single Audits of State and Local Governments 20 U.S.C. 7906

It is the objective of the Board of Directors to provide equal educational opportunities for all students within the School. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the School that would benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance educational opportunities, the educational environment, and the physical and mental growth for each student.

The Educational Service Provider shall review new Federal education legislation and prepare proposals for programs deemed to be of aid to the students of this School. The Board shall approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school districts, public school academies, and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accordance with Federal regulations and guidelines.

No Federal funds received by the School shall be used (1) to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds; (3) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution in schools.

#### **Grant Proposal Development**

- A. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.
- B. Each grant proposal shall be reviewed and approved by the Educational Service Provider prior to submission to the funding source.

#### **Grant Administration**

- A. The administration of grants will adhere to all applicable Federal, State, local and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as School policies and administrative procedures/guidelines.
- B. The Educational Service Provider is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The Educational Service Provider is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statuses, regulations, and program objectives, and the terms and conditions of the grant award.

- D. The Educational Service Provider, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls and the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the School will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Educational Service Provider shall require that each draw of Federal monies be aligned with the School's payment process (whether reimbursement, cash advance or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Maintenance of Effort (MOE) and Maintenance of Equity (MOEquity) requirements of the Federal program will be met in accordance with the requirements of the specific funded program. The School shall maintain appropriate documentation and records to substantiate compliance or to justify allowable exceptions, exemptions, or waivers.

## **Financial Management**

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as School policies and administrative procedures/guidelines.

At a minimum, the School shall provide for the following:

- A. Identification, in School accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of Federal Domestic Assistance (CFDA) title and number, Federal award identification number and year, name of the Federal agency and name of the pass-through entity, as applicable.
- B. The School shall develop a procurement policy (or revise its current procurement policy) to comply with all grants which it is awarded. Further, to the extent applicable, the School shall adhere to the requirements of the Education Department General Administrative Regulations.
- C. Accurate, current, and complete disclosure of the financial results of each Federal award or program project in accordance with the reporting requirements of the grant.
- D. Records that adequately identify the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
- E. Effective control over, and accountability for, all funds, property, and other assets. The School must adequately safeguard all assets and assure that they are used solely for authorized purposes.

Further, the School must:

- 1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the School is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
- 2. comply with Federal statutes, regulations and the terms and conditions of the Federal award;
- 3. evaluate and monitor the School's compliance with statutes, regulations and the terms and conditions of the Federal award:
- 4. take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings;

take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.

- F. Comparison of expenditures with budget amounts for each Federal award.
- G. Recordkeeping and written procedures to the extent required by Federal, State, local, and grantor rules and regulations pertaining to the grant award and accountability, including but not limited to, the following areas:
  - 1. cash management

- 2. allowability
- 3. conflict of interest
- 4. procurement
- 5. equipment management
- 6. conducting technical evaluations of proposals and selecting recipients
- 7. compensation and fringe benefits
- 8. travel
- H. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.
- I. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the School.

#### **Program Income**

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the Federal award during the grant's period of performance.

It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations, or the terms and conditions of the Federal award, program income does not include rebates, credits, discounts, and interest earned on any of them. Additionally, taxes, special assessments, levies, fines, and other such revenues raised by a recipient are not program income unless the revenues are specifically identified in the Federal award or Federal awarding agency regulations as program income. Finally, proceeds from the sale of real property, equipment, or supplies are not program income.

Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the School uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the School is otherwise directed by the Federal awarding agency or pass-through entity.

Section 6000 BP - Finances

Title INTERNAL CONTROLS

Code 6111 BP

Status Active

Adopted February 10, 2016

Last Revised February 15, 2017

## **INTERNAL CONTROLS**

The Educational Service Provider shall establish and maintain effective internal control over financial grants and awards that provide reasonable assurance that the program and funds are managed in compliance with applicable statutes, regulations and the terms and conditions of the awards.

The internal controls must provide reasonable assurance that transactions are properly recorded and accounted for in order to permit the preparation of reliable financial statements and Federal reports; maintain accountability over assets; and demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls must also provide reasonable assurance that these transactions are executed in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal award, as well as any other Federal statutes and regulations that are identified in the Compliance Supplement. Finally, the internal controls must provide reasonable assurance that all Federal funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

#### The School shall:

- A. comply with Federal statutes, regulations, and the terms and conditions of the Federal awards;
- B. evaluate and monitor its compliance with statutes, regulations, and the terms and conditions of the award;
- C. take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; and
- D. take reasonable measures to safeguard protected personally identifiable information and other information the awarding agency or pass-through entity designates as sensitive or the School considers sensitive information consistent with applicable Federal, state, local, and tribal laws and School policies regarding privacy and obligations of confidentiality.

Section 6000 BP - Finances

Title CASH MANAGEMENT OF GRANTS

Code 6112 BP

Status Active

Adopted February 15, 2017

## **CASH MANAGEMENT OF GRANTS**

Reference:

2 CFR 200.305

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Educational Service Provider shall implement internal controls in the area of cash management.

The School's payments methods shall minimize the time elapsing between the transfer of funds from the United States Treasury or the Michigan Department of Education (MDE) (pass-through entity) and disbursement by the School, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The School shall use forms and procedures required by the grantor agency or pass-through entity to request payment. The School shall request grant funds payments in accordance with the provisions of the grant. Additionally, the School's financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.

The Educational Service Provider is authorized to submit requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as deemed appropriate when electronic transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the School uses a cash advance payment method, the following standards shall apply:

- A. The timing and amount of the advance payment requested will be as close as is administratively feasible to the actual disbursement for direct program or project costs and the proportionate share of any allowable indirect costs.
- B. The School shall make timely payment to contractors in accordance with contract provisions.
- C. To the extent available, the School shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments.
- D. The School shall account for the receipt, obligation and expenditure of funds.
- E. Advance payments will be deposited and maintained in insured accounts whenever possible.
- F. Advance payments will be maintained in interest bearing accounts unless the following apply:
  - 1. The School receives less than \$120,000 in Federal awards per year.
  - 2. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.
  - 3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
- G. Pursuant to Federal law and regulations, the School may retain interest earned in an amount up to \$500 per year for administrative costs. Any additional interest earned on Federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System ("PMS") through an electronic medium using either Automated Clearing House ("ACH") network or a Fedwire Funds Service payment.

Remittances shall include pertinent information of the payee and nature of payment in the memo area (often referred to as "addenda records" by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds. Pertinent details include the Payee Account Number ("PAN") if the payment originated from PMS, or Agency information if the payment originated from Automated Standard Application for Payment ("ASAP"), National Science Foundation ("NSF") or another Federal agency payment system.

Section 6000 BP - Finances

Title COST PRINCIPLES - SPENDING FEDERAL FUNDS

Code 6114 BP

Status Active

Adopted February 15, 2017

Last Revised March 15, 2023

## **COST PRINCIPLES - SPENDING FEDERAL FUNDS**

#### Reference:

2 CFR. 200.216, 2 CFR. 200.403-.406, 200.413(a)-(c), 200.430(a), 200.431(a), 200.439(b) (2), 200.458, 2 CFR 200.474(b)

The Educational Service Provider is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

#### **Cost Principles**

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

- 1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the School or the proper and efficient performance of the Federal award;
- 2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;
- 3. market prices for comparable goods or services for the geographic area;
- 4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
- 5. whether the cost represents any significant deviation from the established practices or Board policy which may increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the School can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

- a. the cost is needed for the proper and efficient performance of the grant program;
- b. whether the cost is identified in the approved budget or application;

- c. whether there is an educational benefit associated with the cost;
- d. whether the cost aligns with identified needs based on results and findings from a needs assessment;
- e. whether the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received.

- B. Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the Federal award, including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment.
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the School.
- D. Be afforded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits or offsets.

  The term "applicable credits" refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.
- G. Be not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:
  - in the case of personal services, the Educational Service Provider shall implement a system for School personnel to account for time and efforts expended on grant funded programs to assure that only permissible personnel expenses are allocated;
  - 2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

## **Selected Items of Cost**

The Educational Service Provider shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, the Educational Service Provider shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, School and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and School personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures:

- A. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment that materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the Federal awarding agency, or pass-through entity.
- D. All Federally-funded contracts in excess of \$2,000 related to construction, alterations, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.
- E. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR 200.436 and 2 CFR 200.465.
- F. When approved as a direct cost by the Federal awarding agency or pass-through entity under Sections A-C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
- G. If the School is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

## **Cost Compliance**

The Educational Service Provider shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant.

## **Determining Whether a Cost is Direct or Indirect:**

A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.). Direct costs may also include capital expenditures if approved by the Federal awarding agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than \$5,000.

B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the School, the Board, compensation of the Superintendent or Superintendent designee (employed by the Board), compensation of the chief executive officer of any component of the School, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

- 1. Administrative or clerical services are integral to a project or activity.
- 2. Individuals involved can be specifically identified with the project or activity.
- 3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
- 4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Michigan Department of Education (MDE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

Equipment and other capital expenditures are unallowable as indirect costs.

## **Timely Obligation of Funds**

Obligations are orders placed for property and services, contracts and sub awards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period.

The following list illustrates when funds are determined to be obligated under the U.S. Department of Education ("USDOE") regulations:

If the obligation is for:

- A. Acquisition of property on the date which the School makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the School or Educational Service Provider when the services are performed.

- C. Personal services by a contractor who is not an employee of the School on the date which the School makes a binding written commitment to obtain the services.
- D. Public utility services when the School receives the services.
- E. Travel when the travel is taken.
- F. Rental of property when the School uses the property.
- G. A pre-agreement cost that was properly approved by the Secretary (USDOE) under the cost principles in 2 C.F.R. Part 200, Subpart E Cost Principles on the first day of the project period.

#### **Period of Performance**

All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, obligations under a grant may not be made until the grant funding period begins or all necessary materials are submitted to the granting agency, whichever is later. In the case of a direct grant, obligations may begin when the grant is, unless an agreement exists with MDE or the pass-through entity to reimburse for pre-approval expenses.

For both State-administered and direct grants, regardless of the period of availability, the School shall liquidate all obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the Educational Service Provider shall closely monitor grant spending throughout the grant cycle.

Section 6000 BP - Finances

Title TIME AND EFFORT REPORTING

Code 6116 BP

Status Active

Adopted February 15, 2017

## TIME AND EFFORT REPORTING

Reference:

2 C.F.R. 200.430, 200.431

As a recipient of Federal funds, the School shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The Code of Federal Regulations requires certification of effort to document salary expenses charged directly or indirectly against Federally-sponsored projects. This process is intended to verify that compensation for employment services, including salaries and wages, is allocable and properly expended, and that any variances from the budget are reconciled.

Compensation for employment services includes all remuneration, paid currently or accrued, for services of employees, whether employed by the Board or an Educational Service Provider, rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits, which are addressed in 2 C.F.R. 200.431 Compensation—fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements of these regulations, and that the total compensation for individual employees:

- A. is reasonable for the services rendered, conforms to the School's established written policy where applicable, and is consistently applied to both Federal and non-Federal activities; and
- B. follows an appointment made in accordance with the School's written policies and meets the requirements of Federal statute, where applicable.

## **Time and Effort Reports**

The reports:

- A. are supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable, and properly allocated;
- B. are incorporated into the official records of the Educational Service Provider;
- C. reasonably reflect the total activity for which the employee is compensated by the Educational Service Provider, not exceeding 100% of the compensated activities;
- D. encompass both Federally assisted and other activities compensated by the Educational Service Provider on an integrated basis;
- E. comply with the School's established accounting policies and practices;
- F. support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award, a Federal award and non-Federal award, an indirect cost activity and a direct cost activity, two or more indirect activities which are allocated using different allocation bases, or an unallowable activity and a direct or indirect cost activity.

The Educational Service Provider will also follow any time and effort requirements imposed by the pass-through entity to the extent that they are more restrictive than the Federal requirements. The Educational Service Provider is responsible for the distribution, collection, and retention of all employee effort reports. Individually reported data will be made available only to authorized auditors.

## **Reconciliations**

Budget estimates are not used as support for charges to Federal awards. However, the School may use budget estimates for interim accounting purposes. The system used by the School to establish budget estimates produces reasonable approximations of the activity actually performed. Any significant changes in the corresponding work activity are identified by the Educational Service Provider and entered into the School's records in a timely manner.

The School's internal controls require the Educational Service Provider to review after-the-fact interim charges made to a Federal award based on budget estimates and ensure that all necessary adjustments are made so that the final amount charged to the Federal award is accurate, allowable, and properly allocated.

Section 6000 BP - Finances

Title INVESTMENTS

Code 6144 BP

Status Active

Adopted September 6, 2005

Last Revised November 16, 2011

## **INVESTMENTS**

#### Reference:

MCL 124.301 et seq., 129.11 to 129.118, 380.1221, 380.1223(2), 380.622 P.A. 22 of 2009

The School's policy is to use investments to maximize the returns on the School's excess cash balances, while reasonably controlling the risk of loss and maintaining an acceptable level of liquidity in those investments to meet the School's operating needs.

To this end, the School will track, through its financial reports and investment authorizations, the credit risk, concentration of credit risk, interest rate risk and foreign currency risks related to its investments.

The Board shall appoint an Investment Advisor, who shall be responsible for overseeing and managing the investments of the School. The Investment Advisor shall be responsible for maintaining a record of the allocation of assets and the investment risks associated with those assets, as specified in the previous paragraph.

The Board of Directors authorizes the Chairman of the Finance Committee to make investments of available monies from the several funds of the School in:

- A. bonds, bills, or notes of the United States; obligations, the principal and interest of which are fully guaranteed by the United States; or obligations of the State;
- B. certificates of deposit issued by a state or nationally-chartered bank or a state or Federally-chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government and which maintains a principal office or branch office in Michigan under Michigan and Federal laws;
- C. certificates of deposit of a public corporation(s) (CDs) in insured depository institutions in accordance with the following conditions:
  - 1. the funds are initially invested through a financial institution that is not ineligible to be a depository of surplus funds belonging to this State under (MCL 21.146 (discriminatory lending practices)
  - the financial institution arranges for the investment of the funds in certificates of deposit in one (1) or more insured depository institutions, as defined in 12 USC 1813, or one or more insured credit unions, as defined in 12 USC 1752, for the account of the school district.
  - 3. the financial institution acts as custodian for the School is insured by an agency of the United States.
  - 4. the financial institution acts as custodian for the School with respect to each certificate of deposit.
  - 5. at the same time that the funds are deposited and the certificate or certificates of deposit are issued, the financial institution receives an amount of deposits from customers of other insured depository institutions equal to or greater than the amount of the funds initially invested by the School through the financial institution.

- D. commercial paper rated prime 1 or prime 2 at the time of purchase and maturing not more than 270 days after the date of purchase;
- E. Investment pools, as authorized by the surplus funds investment pool act, Act. No. 367 of the Public Acts of 1982, being sections 129.11 to 129.118 of the Michigan Compiled Laws, composed entirely of instruments that are legal for direct investment by a School.

The purpose of the investments is to maximize the returns on the School's excess cash balances consistent with safety of those monies and with the desired liquidity of the investments.

Investments in U.S. Treasury securities and those other securities completely guaranteed by the Treasury as to payment of principal and interest may be purchased in any dollar amount or up to 100% of the available reserves.

When there is a possibility that interest changes could adversely affect the fair value of an School's investment, as determined under the Generally Accepted Accounting Principles (GAAP) standards, the following method(s) will be used to assess and control such risks:

- A. segmented timed distribution
- B. specific identification
- C. weighted average maturity
- D. duration
- E. simulation model

These methods shall be implemented as defined by the Government Accountability Standards Board. The Board may apply different methods to different investments.

Investments in securities shall be with authorized investment institutions and dealers that must establish eligibility by meeting all of the following requirements.

- A. primary and regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule)
- B. capital of no less than \$10,000,000
- C. registered as a dealer under the Securities and Exchange Act of 1934
- D. a member of the National Association of Securities Dealers (NADS)
- E. registered to sell securities in Michigan
- F. the firm and assigned broker have been engaged in the business of effecting transactions in United States government and agency obligations for at least five (5) years

The Board also requires the Chairman of the Finance Committee to report to the Board monthly:

- A. the types and amounts of each investment and the interest earned on each;
- B. the transactions occurring since the last report.

Section 6000 BP - Finances

Title POST-ISSUANCE COMPLIANCE FOR TAX-EXEMPT AND TAX-ADVANTAGED OBLIGATIONS

Code 6146 BP

Status Active

Adopted March 20, 2013

# POST-ISSUANCE COMPLIANCE FOR TAX-EXEMPT AND TAX-ADVANTAGED OBLIGATIONS

Reference:

Internal Revenue Code of 1986, as amended Treasury Regulations SEC Rule 15c2-12

The Board of Directors may, from time to time, finance its capital improvements and operations through the issuance of debt obligations that are eligible for tax benefits under the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder ("Treasury Regulations"). Such obligations may include tax exempt obligations and/or obligations eligible for tax credits (direct subsidies to the School District or tax credits to bond owners). All such tax-exempt obligations or tax advantaged obligations are referred to herein as "Obligations," whether in the form of general obligation bonds, revenue bonds, bond anticipation notes, tax anticipation notes, lease-purchase obligations, installment-purchase obligations or otherwise.

The Board recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of the Obligations, and is an integral component of the School's debt management. Accordingly, the analysis of those facts and implementation of this Policy and Administrative Procedures will require on-going monitoring and consultation with an attorney experienced in legal work relating to the issuance of tax-exempt obligations or tax advantaged obligations ("Bond Counsel") and the School's accountants.

#### A. Investment and Expenditure of Proceeds

The School's system of internal controls and accounting will be capable of tracking the investment and expenditure of proceeds of Obligations and other amounts subject to special requirements, and the allocation of such proceeds and other amounts to School facilities. Appropriate coding will be developed to identify School facilities (or portions thereof) financed or refinanced by Obligations. Such Administrative Procedures will ensure that such proceeds are expended only for the purposes authorized by the resolution and, as applicable, referendum, pursuant to which such Obligations were issued and in compliance with the Tax Certificate relating to the Obligations or other instructions of Bond Counsel.

#### **B. Financed Facilities**

The School will track the use of facilities (or portions thereof) financed or refinanced by Obligations in the private trades or businesses of non-governmental persons. Arrangements for the sale, disposition, lease, sublease, management or other use of more than 1% of facilities financed or refinanced by Obligations with a term of (i) less than 200 days will be subject to prior review and approval by the Board, and (ii) equal to or greater than 200 days will be subject to prior review and approval by the Board and Bond Counsel. The Educational Service Provider will track the aggregate annual private use (if any) of facilities financed or refinanced by Obligations.

## C. Periodic Review

The School will periodically review compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations. Such reviews will include final allocations of proceeds not later than 18 months after completion of facilities financed or refinanced with proceeds of Obligations and annual reviews to ensure private business use of such facilities does not exceed allowable levels. Such annual review will be conducted in connection with the preparation of the School's audited financial statements.

#### D. Potential Non-Compliance

If the Board, upon any annual review or otherwise, discovers non-compliance with any requirements of the Code or Treasury Regulations necessary to preserve the tax advantages of such Obligations, the Board will, after consultation with the School's attorney and Bond Counsel, take necessary actions to remedy any such non-compliance.

## E. Retention of Professionals; Rebate Analyst

The School will engage such professionals or consultants as are necessary, in the judgment of the Educational Service Provider to ensure that the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations are timely met, including, without limitation, the requirement to compute and pay rebatable arbitrage to the United States government or to confirm an exception thereto. The Educational Service Provider will ensure that all information reports or other returns or filings with the United States Department of Treasury or Internal Revenue Service timely will be filed on behalf of the School.

#### F. Purchase of Investments

All investments of the proceeds of Obligations will be purchased at fair market value, as defined in the Code and Treasury Regulations, and will comply with the requirements of the Code and Treasury Regulations relating to yield restriction as advised by Bond Counsel.

#### G. Credit Enhancement Transactions

The Educational Service Provider will consult with Bond Counsel prior to engaging in any post-issuance credit enhancement transactions (i.e., bond insurance or letters of credit) or hedging transactions (i.e., interest rate swaps, caps, etc.) relating to any Obligation.

#### **H. Subsidy Payments**

The Educational Service Provider will implement proper Administrative Procedures to ensure that any federal subsidy payable in respect of any direct-pay tax credit bonds is timely transmitted to the appropriate account of the School including the timely filing of any required return or other documentation.

#### I. Post-Issuance Modifications

The Educational Service Provider will consult with Bond Counsel prior to any modification of the interest rate, maturity date, or other material terms of any Obligation.

#### J. Records Retention

The School will retain records sufficient to demonstrate compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations for the period required by law, presently understood to be the life of the Obligations or any succeeding refunding Obligation plus three (3) years.

## K. Continuing Disclosure

The Educational Service Provider will implement proper Administrative Procedures to ensure that the School complies with any undertakings to provide continuing disclosure in accordance with the Rule, including annual filing of operating and financial information and notices of listed "material events."

## L. Training and Education

The Board authorizes the Educational Service Provider and any other person assigned responsibilities under this Policy and the Administrative Procedures/Guidelines to attend educational seminars and conferences providing training and education on post-issuance compliance issues at least once a year and will pay the authorized expenses of such person.

Section 6000 BP - Finances

Title BAD CHECKS

Code 6151 BP

Status Active

## **BAD CHECKS**

When the School receives a check from a student or parent that, when deposited, is returned marked "insufficient funds", the Superintendent or Superintendent Designee shall provide an opportunity for the payor to make proper payment or to arrange for a satisfactory payment schedule. If payment is not received within five (5) days, the payment schedule is not adhered to, or the monies do not appear to be collectable, the Board of Directors authorizes the Superintendent or Superintendent Designee to remove the fee or charge from the School's Accounts Receivable and to take appropriate action against the student and/or the parents.

Section 6000 BP - Finances

Title STUDENT FEES, FINES, AND SUPPLIES

Code 6152 BP

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/2011

# STUDENT FEES, FINES, AND SUPPLIES

Reference:

MCL 388.1904 [Suggested/Referred to, but not required]

#### **Fees**

The Board of Directors may assess certain fees to pay the costs for extra-curricular and noncredit activities. Such fees might be made for expendable items such as magazines, workbook materials, paperback selections, laboratory supplies, materials for clubs, independent study or special projects, transportation costs, and admission/participation fees for School-sponsored trips and activities.

If an eligible student enrolled in an eligible course offered by a career and technical preparation program does not complete the course, other than for reasons related to a family or medical emergency, the student shall repay to the School any funds expended by the School for the course that are not refunded by the career and technical preparation program, and may also be subject to such sanctions as are provided for in guidelines prepared by the School administration.

No student, however, shall be deprived of participation in any mandatory school activity or required curriculum activity due to a lack of financial ability to pay. Fees will not be charged for such activities. Extra-curricular activities for which fees will be charged may not be used in determining credit or grades in any course.

A fee shall not exceed the combined cost of the service(s) provided and/or materials used. An accurate accounting of all fees collected and all fees expended shall be provided to the Superintendent (or his/her designee) for each fee-based activity, at the conclusion of the activity, along with a record of the remission of any fees not expended.

## **Fines**

When School property, equipment, or supplies are damaged, lost, or taken by a student, whether in a regular course or extracurricular offering, a fine will be assessed. The fine will be reasonable, seeking only to compensate the School for the expense or loss incurred.

The late return of borrowed books or materials from the School libraries will be subject to appropriate fines. Failure to pay the fines may result in loss of privileges.

Any fees or fines collected by members of the staff are to be given to the Administrative Offices within twenty-four (24) hours after collection.

In the event the above course of action does not result in the collection of the fee or fine, the Board authorizes the Superintendent to take the student and/or his/her parents to Small Claims Court for collection.

#### **Supplies**

The School will provide all basic supplies needed by the student to complete the required course curriculum. The student and/or his/her family may choose to purchase their own supplies if they desire to have a greater quantity or quality of supplies, or to conserve the limited resources for use by others. The teacher or appropriate administrator may recommend useful supplies.

#### **Payment**

For convenience to families, the Board may enter into an agreement with one or more credit card/online payment processing vendors to facilitate online payment of fees, fines, and charges. Parents/guardians or students may elect but are not required to make payments online. Vendors will comply with all Board policies and procedures related to confidentiality and security of information transmitted electronically. Payees will be notified of any processing or other nominal fees that may be charged for use of an online payment system before the transaction is complete.

Checks are not allowed.

## Students Experiencing Homelessness - McKinney-Vento Act

No fine or fee shall be charged to a student identified as a student experiencing homelessness unless it is determined that the student has the ability to pay the fee or fine and that its imposition does not create a barrier to the student's ability to enroll, or attend school, achieve academic success, or cause the student to be identified as experiencing homelessness. Any dispute regarding a fine or a fee that is imposed shall not delay the student's enrollment or serve as a barrier to enrollment by delaying the transfer of student records to another school or school district if applicable.

Immediate enrollment notwithstanding fines or fees shall be extended to extra-curricular and co-curricular activities as well as to academic programming.

Students experiencing homelessness who are able to pay fees or fines and refuse to do so may be prohibited from participating in graduation ceremonies until paid at the Superintendent's or Superintendent designee's discretion. No such student shall be prevented from receiving his/her student records, including diploma if earned, and final transcripts

Section 6000 BP - Finances

Title FISCAL PLANNING

Code 6210 BP

Status Active

## **FISCAL PLANNING**

The Board of Directors shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the School and to plan for the financial needs of the educational program. The Board will strive toward maintaining both short and long range projections of School's financial requirements.

Accordingly, the Board directs the Superintendent or Superintendent Designee and Financial Director to:

- A. prepare long range plan for cost of maintaining alignment of School's curriculum with Michigan Curriculum Frameworks as well as materials such as; textbooks, computer software, computer replacement and professional development.
- B. include cost estimates in all ongoing financial requirements;
- C. prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment;
- D. report to the Board any serious financial implications that emerge from the School's ongoing fiscal planning.

In addition, the Board directs the Superintendent or Superintendent Designee/Finance Director to maintain annually a detailed one (1) year forecast of estimated expenditures and revenues.

Section 6000 BP - Finances

Title BUDGET PREPARATION

Code 6220 BP

Status Active

## **BUDGET PREPARATION**

Reference:

MCLA 141.434 et seq.

The School's operation and educational plan is reflected in its budgets. Each year, the Board of Directors will cause to have prepared and then review and approve the General Fund.

Each budget shall be designed to carry out School operations in a thorough and efficient manner, maintain School facilities properly, and honor continuing obligations of the Board.

The Board shall ensure that adequate funds are reserved for the General Fund to maintain a secure financial position.

A proposed budget requires the critical analysis of every member of the Board prior to approval; once adopted, the budget deserves the support of all members of the Board regardless of their position before its adoption.

The Board directs the Superintendent or Superintendent Designee to present the budgets to the Board along with all available information associated with each budget in sufficient time to allow for proper analysis and discussion prior to the hearing.

When presented to the Board for review and/or adoption, the information shall include, as appropriate:

- A. the number and category of staff members for the current and the ensuing year;
- B. the proposed expenditure and revenue in each financial category for the ensuing year;
- C. the anticipated expenditure and revenue in each financial category for the current year;
- D. the actual expenditure, the approved budget, and the revenue in each financial category for the previous year;
- E. an estimate of the student enrollment by grades for the ensuing year;
- F. the amount of fund equity anticipated at the end of the current year;
- G. an appropriations resolution.

Section 6000 BP - Finances

Title BUDGET HEARING

Code 6230 BP

Status Active

## **BUDGET HEARING**

Reference:

MCLA 141.411 et seq.

The annual budget adopted by the Board of Directors represents the Board's position on the allocation of resources required to operate an appropriate system of education. All reasonable means shall be employed by the Board to present and explain that position to all interested parties. The public budget hearing will be conducted in accordance with law.

Each member of the Board and the Superintendent or Superintendent Designee shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The budget approved by this Board will be made available to the public in the form and at the places required by law. A simplified form of the budget may also be prepared annually and may be sent to appropriate parties and distributed to each person attending the annual budget hearing.

A simplified budget may include the expenditure in each major category of current expense for the current year and the coming year and a summary of anticipated receipts as well as a brief explanation of significant increases and decreases from the preceding budget.

The final adoption of the proposed annual budget shall be made by the Board after completion of the public hearing, but in no case later than June 30th.

Section 6000 BP - Finances

Title BUDGET IMPLEMENTATION

Code 6231 BP

Status Active

## **BUDGET IMPLEMENTATION**

Reference:

MCLA 141.436 et seq.

The Board of Directors places the responsibility of administering the budget, once adopted, with the Superintendent or Superintendent Designee. The Superintendent or Superintendent Designee shall keep the Board informed as to problems or concerns as the budget is being implemented.

The Superintendent or Superintendent Designee shall be authorized to proceed with making financial commitments, purchases, and other expenditures within limits provided in the budget, limitations stated in Board policies, and within legal authority expressed in State statutes.

Listings of expenditures, appropriate financial reports, and budget comparison reports shall be submitted monthly to the Board to keep members informed as to the status of the budget and overall financial condition of the School.

If, during the fiscal year, it appears to the Superintendent or Superintendent Designee that actual revenues are less than estimated revenues, including the available equity upon which the appropriations from the fund were based, the Superintendent or Superintendent Designee shall present to the Board recommended amendments to the General Appropriations Act that will prevent expenditures from exceeding revenues.

Such recommendations shall be in accordance with requirements of the law.

Section 6000 BP - Finances

Title PURCHASING

Code 6320 BP

Status Active

Last Revised February 10, 2016

Prior Revised Dates 03/20/2013;

## **PURCHASING**

Reference:

MCLA 380.1267, 380.1274 et seq.

Procurement of all supplies, materials, equipment, and services paid for from School funds shall be made in accordance with all applicable federal and State statutes, Board policies, and administrative procedures. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts are established in Policy 1130, and Policy 3110 (as applicable) – Conflict of Interest.

All procurement transactions shall be conducted in a manner that encourages full and open competition and in accordance with good administrative practice and sound business judgment.

Each year, the state of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.

It is the policy of the Board of Directors that the Educational Service Provider adhere to the following procedures:

- A. Seek informal price quotations on purchases.
- B. Purchases that are in excess of the dollar amount permitted by state statute shall, whenever possible, have at least three (3) competitive bids for substantiation of purchase and shall require approval of the Board of Directors prior to approval to purchase.

## **Competitive Bids**

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L.A. 18.1263.

Competitive bids are not required for food purchases, unless food purchased in a single transaction costs \$100,000 or more.

Bids shall be sealed and shall be opened by the Board President or designee in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:

- A. the quality of the item(s) to be supplied;
- B. its conformity with specifications;
- C. suitability to the requirements of the School;
- D. delivery terms;
- E. past performance of the vendor.

The Board reserves the right to reject any and all bids.

#### **Bid Protest**

A bidder who wishes to file a bid protest must file such notice and follow procedures prescribed by the Request For Proposals (RFP) or the individual bid specifications package for resolution. Bid protests must be filed in writing with the Educational Service Provider within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Educational Service Provider shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

#### **General Provisions**

The Educational Service Provider is authorized to purchase all items within budget allocations.

The Educational Service Provider is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the School in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

In order to promote efficiency and economy in the operation of the School, the Board requires that the Educational Service Provider periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the Educational Service Provider shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the School. All purchase orders shall be numbered consecutively.

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

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

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

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

#### **Procurement - Federal Grants**

The Educational Service Provider shall maintain a procurement and contract administration system in accordance with the USDOE requirements (34 CFR 80.36) for the administration and management of Federal grants and Federally funded programs. The School shall maintain a compliance system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines (AG 6320).

Section 6000 BP - Finances

Title NEW SCHOOL CONSTRUCTION, RENOVATION

Code 6321 BP

Status Active

Adopted November 16, 2011

Last Revised September 18, 2019

Prior Revised Dates 03/27/2019;

# **NEW CONSTRUCTION, RENOVATION BIDS**

Reference:

MCLA 380.1267 M.C.L. 380.1264

Before commencing construction of any new school building or the major renovation of an existing school building, the Board of Directors shall consult on the plans for construction or major renovation regarding school safety issues with the law enforcement agency that is the first responder for the school building at issue. For purposes of this paragraph, school building means any building intended to be used to provide instruction to students and any recreational or athletic structure or field intended to be used by students.

Before beginning construction of a new school building, or addition to or repair, or renovation of an existing school building, except repair in emergency situations, the Board shall obtain competitive bids on all the material and labor required for the complete construction of a proposed new building or addition to or repair or renovation of an existing school building.

This policy does not apply to buildings, renovations, or repairs costing less than the statutory limit or to repair work normally performed by School employees.

The Board shall advertise for the bids required under subsection

- A. By placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the department of management and budget website, on a page on the website maintained for this purpose or on a website maintained by a school organization and designated by the department of management and budget for this purpose.
- B. If the department of management and budget designates a school organization website for this purpose, the department of management and budget shall indicate this fact on its website and include a link on its website to the school organization website.
- C. The advertisement for bids shall do all of the following:
  - 1. Specify the date and time by which all bids must be received by the Board at a designated location.
  - 2. State that the Board will not consider or accept a bid received after the date and time specified for bid submission.
  - 3. Identify the time, date, and place of a public meeting at which the Board or its designee will open and read aloud each bid received by the Board by the date and time specified in the advertisement.
  - 4. State that the bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Board or the Superintendent or Superintendent Designee of the Academy. A Board shall not accept a bid that does not include this sworn and

notarized disclosure statement.

- D. The Board shall require each bidder for a contract under this policy to file with the Board security in an amount not less than one-twentieth (1/20) of the amount of the bid conditioned to secure the Academy from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance, if the bid is accepted by the Board.
- E. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids as described in subsection three (3) of this policy.
- F. At a public meeting identified in the advertisement for bids described in subsection three (3) of this policy, the Board or its designee shall open and read aloud each bid that the Board received at or before the time and date for bid submission specified in the advertisement for bids. The Board may reject any or all bids, and if all bids are rejected, shall re-advertise in the manner required by this policy.
- G. The competitive bid threshold is adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the twelve (12) months ending August 31st of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31st of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar. The current exempt amount must be confirmed with the Michigan Department of Education prior to issuing contracts for construction, renovation, or repairs which exceed the amount listed in this policy.

Section 6000 BP - Finances

Title PROCUREMENT - FEDERAL GRANTS, FUNDS

Code 6325 BP

Status Active

Adopted February 15, 2017

Last Revised October 18, 2023

Prior Revised Dates 03/27/2019; 09/18/2019; 03/15/2023

# PROCUREMENT - FEDERAL GRANTS/FUNDS

Reference:

2 C.F.R. 200.317 - .326, Appendix II to Part 200 2 C.F.R. 200.520

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or School matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board policies, and administrative procedures.

The Educational Service Provider shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal grants and Federally-funded programs. The Educational Service Provider shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the School's documented general purchasing Policy 6320 and AG 6320.

When required by Federal program legislation, all Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.

All School employees, whether employed by the Board or by an Educational Service Provider, all officers of the School, and all agents of the School who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, whether employed by the Board or by an Educational Service Provider, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130 and Policy 3110– Conflict of Interest.

The School will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase, and where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the School may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

### Competition

All procurement transactions for the acquisition of property or services required under a Federal award paid for from Federal funds or School matching funds shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgement. In order to promote objective contractor performance and eliminate unfair competitive advantage, the School shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

A. unreasonable requirements on firms in order for them to qualify to do business.

- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive pricing practices between firms or between affiliated companies;
- D. noncompetitive contracts to consultants that are on retainer contracts;
- E. organizational conflicts of interest;
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- G. any arbitrary action in the procurement process.

Further, the School does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; or (2) the School is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the School uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The School allows vendors to apply for consideration to be placed on the list continuously.

The School shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The School shall not preclude potential bidders from qualifying during the solicitation period.

#### Solicitation Language (Purchasing Procedures)

The School shall have written procurement procedures that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The School will not approve any expenditure for an unauthorized purchase or contract.

#### **Procurement Methods**

The School shall have and use documented procedures, consistent with the standards described above for the following methods of procurement:

#### A. Informal Procurement Methods

When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are not required. The School may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:

#### 1. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the maximum extent practicable, the School should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if Educational Service Provider considers the price to be reasonable based on research, experience, purchase history or other relevant information and documents are filed accordingly. The School shall maintain evidence of this reasonableness in the records of all purchases made by this method.

### 2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

Schools are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations (FAR). When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

#### B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in C.F.R. 200.319 or non-competitive procurement. The formal methods of procurement are:

#### 1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts more than to the amount allowed by Michigan statute and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Michigan statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
- c. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm fixed price contract award will be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.
- e. The Board reserves the right to reject any or all bids for sound documented reason.

### 2. Proposals

Procurement by proposals is a method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. (See Policy 6320 for competitive bid procedures.)

If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from an adequate number of sources.
- c. The School shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.

d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The School may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E that firms are a potential source to perform the proposed effort.

### 3. Noncompetitive Procurement

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. micro-purchases
- b. the item is available only from a single source
- c. the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation
- d. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the School
- e. after solicitation of a number of sources, competition is determined to be inadequate

### **Domestic Preference for Procurement**

As appropriate and to the extent consistent with law, the School shall, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards including all contracts and purchase orders for work or products under the Federal award.

#### **Contract/Price Analysis**

The School shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the School shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the School shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

#### **Time and Materials Contracts**

The School uses a time-and-materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time-and-materials type contract means a contract whose cost to the School is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the School sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the School shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

### **Suspension and Debarment**

The School will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the School and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the School shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Educational Service Provider shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The School is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the School that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 CFR Part 180 Subpart G)

Debarment is an action taken by the Educational Service Provider to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred. (2 CFR Part 180 Subpart H)

The School shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the School shall confirm that the vendor is not debarred or suspended by either checking the Federal Government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 CFR Part 180 Subpart C)

#### **Bid Protest**

The School maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request for Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Educational Service Provider within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Educational Service Provider shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

#### **Maintenance of Procurement Records**

The School shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Section 6000 BP - Finances

Title PREVAILING WAGE

Code 6350 BP

Status Active

Legal M.C.L. 480.1101, et seq.

Adopted September 18, 2024

### **PREVAILING WAGE**

References:

M.C.L. 480.1101, et seq.

The Superintendent shall oversee the School's obligations under M.C.L. 480.1101, et seq. including, but not limited to, ensuring the following:

- A. A contract for a State Project, entered into pursuant to advertisement and invitation to bid, which requires or involves the employment of Construction Mechanics shall not be approved unless the wage and fringe benefits rate in the contract are not less than the prevailing rates in the Locality in which the work is to be performed.
- B. Before advertising for bids on a State Project, the Superintendent shall ask the Commissioner to determine the prevailing rates of wages and fringe benefits for all classes of Construction Mechanics called for in the contract.
- C. A schedule of these rates shall be made part of the specifications for the work to be performed and shall be printed on the bidding forms.
- D. If a contract is not awarded or construction is not undertaken within ninety (90) days of the date of the Commissioner's determination of prevailing rates, the Commissioner must make a redetermination before the contract is awarded.
- E. Every contractor and subcontractor must fulfill its obligations under the statute relating to prevailing wages on State Projects.
- F. Every contract for a State Project must contain the statutory language providing that Construction Mechanics are intended beneficiaries of the contractual prevailing wage, fringe benefit, and non-discrimination, non-retaliation requirements, and provide that any Construction Mechanic aggrieved by the failure of a contractor or subcontractor to pay prevailing wages or benefits as specified in the contract or retaliation associated therewith, may bring an action in a court of competent jurisdiction against the contractor or subcontractor for damages or injunctive relief along with other remedies prescribed by statute.
- G. The School shall maintain certified payroll records and other records required by law for a minimum of three (3) years.

Contracts on State Projects which contain provisions regarding payment of prevailing wages as determined by the United States Secretary of Labor or which contain minimum wage schedules which are the same as prevailing wages in the Locality as determined by collective bargaining agreements or understandings between bona fide organizations of Construction Mechanics and their employers are exempt from the above requirements.

Additionally, the above requirements do not apply to a State Project if it was paid for, in whole or in part, from revenues from a millage that was authorized under the revised school code, if the millage was authorized before February 13, 2024.

#### **Definitions**

Commissioner means the Department of Labor and Economic Opportunity.

Construction Mechanic means a skilled or unskilled mechanic, laborer, worker, helper, assistant, or apprentice working on a State Project but shall not include executive, administrative, professional, office, or custodial employees.

Locality means the county, city, village, township, or academy in which the physical work on a State Project is to be performed.

State Project means new construction, alteration, repair, installation, painting, decorating, completion, demolition, conditioning, reconditioning, or improvement of public buildings, schools, works, bridges, highways, or roads authorized by a contracting agent.

Section 6000 BP - Finances

Title CONFLICT OF INTEREST - LEGAL COUNSEL, ADVISORS, OR CONSULTANTS

Code 6420 BP

Status Active

Adopted November 20, 2013

# **CONFLICT OF INTEREST - LEGAL COUNSEL, ADVISORS, OR CONSULTANTS**

Reference:

M.C.L. 380.1203

A person serving as the legal counsel to the School or otherwise acting as an advisor or consultant to the Board of Directors, who believes or has reason to believe that the s/he has a conflict of interest with regard to a contract or other financial transaction that requires the approval of the Board shall disclose the conflict of interest to the Board before the vote on the contract or other financial transaction.

Such a person is presumed to have conflict of interest if the person or his/her family member has financial interest, or a competing financial interest in the contract or other financial transaction under consideration by the Board.

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

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

See Bylaw 0144.3

Section 6000 BP - Finances

Title USE OF CREDIT CARDS

Code 6423 BP

Status Active

### **USE OF CREDIT CARDS**

The Board of Directors recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

The Board, therefore, authorizes the use of School credit cards with a total authorized limit not to exceed five percent (5%) of the General Fund Budget.

The Superintendent or Superintendent Designee shall develop administrative guidelines that specify those authorized to use credit cards, the types of expenses which can be paid by credit card, and their proper supervision and use.

Section 6000 BP - Finances

Title COOPERATIVE PURCHASING

Code 6440 BP

Status Active

### **COOPERATIVE PURCHASING**

Reference:

MCLA 124.1 et seq.

The Board of Directors recognizes the advantages of centralized purchasing in that volume buying tends to maximize value for each dollar spent. The Board, therefore, encourages the School Leader to seek advantages in savings that may accrue to this School through joint agreements for the purchase of supplies, equipment, or services with the governing body (ies) of other governmental units.

The Board authorizes the Superintendent or Superintendent Designee to negotiate such joint purchase agreements for services, supplies, and equipment which may be determined to be required from time to time by the Board and which the Board may otherwise lawfully purchase for itself, with governmental contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

Cooperative or joint purchases require an agreement approved by the Board and the participating contracting body(ies) which shall specify the categories of equipment and supplies to be purchased; the manner of advertising for bids and of awarding contracts; the method of payment by each participating party and such other matters as may be deemed necessary to carry out the purposes of the agreement. Such agreements are subject to all legal bidding requirements.

Section 6000 BP - Finances

Title VENDOR RELATIONS

Code 6460 BP

Status Active

Last Revised October 18, 2023

### **VENDOR RELATIONS**

Reference:

MCLA 15.321 et seq.

Neither the Board of Directors, nor the Superintendent or Superintendent Designee shall enter a contract knowingly with any supplier of goods or services to this School under which any Board member or officer, staff member, or agent of this School has any financial or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any textbook of which the person is the author and which has been properly approved for use in the School.

For the purpose of this policy, "beneficial interest", shall be determined in accordance with M.C.L.A. 15.321 et seq.

Board members and School personnel shall not accept any gifts or favors from vendors which might, in any way, influence their recommendations on the eventual purchase of equipment, supplies, or services.

All sales persons, regardless of product, shall clear with the Superintendent or Superintendent Designee's Office before contacting any teachers, students, or other personnel of the School. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with policies of the Board on the basis of quality, price, and delivery with past service a factor if all other considerations are equal.

Section 6000 BP - Finances

Title PAYMENT OF CLAIMS

Code 6470 BP

Status Active

Last Revised November 20, 2013

### **PAYMENT OF CLAIMS**

Reference:

MCLA 380.1274

The Board of Directors directs the prompt payment of legitimate claims by suppliers of goods and services to the School.

Each bill or obligation of this Board must be itemized fully, and verified before a warrant can be drawn for its payment.

When an invoice is received, the Educational Service Provider and/or Superintendent or Superintendent Designee shall verify that a voucher is submitted properly, that acceptable goods were received or satisfactory services rendered, that the expenditure is included in the Board's budget and funds are available for its payment, and that the amount of the invoice is correct.

The Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) is authorized to approve electronic funds transfers (EFTs) in the completion of prompt payment of legitimate claims. Such payments shall comply with the provisions of Policy 6107 and Michigan Statute.

All payments shall be submitted for Board review in the form of a listing that includes the vendor name; the number and amount of the check; and the description of the item.

Section 6000 BP - Finances

Title PAYROLL AUTHORIZATION

Code 6510 BP

Status Active

Last Revised April 18, 2012

### **PAYROLL AUTHORIZATION**

Reference:

M.C.L. 408.476

The most substantial payment of public funds for the operation of the School is that which is made to the employees of the Board of Directors for services rendered. To ensure that each person so compensated is validly employed by this School and that the compensation remitted fairly represents the services rendered, this policy is promulgated.

Employment of all School personnel whether by the year, term, month, week, day, or hour in contract, temporary, or substitute form must be approved by the Board except where authority to appoint certain personnel of the School has been delegated to the Superintendent or Superintendent Designee.

Each motion of the Board to employ or reemploy a staff member shall include the name of the individual, the position title, and the compensation to be paid as prescribed in a negotiated, collective-bargained agreement, or determined by a wage guideline.

### **Direct Deposit - Payroll Debit Card**

Payment of wages shall be by use of direct deposit or payroll debit card.

Employees' selection between payment by direct deposit or electronic transfer and any subsequent change in election shall be done freely, without intimidation, coercion, or fear of discharge or reprisal for the choice.

The Board shall pay any fees or costs incurred in connection with paying wages or establishing a process for paying wages by direct deposit and payroll debit card.

Section 6000 BP - Finances

Title PAYROLL DEDUCTIONS

Code 6520 BP

Status Active

Adopted May 18, 2016

Last Revised September 18, 2024

# **PAYROLL DEDUCTIONS**

Reference:

MCL 380.1224, 408.477

The Educational Service Provider shall be responsible for all payroll functions.

Section 6000 BP - Finances

Title TRAVEL PAYMENT AND REIMBURSEMENT

Code 6550 BP

Status Active

Adopted November 20, 2003

Last Revised February 15, 2017

Prior Revised Dates 02/10/2016;

### TRAVEL PAYMENT AND REIMBURSEMENT

Reference:

2 CFR 200.474

Travel expenses incurred for official business travel on behalf of the Board of Directors shall be limited to those expenses reasonably and necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with any applicable administrative guidelines.

Payment and reimbursement rates for per diem meals, lodging, and mileage shall be approved by the Board annually. The Board shall utilize the Federal IRS prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

Travel payment and reimbursement provided from Federal funds must be authorized in advance by the Federal awarding agency or pass-through entity and must be reasonable and consistent with the School's travel policy and administrative guidelines. For travel authorized by and paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the School's travel policy.

All costs incurred with Federal funds must meet the School's cost allowability standards.

To the extent that the School's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or his/her designee), must apply to travel under Federal awards.

Section 6000 BP - Finances

Title CROWDFUNDING

Code 6605 BP

Status Active

Adopted February 15, 2017

### **CROWDFUNDING**

This policy applies to the use of any form of crowdfunding utilizing an online service or website-based platform for the financial benefit or gain of the School – be it a specific classroom, grade level, department, school, or curricular or extracurricular activity. "Crowdfunding" refers to a campaign to collect typically small amounts of money from a large number of individuals to finance a project or fundraise for a specific cause. Through the use of personal networking, social media platforms, and other Internet based resources, funds are solicited or raised to support a specific campaign or project.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Board upon the recommendation of the Superintendent or Superintendent Designee (employed by the Board).

Section 6000 BP - Finances

Title PETTY CASH

Code 6620 BP

Status Active

### **PETTY CASH**

The Board of Directors recognizes the convenience afforded the day-by-day operation of the School by the establishment of a petty cash fund. The Board shall require the imposition of such controls as will prevent abuse of this fund.

The custodian of the petty cash fund shall ensure that the funds in his/her care shall be disbursed only for minor expenditures not readily deferred. Petty cash fund may not be used to circumvent the purchasing procedures required by law and the policies of this Board. A request for petty cash funds must be made in writing, be signed by the person making the request, and include such supporting documentation as may be appropriate. The petty cash box must be secured daily.

The custodian of the petty cash fund shall prepare a schedule of disbursements when the funds available in petty cash have declined to less than twenty-five percent (25%) of the full amount authorized and shall show the disbursements by line account numbers. The custodian of the fund shall submit the schedule to the Superintendent or Superintendent Designee with a voucher requesting replenishment in like amount.

The petty cash fund will be closed out for audit at the end of the School year and unused funds will be returned to the depository.

Section 6000 BP - Finances

Title CHANGE FUND

Code 6621 BP

Status Active

# **CHANGE FUND**

The Board of Directors recognizes the convenience of a change fund in the day-to-day operation of the School.

The Board authorizes the establishment of a change fund to be in the care of the designated building cashier, who shall be responsible for providing change as needed.

Section 6000 BP - Finances

Title TRUST AND AGENCY FUND

Code 6670 BP

Status Active

# TRUST AND AGENCY FUND

The Board of Directors directs the establishment of a Trust and Agency Fund for the financial administration of scholarships and other trusts operated for the benefit of students and duly approved by the Board.

The Superintendent or Superintendent Designee shall be responsible for the administration of the Trust and Agency Fund. The Fund will be audited annually and will be administered under appropriate accounting controls. The books of account will record income and expenses separately for each approved area.

Section 6000 BP - Finances

Title RECOGNITION

Code 6680 BP

Status Active

### **RECOGNITION**

The purpose of this policy is to permit the Board of Directors to honor staff, former Board members, and other persons with plaques, pins, token retirement gifts and awards, and other amenities.

The Board may, upon recommendation of the Superintendent or Superintendent Designee or the Superintendent or Superintendent Designee, consider, as appropriate, the presentation of token gifts to such individuals and groups who have rendered service to the School for a period of time.

The Board authorizes expenses incurred as listed above when they do serve a public purpose. Public purposes include, but are not limited to, the promotion of education, rapport with the business community, community relations, and the encouragement of non-employees to serve as volunteers as well as furthering other interest.

The funds shall be made available from General Fund.

Section 6000 BP - Finances

Title FAIR LABOR STANDARDS ACT (FLSA)

Code 6700 BP

Status Active

Adopted November 16, 2011

Last Revised October 18, 2023

Prior Revised Dates 05/18/2016

# FAIR LABOR STANDARDS ACT (FLSA)

Reference:

29 USC 201 et seq. 29 CFR Part 541

It is the Board of Director's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and its implementing regulations. The Board directs the Educational Service Provider to fulfill all FLSA requirements in its hiring and compensation practices. Non-exempt employees are hourly employees or salaried employees who do not qualify for a professional, administrative, computer, or executive exemption under the FLSA. Teachers are generally exempt, even if they are paid on an hourly basis.

Section 6000 BP - Finances

Title SYSTEM OF ACCOUNTING

Code 6800 BP

Status Active

Last Revised October 21, 2020

### SYSTEM OF ACCOUNTING

Reference:

MCLA 41.422 et seq., 141.421 et seq., 380.503 AC Rule R340.351 et seq.

It is the policy of the Board of Directors that a chart of accounts be established in accordance with the requirements of the State Department of Education for the accounting of all School funds. The Superintendent or Superintendent Designee is responsible for an accounting of all capital assets to protect the financial investment of the School against catastrophic loss. Further, the Superintendent or Superintendent Designee will establish procedures and regulations necessary to properly account for capital assets and comply with generally accepted accounting principles (GAAP) and ensure that the School's capital assets are properly insured.

#### **GASB 84**

The School's system of accounting shall comply with all applicable requirements of the Governmental Accounting Standards Board, Statement No. 84 (GASB 84). In accordance with GASB 84, the School will report applicable fiduciary activities as identified in either the private purpose trust fund or the custodial fund. Typically, these activities include recognized student and school-related activity funds held in a bank account maintained by the School. These funds shall be subject to the accounting and requirements specified in the Michigan Public Schools Accounting Manual. An activity not identified as a fiduciary activity under GASB 84 will be deemed a governmental activity and will be reported in a governmental fund.

#### **GASB 54**

The School's system of accounting shall comply with all requirements of the Governmental Accounting Standards Board, Statement No. 54 (GASB 54). In accordance with GASB 54, the School will report its fund balances in the following categories:

- A. Nonspendable fund balance—amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the corpus of an endowment fund)
- B. Restricted fund balance—amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation
- C. Committed fund balance—amounts constrained to specific purposes by the Board; to be reported as committed, amounts cannot be used for any other purpose unless the Board takes action to remove or change the constraint
- D. Assigned fund balance—amounts the Board intends to use for a specific purpose; intent can be expressed by the Board or by an official or committee to which the Board delegates the authority
- E. Unassigned fund balance—amounts that are available for any purpose; these amounts are reported only in the general fund.

The Board authorizes the auditors and directs its Superintendent or Superintendent Designee to take all steps necessary to comply with the requirements of GASB 54. All revenue and funds will be designated to one of the above categories.

The Superintendent or Superintendent Designee shall be responsible for the proper accounting of all School funds. S/He shall ensure that expenditures are budgeted under and charged against those accounts which most accurately describe the purpose for which such monies are to be or have been spent. Wherever appropriate and practicable, salaries of individual employees, expenditures for

single pieces of equipment, and the like shall be prorated under the several accounts which most accurately describe the purposes for which such monies are to be or have been spent.

The Superintendent or Superintendent Designee is responsible to implement procedures and practices that will determine:

- A. Capitalization policies for School assets (i.e., which assets will be capitalized and depreciated over their estimated useful life versus which assets will be expensed in year of purchase);
- B. Methods for calculating annual and accumulated depreciation expense for assets including estimates for asset lives, residual asset values, and depreciation methodology;
- C. Procedures for recording gain or loss on sale of capital assets and proceeds from the sale of capital assets in compliance with GAAP Reporting of estimated cash values or replacement values to School insurance providers.

A report of the revenues and expenditures in the General Fund shall be made to the Board on a monthly basis by the Superintendent or Superintendent Designee.

The Board's annual financial statements will include information such as beginning and ending balances of capital assets, beginning and ending balances of accumulated depreciation, total depreciation expense for the fiscal year.

Such reporting shall include description of significant capital asset activity during the fiscal year including: acquisitions through purchase or donation, sales or dispositions including the proceeds and gains or losses on the sale, changes in methods of calculating depreciation expense or accumulated depreciation, such as, estimates of useful life, residual values, depreciation methodology (e.g. straight line or other method).

Before implementing procedures or changing procedures, the Superintendent or Superintendent Designee will review the proposed procedure with the CPA appointed by the Board of Directors to conduct the Board's financial audit. The procedures established shall comply with all statutorily required standards and generally accepted accounting procedures.

Section 6000 BP - Finances

Title PUBLIC DISCLOSURE AND REPORTING

Code 6850 BP

Status Active

Adopted November 16, 2011

Last Revised February 10, 2016

### PUBLIC DISCLOSURE AND REPORTING

#### Reference:

MCL 4.415, 388.1617a, 388.1618, 388.1619, 388.1651a, 15.231 to 15.246, 380.1204a(1), 380.1219 20 USC 6311

Within fifteen (15) days after the Board of Directors adopts its annual operating budget for the following school fiscal year, or adopts a subsequent revision to that budget, the School shall make all of the following available through a link on its website homepage in a form and manner prescribed by the State Department of Education ("Department"):

- A. the annual operating budget and subsequent budget revisions
- B. using data that have already been collected and submitted to the Department, a summary of School expenditures for the most recent fiscal year for which they are available, expressed in the following two (2) pie charts:
  - 1. a chart of personnel expenditures, broken into the following subcategories:
    - a. salaries and wages
    - b. employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits
    - c. retirement benefit costs
    - d. all other personnel costs
  - 2. a chart of all School expenditures, broken into the following subcategories:
    - a. instruction
    - b. support services
    - c. business and administration
    - d. operations and maintenance
  - 3. links to all of the following:
    - a. the audit report of the audit for the most recent fiscal year for which it is available
    - b. the School's written policy governing procurement of supplies, materials and equipment
    - c. the School's written policy establishing specific categories of reimbursable expenses for a Board member
    - d. the School's accounts payable check register for the most recent school fiscal year or a statement of the total amount of expenses incurred by Board members of employees of the School that were reimbursed by the School for the most recent School fiscal year

- e. the annual amount spent on dues paid to associations
- f. the annual amount spent on lobbying or lobbying services
- g. any required deficit elimination plan or enhanced deficit elimination plan
- h. identification of all credit cards maintained by the School as School credit cards, including the identity of all persons authorized to use the cards, the credit limit on each card and the dollar limit, if any, for each person's authorized use of the card
- i. costs incurred for out-of-state travel by the school administrator that is fully or partially paid for by the School and the details of each instance of such travel, including the identification of each individual on the trip, the destination and the purpose
- j. each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the School
- k. the bids required under Section 5 of the Public Employee Health Benefits Act
- I. the total salary and a description and cost of each fringe benefit included in the compensation package for the Superintendent or Superintendent Designee of the School and for each employee of the school whose salary exceeds \$100,000.00

As used in this subdivision, "lobbying" means that term as defined in Section 5 of 1978 PA 472, MCL 4.415.

The Board shall have an audit of the School's financial and pupil accounting records conducted at least annually at the expense of the School. The Board shall retain these records for the current fiscal year and from at least the three (3) immediately preceding fiscal years.

The School's annual financial audit shall include an analysis of the financial and student accounting data used as the basis for distribution of State school aid. The student accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the Department.

Not later than November 1st of each year, the School shall file its annual financial audit report with all appropriate agencies.

The annual financial audit reports and student accounting procedures reports shall be available to the public in compliance with the Freedom of Information Act.

By November 1st of each year, the School shall submit to the Center for Educational Performance Information (CEPI), in a manner prescribed by the CEPI, annual comprehensive financial data consistent with accounting manuals and charts of accounts approved and published by the Department. This submission shall contain the School's web address where the required financial data is posted. The School shall also include a link on its websites to the website where the Department posts this financial information.

By September 30th of each year, the School shall file with the Department the special education actual cost report on a form and in a manner as prescribed by the Department.

The School shall provide to the Department an annual progress report on the implementation of school improvement plans, curriculum, and accreditation as required by "Public Act 25 of 1990."

The School shall comply with the reporting requirements under State and Federal law, including reports to CEPI, as set forth by State law and as directed by CEPI. This shall include by:

- A. June 30th of each year, providing CEPI with information related to safety practices and criminal incidents;
- B. the first business day in December and June 30th of each year, providing CEPI with requested information related to educational personnel;
- C. not later than five (5) weeks after the student membership count day, providing CEPI in a manner prescribed by the CEPI, the information necessary for the preparation of the high school graduation report;
- D. October 7th of each year, providing CEPI with the transportation expenditure report; and
- E. Before July 7th of each school fiscal year, providing to CEPI the budgetary assumptions used when adopting the annual budget pursuant to the Uniform Budgeting and Accounting Act if the School had a general fund balance of less than five percent (5%) of total general fund revenues for each of the two (2) most recently completed fiscal years.



Section 7000 BP - Property

Title TABLE OF CONTENTS

7000 BP - PROPERTY Code

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 3/20/13; 10/03/13; 11/20/13; 12/10/14; 9/2/15; 2/15/17; 9/13/17; 3/21/18;

10/21/2020

# **7000 PROPERTY**

	7217	Weapons	LR
	7230	Gifts, Grants, and Bequests	ВР
	7310	Disposition of Surplus Property	LR
	7410	Maintenance	ВР
	7420	Hygienic Management	ВР
	7430	Safety Standards	LC
	7434	Use of Tobacco on School Premises	LR
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	7440.01	Video Surveillance and Electronic Monitoring	LC
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	7455	Accounting System for Fixed Assets	ВР
	7460	Conservation of Natural and Material Resources	ВР
	7510	Use of School Facilities	ВР
	7530	Lending of School-Owned Equipment	ВР
	7530.01	Board-Owned Personal Communication Devices	LC
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	7540.02	Web Content, Services and Apps	LC
	7540.03	Student Technology Acceptable Use and Safety	LR
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	7540.05	Academy-Issued Staff E-mail Account	ВР
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7542	Access to School Technology Resources from Personal Communication Devices	BP
7543	Remote Access To The School's Network	ВР
7545	Electronic Communications	ВР

<sup>\*</sup> This is a School-Specific policy and will not be maintained by the Institute

Section 7000 BP - Property

Title WEAPONS

Code 7217 BP

Status Active

Adopted September 6, 2005

Last Revised September 18, 2024

Prior Revised Dates 11/16/2011; 02/14/2017

### **WEAPONS**

Reference:

18 USC. 922 MCL. 28.4250 20 USC 4141(g)

Michigan Gun Owners, Inc. v. Ann Arbor Public Schools Michigan Open Carry, Inc. v. Clio Area School District

The Board of Directors prohibits visitors from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

The Board has a constitutional and statutory obligation to provide a free and appropriate education to all students who qualify. This includes the obligation to provide a safe and secure learning environment. The presence of dangerous weapons on school property or at school sponsored events, except under very controlled circumstances, creates a potentially dangerous situation for students, staff and visitors, and may trigger precautionary safety responses which disrupt the educational process and learning environment for students.

The Board, therefore, prohibits weapons on school property and at school-sponsored events due to reasonably related legitimate educational concerns, including the ability to provide a safe and secure learning and social environment for its students and controlling and minimizing disruptions to the educational process.

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

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage and/or endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including spring, air, and gas-powered guns (whether loaded or unloaded), that will expel a BB, pellet, or paintball, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

This prohibition applies regardless of whether the visitor is otherwise authorized by law to possess the weapon, including if the visitor holds a concealed weapons permit.

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

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

- A. A parent or legal guardian of a student of the school may carry a concealed weapon while in a vehicle on school property if the parent or legal guardian is dropping the student off at the school or picking up the student from the school, and any person may carry a concealed weapon solely in the parking lot.
- B. A county corrections officer, a member of a Sheriff's posse, a police or sheriff reserve or auxiliary officer, a State Department of Corrections parole or corrections officer, a private investigator, a Michigan State Police motor carrier officer or Capitol security officer, a State court judge, a security officer required by the employer to carry a concealed weapon while on the

premises, a court officer, or a parole, probation, or corrections officer or absconder recovery unit member of the Department of Corrections, if that individual has obtained a Michigan Department of Corrections weapons permit.

C. A retired police or law enforcement officer, a retired Federal law enforcement officer, a retired State court judge, a retired corrections officer of a county sheriff's department, if that individual has received county sheriff approved weapons training, or a retired parole, probation, or corrections officer or retired absconder recovery unit member of the Department of Corrections, if that individual has obtained a Michigan Department of Corrections weapons permit.

The Superintendent or designee shall take the necessary steps to prosecute for a violation of the Weapon-Free School Zone.

In the event that a visitor violates this policy and refuses to leave the property or take other action as directed by the administrator, the administration is directed to immediately initiate a lockdown of the affected school or area, consistent with the lockdown procedures set out in Policy 8420. There are no exceptions to this mandate.

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

Section 7000 BP - Property

Title GIFTS, GRANTS, AND BEQUESTS

Code 7230 BP

Status Active

# **GIFTS, GRANTS, AND BEQUESTS**

The Board of Directors is duly appreciative of public interest in and good will toward the School manifested through gifts, grants, and bequests. The Board reserves the right, however, to specify the manner in which gifts are made; to define the type of gift, grant, or bequest which it considers appropriate; and to reject those which it deems inappropriate or unsuitable. If accepted, the Board will attempt to carry out the wishes of the donor.

All gifts, grants, or bequests shall be accepted and acknowledged by the Board.

Gifts, grants, and bequests shall become the property of the Board and will be subject to use by the School as determined by the policies and administrative guidelines applying to all properties, equipment, materials, and funds owned by the Board.

Any equipment purchased by a parent organization for use in the School or at a School-related event shall be submitted to the Board, prior to purchase, so it can determine if the School would incur any liability by its use.

The Board reserves the right to not accept such liability and thus deny the use of the equipment by students or School employees.

Section 7000 BP - Property

Title DISPOSITION OF SURPLUS PROPERTY

Code 7310 BP

Status Active

Last Revised February 15, 2017

### **DISPOSITION OF SURPLUS PROPERTY**

Reference:

2 CFR 200.312, 200.313

The Board of Directors requires the Superintendent or Superintendent Designee to review the property of the School periodically and to dispose of that material and equipment which is no longer usable in accordance with the terms of this policy.

#### **Instructional Material**

The School shall review instructional materials (i.e. textbooks, library books, manuals, support materials, etc.) periodically to determine the relevance of such materials to the present world and current instructional programs. The following criteria will be used to review instructional materials for redistribution and possible disposal:

- A. concepts or content that do not support the current goals of the curriculum
- B. information that may not be current
- C. worn beyond salvage

#### **Equipment**

The School shall inspect the equipment used in the instructional program periodically, to determine the condition and usability of such equipment in the current educational program. Should the equipment be deemed no longer serviceable or usable, the following criteria will be used to determine possible disposal:

- A. repair parts for the equipment no longer readily available
- B. repair records indicate the equipment has no usable life remaining
- C. obsolete and no longer contributing to the educational program
- D. some potential for sale at an auction
- E. creates a safety or environmental hazard

### **Disposition**

The Superintendent or Superintendent Designee is authorized to dispose of obsolete instructional and other property by selling it to the highest bidder, by donation to appropriate parties, or by proper waste removal. Disposal of surplus property purchased with Federal funds shall be disposed of in accordance with Federal guidelines. When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, the School shall request disposition instructions from the Federal awarding agency, if required by the terms and conditions of the Federal award. Disposition of the equipment will then be made in accordance with disposition instructions of the Federal awarding agency.

If permitted by applicable law, items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.

Except as provided by applicable regulations or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of \$5,000 may be retained by the School or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the School may deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.

The School may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the School shall be entitled to compensation for its attributable percentage of the current fair market value of the property.

Section 7000 BP - Property

Title MAINTENANCE

Code 7410 BP

Status Active

### **MAINTENANCE**

Reference:

Public Act 225 of 1993

The Board of Directors recognizes that the fixed assets of this School represent a significant investment and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection, maintenance, and rehabilitation for the preservation of the School buildings and equipment. Wherever possible and feasible, maintenance shall be preventive.

The Superintendent or Superintendent Designee shall develop, for implementation by the custodial and maintenance staff, a maintenance program which shall include:

- A. a regular summer program of facilities repair and conditioning;
- B. the maintenance of a critical spare parts inventory;
- C. an equipment replacement program;
- D. a long-range program of building modernization;

E. repair or replacement of equipment or facilities for energy conservation, safety, or other environmental factors. The Superintendent or Superintendent Designee shall develop and make known to the custodial and maintenance staff such guidelines as may be necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant. Such guidelines are to include provision for Handicapped Parking signs which conform to State law.

Section 7000 BP - Property

Title HYGIENIC MANAGEMENT

Code 7420 BP

Status Active

### **HYGIENIC MANAGEMENT**

Reference:

AC Rule R340.1301

The Board of Directors recognizes that the health and physical well-being of the students of this School depends in large measure upon the cleanliness and sanitary management of the School.

The Board directs that a program of hygienic management be instituted in the School and explained annually to all staff members.

The Board shall request that each facility be inspected for cleanliness and sanitation by the School Leader.

The Superintendent or Superintendent Designee shall prepare, in consultation with the Great Lakes Waste Disposal Company, procedures for the handling and disposal of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomit, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and any other body parts that contact such matter.

The Superintendent or Superintendent Designee r shall develop and supervise a program for the cleanliness and sanitary management of the School's buildings, grounds, and equipment pursuant to law.

The cleanliness of the School building shall be the responsibility of the Superintendent or Superintendent Designee.

Section 7000 BP - Property

Title SAFETY STANDARDS

Code 7430 BP

Status Active

Adopted June 6, 2005

Last Revised November 16, 2011

### SAFETY STANDARDS

Reference:

MCIA 380.1288

AC Rule 29.1 et seq., 340.1301 et seq.

The Board of Directors believes that the staff and students of this School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the Board will provide reasonable and adequate protection to the lives, safety, and health of its employees.

The Superintendent or Superintendent Designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to minimize their consequences. S/He shall designate a staff member who shall conduct periodic audits of health and safety conditions within the facilities of the School in accordance with the Federal OSHA standards adopted by the State, and take appropriate action on any violations thereof to the Superintendent or Superintendent Designee. Said staff member shall also have the authority to organize and direct the activities of a School safety committee.

At the beginning of each school year and as frequently thereafter as deemed necessary by the Superintendent or Superintendent Designee, the Academy's playground is to be checked for safety by the Superintendent or Superintendent Designee or designee. Record of each inspection is to be on file in the Academy office.

The Superintendent or Superintendent Designee shall ascertain that the staff members and students of this School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law.

In the event an inspection is made by a representative of the State, the Superintendent or Superintendent Designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

Section 7000 BP - Property

Title USE OF TOBACCO ON SCHOOL PREMISES

Code 7434 BP

Status Active

Last Revised October 21, 2020

Prior Revised Dates 11/16/2011;

## **USE OF TOBACCO ON SCHOOL PREMISES**

Reference:

MCL 333.12601 et seq. MCL 380.1170 MCL 750.473 20 USC 6081 et seq. USDOE. Memorandum, 1995

MDE Board Policy on 24/7 Tobacco-Free Schools

The Board of Directors believes that the right of persons to use tobacco must be balanced against the right of those who do not use tobacco to breathe air untainted by tobacco.

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

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco products on School premises (owned or leased), in school vehicles, at all school sponsored events and in all school buildings owned and/or operated by the School.

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
- B. "use of a tobacco product" means any of the following:
  - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
  - 2. the inhaling or chewing of a tobacco product
  - ${\bf 3.}$  the placing of a tobacco product within a person's mouth
  - 4. and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL's"), but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board does not condone smoking and/or the use of tobacco, the Board prohibits the use of tobacco or tobacco substitute products at all times within any enclosed facility owned or leased or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to:

- A. school grounds,
- B. athletic facilities,
- C. any school-related event,

Tobacco companies/products may not sponsor any school activity or project.

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

The Superintendent/Superintendent designee shall:

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

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

Violations of this policy may result in removal from school property or the school activity in accordance with Policy 9150 – School Visitors.

The Superintendent/Superintendent designee shall designate the individuals and the methods to monitor compliance with this policy.

Section 7000 BP - Property

Title FACILITY SECURITY

Code 7440 BP

Status Active

Last Revised November 16, 2011

## **FACILITY SECURITY**

Buildings constitute the greatest financial investment of the School. It is in the best interest of the Board of Directors to protect the School's investment adequately. The buildings and equipment owned by the Board shall be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Superintendent or Superintendent Designee shall develop and supervise a program for the security of the School's students, staff, visitors, school buildings, school grounds, and school equipment in compliance with State and Federal law. Such a program may include the use of video surveillance and electronic monitoring equipment in appropriate public areas in and around the schools and other School facilities, and on school buses.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to students, staff, visitors and Board property and may require prosecution of those who bring harm to persons and/or property. The Board will seek repair to rectify the damage or payment of a fee to cover the cost of repair or replacement from the person(s) responsible. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Superintendent or Superintendent Designee is authorized to install metal detectors and video surveillance/electronic monitoring equipment on school property in order to protect the health, welfare, and safety of students, staff, visitors and Board property, and other security devices that would assist in the detection of guns and dangerous weapons:

A. in School buildings;

B. on School property.

The Superintendent or Superintendent Designee shall report to the Board each major case of vandalism and the extent of the damage.

Section 7000 BP - Property

Title VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

Code 7440.01 BP

Status Active

Adopted November 16, 2011

Last Revised March 15, 2023

## VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

Reference:

FERPA, 20 U.S.C. 1232g 34 C.F.R. 99.1-99.67

Title I of the Electronic Communication Privacy Act of 1986

18 U.S.C. 2510-2521

The Board of Directors authorizes the use of video surveillance and electronic monitoring equipment at various school sites throughout the School and on school buses. The video surveillance/electronic monitoring equipment shall be used to protect Board property and assets from theft and vandalism, through deterrence and video documentation. The system is not designed nor intended to protect individuals from being victims of violent or property crimes, nor to detect other potentially illegal and undesirable activities that may occur, although information may be used as evidence in such cases.

The Superintendent or Superintendent Designee is responsible for approving where and when to install and operate fixed-location video surveillance/electronic monitoring equipment in the School. The building principals and administrators responsible for other facilities shall be responsible for recommending use of video surveillance/electronic monitoring. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Video surveillance/electronic monitoring equipment may be placed in common areas in school buildings (e.g., school hallways, entryways, the front office where students, employees and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries), the school parking lots and other outside areas, and in school buses. Except in extraordinary circumstances and with the written authorization of the Superintendent or Superintendent Designee or Board President, video surveillance/electronic monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g., restrooms, locker rooms, changing areas). The Superintendent or Superintendent Designee shall carefully consider and consult with School legal counsel before authorizing placement in, private offices (unless there is express consent given by the office occupant), or conference/meeting rooms, or in individual classrooms during instructional times. Security staff and administrators are authorized to carry and use portable video cameras when responding to incidents.

Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Legible and visible signs shall be placed at the main entrance to buildings and in the areas where video surveillance/electronic monitoring equipment is in use. Signs shall be reasonably designed to notify people that their actions/behaviors are being monitored/recorded. Additionally, the Superintendent or Superintendent Designee is directed to annually notify parents and students via school newsletters and the Student Handbook, and staff via the Staff Handbook, of the use of video surveillance/electronic monitoring systems in their schools.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the School and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file.

Ordinarily video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or property.

The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring. However, prerecorded lessons or observations of on-line virtual learning sessions may be included as part of an employee's evaluation.

Recordings of students will be treated as confidential, to the extent allowed by law. Copies of video recordings containing personally identifiable information about students shall not be released except as required or authorized by law. Parents or guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any other students whose images appear on the recording). Likewise, school personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recording). Absent a clear legal obligation, confidential recordings will only be released through subpoena or court order.

The Board shall maintain video surveillance/electronic monitoring recordings for a limited period. Any request to view a recording under this policy must be made within thirty (30) days of the event/incident. Unless an investigation is being conducted, recordings shall be destroyed after thirty (30) days. If, however, action is taken by the Board/administration, as a result of a formal complaint or incident, recordings shall be kept for a minimum of one (1) year from the date of the action taken.

This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting), or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

The Superintendent or Superintendent Designee is directed to develop administrative guidelines to address the use of video surveillance/electronic monitoring equipment in school buildings, school buses and on property owned and/or operated by the Board.

Video surveillance is to be implemented in accordance with this policy and the related guidelines. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

Annually, the Superintendent or Superintendent Designee shall conduct a review to verify that this policy and its implementing guidelines are being adhered to, and report to the Board on the use of video surveillance/electronic monitoring equipment in the School.

Section 7000 BP - Property

Title PROPERTY INVENTORY

Code 7450 BP

Status Active

Adopted February 15, 2017

Last Revised March 15, 2023

## PROPERTY INVENTORY

As steward of this School's property, the Board of Directors recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall conduct and maintain a continuous inventory of all School-owned equipment and supplies in accordance with all applicable law.

For purposes of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is nonexpendable, costs at least \$5,000 to replace or as a single unit and does not lose its identity when incorporated into a more complex unit. When defining supplies for inventory purposes, no items will be counted whose total value is less than \$5,000.

It shall be the duty of the Superintendent or Superintendent Designee to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board.

Property records of consumable supplies shall be maintained on a continuous inventory basis.

The Business Manager shall maintain a system of property records which shall show, as appropriate to the item recorded, the:

- A. description and identification;
- B. year of purchase;
- C. initial cost;
- D. location.

Equipment acquired under a Federal award will vest upon acquisition to the School, subject to the following conditions:

- A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.
- B. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.
- C. The equipment may only be used and disposed of in accordance with the provisions of the Federal awarding agency or the pass-through entity and Board Policy and guidelines.
- D. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the Federal Award Identification Number (FAIN), title entity, acquisition date, cost of the equipment, percentage of Federal participation in the project costs for the award under which the equipment was acquired, the location, use, and condition of the equipment, and ultimate disposition data, including date

of disposal and sale price of the equipment.

- E. A physical inventory of the property must be taken and results reconciled with property records at least once every two (2) years.
- F. A control system shall be developed to provide adequate safeguards to prevent loss, damage, or theft of the property. Any such loss, damage, or theft shall be investigated.
- G. Adequate maintenance procedures shall be implemented to keep the property in good condition.
- H. Proper sales procedures shall be established to ensure the highest possible return, in the event the School is authorized or required to sell the equipment/property.
- I. When original or replacement equipment acquired under a Federal award is no longer needed for the original project/program or for activities currently or previously supported by a Federal awarding agency, and except as otherwise provided by Federal statutes, regulations, or Federal awarding agency disposition instructions, the School shall request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment shall be made in accordance with the provisions of C.F.R. 200.313.

Section 7000 BP - Property

Title ACCOUNTING SYSTEM FOR CAPITAL ASSETS

Code 7455 BP

Status Active

Last Revised March 15, 2023

# **ACCOUNTING SYSTEM FOR CAPITAL ASSETS**

The Board of Directors shall maintain a capital-asset accounting system. The capital-asset system shall maintain sufficient information to permit the following:

- A. the preparation of year-end financial statements in accordance with generally-accepted accounting principles;
- B. adequate insurance coverage;
- C. control and accountability.

The Superintendent or Superintendent's Designee/Finance Director shall be responsible for the development and maintenance of the capital-asset accounting system. The Superintendent or Superintendent's Designee/Finance Director shall develop procedures to ensure compliance with all capital-asset policies.

Capital-assets are defined as those tangible assets of the Academy with 1.) a useful life in excess of one (1) year 2.) and an initial cost equal to or exceeding the amount determined annually in the School's administrative guidelines, 3.) which are capitalized in accordance with GAAP, and 4.) which the School intends to hold or continue in use over an extended period of time. If a single item does not meet the threshold amount, but is typically purchased in aggregate by the School, the Superintendent or Superintendent's Designee/Finance Director shall verify which items shall be classified as capital-assets and recorded at the time of purchase or acquisition. Further some items may be identified as "controlled" assets that are to be recorded on the capital-asset system to maintain control, although they may not meet all capital-asset criteria.

Capital-assets shall be classified as follows:

- A. land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, exchange, or through a lease accounted for as financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards, and
- B. additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital-assets that materially increase their value or useful life (not ordinary repairs and maintenance).

Leased capital-assets and assets jointly owned shall also be identified and recorded on the capital-asset system.

Capital-assets shall be recorded at historical cost or, if that amount is not practicably determinable, at estimated historical cost. The method(s) to be used to estimate historical cost shall be established by the auditor.

The purchase of capital-assets, the transfer of capital-assets between buildings, and the disposal of capital-assets shall be initiated by the Superintendent or Superintendent's Designee/Finance Director. An asset to be disposed of by sale with a current value in excess of \$20.00shall be sold at auction. An auction shall be held at the discretion of the Superintendent or Superintendent's designee when sufficient assets have accumulated to warrant the cost. The Business Manager shall establish minimum acceptable prices for assets sold at auction.

Depreciation shall be recorded for fund capital-assets, using the method(s) agreed upon by the Superintendent or Superintendent's Designee and Finance Director.

Accumulated depreciation shall be calculated on a straight line basis and recorded for general capital-assets.

The following information shall be maintained for all capital-assets:
A. description;
B. asset classification (land, building, equipment, etc.);
C. location;
D. purchase price;
E. vendor;
F. date purchased;
G. voucher number;
H. estimated useful life;
I. estimated salvage value;
J. replacement cost;
K. accumulated depreciation;
L. method of acquisition (purchase, trade-in, lease, donated, etc.);
M. appropriation;
N. manner of asset disposal.

Section 7000 BP - Property

Title CONSERVATION OF NATURAL AND MATERIAL RESOURCES

Code 7460 BP

Status Active

# **CONSERVATION OF NATURAL AND MATERIAL RESOURCES**

The increasing costs of natural energy resources coupled with the growing need to inhibit pollution mandate, the School implement strategies which

A. will conserve all forms of energy used;

B. ensure proper recycling of reusable materials.

The Board of Directors directs the Superintendent or Superintendent Designee to develop and implement both immediate and long range plans to meet these concerns. It expects that the administrative guidelines and procedures established will be properly observed by all members of the staff and strongly supported both in the educational program and in staff interactions with students.

Section 7000 BP - Property

Title USE OF SCHOOL FACILITIES

Code 7510 BP

Status Active

# **USE OF SCHOOL FACILITIES**

The Board of Directors believes that the facilities of this School should be made available for community purposes, provided that such use does not infringe on the original and necessary purpose of the property or interfere with the educational program of the School and is harmonious with the purposes of this School.

The Board will permit the use of School facilities when such permission has been requested in writing by a responsible organization or a group of citizens and has been approved by the Superintendent or Superintendent Designee.

School facilities shall be available for the below-listed uses. When there are competing interests for the use of facilities, approval will be given according to the following priorities:

- A. uses directly related to the School and the operations of the School
- B. uses and groups indirectly related to the School
- C. community organizations or groups of individuals formed for the following purposes:
  - 1. charitable,
  - 2. civic,
  - 3. social,
  - 4. religious,
  - 5. recreational,
  - 6. educational
- D. commercial or profit-making organizations or individuals offering services for profit.

The use of School grounds and facilities shall not be granted for any purpose which is prohibited by law.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the granting of permission to use School facilities including a schedule of fees. Such guidelines are to include the following:

- A. Each user shall present evidence of the purchase of organizational liability insurance to the limit prescribed by School administrative guidelines.
- B. Use of School equipment in conjunction with the use of School facilities must be requested specifically in writing, and may be granted by the procedure by which permission to use facilities is granted. The users of School equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use. Where rules so specify, no item of equipment may be used except by a qualified operator.
- C. Users shall be liable financially for damage to the facilities and for proper chaperonage

Section 7000 BP - Property

Title LENDING OF SCHOOL-OWNED EQUIPMENT

Code 7530 BP

Status Active

# LENDING OF SCHOOL-OWNED EQUIPMENT

The Board of Directors believes that School-owned equipment is a valuable resource which may be loaned for community use under certain conditions only, provided that such use does not infringe on the original and necessary purpose of the equipment or interfere with the educational program of the School.

The Board may lend specific items of equipment on the written request of the user and approval granted by the Superintendent or Superintendent Designee.

The user of School-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, and shall be responsible for its safe return.

School equipment may be removed from School property by students or staff members only when such equipment is necessary to accomplish tasks arising from their School or job responsibilities. The consent of the Superintendent or Superintendent Designee is required for such removal.

Personal use of School equipment or facilities by staff or students will be in accordance with the Superintendent or Superintendent Designee's administrative guidelines.

Section 7000 BP - Property

Title BOARD-OWNED PERSONAL COMMUNICATION DEVICES

Code 7530.01 BP

Status Active

Last Revised March 20, 2013

# **BOARD-OWNED PERSONAL COMMUNICATION DEVICES**

As the employer of record, the Educational Service Provider directs the proper use of cell phones of its employees.

Section 7000 BP - Property

Title STAFF USE OF PERSONAL COMMUNICATION DEVICES

Code 7530.02 BP

Status Active

Adopted March 20, 2013

# STAFF USE OF PERSONAL COMMUNICATION DEVICES

As the employer of record, the Educational Service Provider directs the proper use of personal communication devices of its employees.

Section 7000 BP - Property

Title TECHNOLOGY

Code 7540 BP

Status Active

Last Revised February 15, 2017

Prior Revised Dates 11/16/2011;

## **TECHNOLOGY**

The Board of Directors is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of School operations.

Students' use of the School Technology Resources (see definitions in Bylaw 0100) is a privilege, not a right. Students and their parents must sign and submit a Student Technology Acceptable Use and Safety form annually. (See also, Policy 7540.03)

The Superintendent, Superintendent Designee or the Educational Service Provider shall develop and implement a written School Technology Plan (STP). One (1) of the primary purposes of the STP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and/or efficient and effective School operations. The Board will financially support, as the budget permits, the STP, including recommendations to provide new and developing technology for students and staff.

The Superintendent/Superintendent Designee (employed by the Board) or Educational Service Provider, shall create a Technology Governance Committee (see AG 7540B) to oversee and guide the development of the STP. The Educational Service Provider or Superintendent/ Superintendent Designee (employed by the Board), shall appoint individuals to the Technology Governance Committee that include representatives of all educational, administrative and business/operational areas in the School.

The STP shall set forth procedures for the proper acquisition of technology. The STP shall also provide guidance to staff and students about making safe, appropriate and ethical use of School Technology Resources, as well as inform both staff and students about disciplinary actions that will be taken if its Technology Resources are abused in any way or used in an inappropriate, illegal, or unethical manner. See Policy 7540.03 and AG 7540.03 - Student Technology Acceptable Use and Safety, and Policy 7540.04 and AG 7540.04 - Staff Technology Acceptable Use and Safety.

The Educational Service Provider or Superintendent/ Superintendent Designee (employed by the Board), in conjunction with the IT Department, shall review the STP and report any changes, amendments, or revisions to the Board annually.

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Student Code of Conduct, further govern students' and staff members' use of their personal communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using School technology resources (including, but not limited to, privacy in the content of their personal files, e-mails and records of their online activity when using the School's computer network and/or Internet connection).

Further safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate responses if they experience cyberbullying.

For purposes of this policy, social media is defined as Internet-based applications that facilitate communication (e.g., interactive/two-way conversation/dialogue) and networking between individuals or groups. Social media is "essentially a category of online media where people are talking, participating, sharing, networking, and bookmarking online. Most social media services encourage discussion, feedback, voting, comments, and sharing of information from all interested parties." [Quote from Ron Jones of Search Engine Watch] Social media provides a way for people to stay "connected or linked to other sites, resources, and people." Examples include Facebook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of School-issued e-mail accounts.

Staff may use social media for business-related purposes. Authorized staff may use School Technology Resources to access and use social media to increase awareness of School programs and activities, as well as to promote achievements of staff and students, provided the Superintendent or Superintendent Designee (employed by the Board) approves, in advance, such access and use. Use of social media for business-related purposes is subject to Michigan's public records laws and staff members are responsible for archiving their social media and complying with the School's record retention schedule. See Policy 8310 – Public Records and AG 8310A – Public Records.

Instructional staff and their students may use School Technology Resources to access and use social media for educational purposes, provided the Superintendent or Superintendent Designee approves, in advance, such access and use.

Students must comply with Policy 7540.03 and Policy 5136 when using School Technology Resources to access and/or use social media. Similarly, staff must comply with Policy 7540.04 and Policy 7530.02 when using School Technology Resources to access and/or use social media.

Section 7000 BP - Property

Title TECHNOLOGY PRIVACY

Code 7540.01 BP

Status Active

Last Revised February 15, 2017

# **TECHNOLOGY PRIVACY**

The Board of Directors recognizes its staff members' right to privacy in their personal lives. This policy serves to inform staff members of the Board's position with respect to staff-member privacy in the educational and workplace setting and to protect the Board's interests.

All School Technology Resources (as defined in Bylaw 0100) are the Board's property and are intended to be used solely for business purposes. The Board retains the right to access and review all Information Resources (as defined in Bylaw 0100), including but not limited to electronic and voice mail, computer files, data bases, and any other electronic transmissions contained in or used in conjunction with the Board's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members shall be notified that they have should have no expectation that any personal information/data maintained, stored, or transmitted contained on or through such systems is confidential or private.

Review of such information may be done by the Board with or without the staff member's knowledge. The use of passwords does not guarantee confidentiality, and the Board retains the right to access information in spite of a password. All passwords or security codes are shared with immediate administrative Supervisor. A staff member's refusal to permit such access may be grounds for discipline up to and including discharge.

School Technology Resources are to be used only for business and educational purposes. Personal use of school equipment or facilities by staff or students will be in accordance with the Superintendent or Superintendent Designee's administrative guidelines.

Personal messages via Board-owned technology should be limited in accordance with the Educational Service Providers or Superintendent/Superintendent Designee (employed by the Board). guidelines. Staff members are encouraged to keep their personal records and personal business at home. Because School Technology Resources are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.

School Technology Resources must be used properly. Review of computer files, electronic mail, and voice mail will only be done in the ordinary course of business and will be motivated by a legitimate business reason. If a staff member's personal information is discovered, the contents of such discovery will not be reviewed by the Board, except to the extent necessary to determine if the files/e-mail/voice mail constitute a public record or if the Board's interests have been compromised. Any information discovered will be limited to those who have a specific need to know that information. The administrators and supervisory staff members authorized by the Superintendent or Superintendent Designee have the authority to search and access information electronically.

All School Technology Resources and School Information Resources are the property of the Board. Staff members shall not copy, delete, or remove any information/data contained on the Board's computers/servers without the express permission of the Superintendent or Superintendent Designee or communicate any such information to unauthorized individuals. In addition, staff members may not copy software on any School Technology Resources and may not bring software from outside sources for use on School Technology Resources without the prior approval of the Technology Director.

Such pre-approval shall include a review of any copyright infringements or virus problems associated with such outside software.

Section 7000 BP - Property

Title WEB CONTENT, SERVICES AND APPS

Code 7540.02 BP

Status Active

Last Revised September 13, 2017

Prior Revised Dates 12/10/2014; 02/15/2017;

# **WEB CONTENT, SERVICES AND APPS**

The Board of Directors authorizes the creation of websites by employees and students of the School to be published on the World Wide Web. The creation of websites by students must be done under the supervision of a professional staff member. These websites must reflect the professional image of the School, its employees, and students. The content of all pages must be consistent with the Board's Mission Statement and is subject to prior approval of the Superintendent or Superintendent Designee.

The Board intends that its websites shall be accessible to all and comply with Policies 2260 and 2260.01. While not all web pages can be made totally accessible, the Board will strive, to the extent technologically and economically feasible, to make its website(s) as accessible as possible. Individuals responsible for designing, developing and producing web pages, including any third party providers engaged by the Board, are expected to employ universal design principles to create websites that allow persons with disabilities to access the information and content.

The School compliance officers identified as the Superintendent or Superintendent Designee, shall be the web accessibility coordinator(s) and the reporting processes outlined therein should be followed if a person wishes to report a complaint about the School website(s).

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

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

The information contained on the web site should reflect and support the Board's Mission Statement, Educational Philosophy, and the School Improvement Process. When the content includes a photograph or information relating to a student the Board will abide by the provisions of Policy 8330 - Student Records.

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

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

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

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

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

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

Pages should reflect an understanding that both internal and external audiences will be viewing the information.

School websites must be located on Board-affiliated servers. The Board retains all proprietary rights related to the design of websites and/or pages that are hosted on the Board's servers, absent written agreement to the contrary.

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

The Superintendent or Superintendent Designee shall prepare administrative guidelines defining the standards permissible for website use.

Section 7000 BP - Property

Title STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

Code 7540.03 BP

Status Active

Last Revised September 18, 2024

Prior Revised Dates 11/16/2011; 12/10/2014; 03/21/2018

## STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

#### Reference:

P.L. 106-554, Children's Internet Protection Act of 2000

P.L. 110-385, Title II, Protecting Children in the 21st Century Act

18 U.S.C. 1460 18 U.S.C. 2246 18 U.S.C. 2256

20 U.S.C. 6777, 9134 (2003)

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965,

as amended (2003)

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

47 C.F.R. 54.520

Technology directly affects the ways in which information is accessed, communicated, and transferred in society. Educators are expected to continually adapt their means and methods of instruction, and the way they approach student learning, to incorporate the latest technologies. The Board of Directors provides Information & Technology Resources (as defined in Bylaw 0100) (collectively, "School Information & Technology Resources") to support the educational and professional needs of its students and staff. With respect to students, School Information & Technology Resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board of Directors provides students with access to the Internet for educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The School's computer network and Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its stated educational purpose.

The Board regulates the use of School Information & Technology Resources in a manner consistent with applicable local, State, and Federal laws, the School's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy and its related administrative guidelines and the Student Code of Conduct govern students' use of School Information & Technology Resources and students' personal communication devices when they are connected to School Information & Technology Resources, including online educational services/apps, regardless of whether such use takes place on or off school property (see Policy 5136).

Students are prohibited from using School Information & Technology Resources to engage in illegal conduct (e.g., libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, etc.) or conduct that violates this Policy and its related administrative guidelines and the Student Code of Conduct (e.g., making personal attacks or injurious comments, invading a person's privacy, etc.). Nothing herein, however, shall infringe on students' First Amendment rights. Because its Information & Technology Resources are not unlimited, the Board may institute restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Students have no right or expectation to privacy when using School Information & Technology Resources (including, but not limited to, privacy in the content of their personal files, messages/e-mails, and records of their online activity).

While the Board uses various technologies to limit students using its Information & Technology Resources to only use/access online educational services/apps and resources that have been pre-approved for the purpose of instruction, study, and research related to the curriculum, it is impossible to prevent students from accessing and/or coming in contact with online content that has not been pre-approved for use by students of certain ages. It is no longer possible for educators and community members to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and

reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them) when significant portions of students' education take place online or through the use of online educational services/apps.

Pursuant to Federal law, the Board implements technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or the Superintendent or Superintendent's designee, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The School also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on students to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the teacher. The technology protection measures may not be disabled at any time that students may be using School Information & Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under CIPA. Any student who attempts to disable the technology protection measures will be disciplined.

The Educational Service Provider may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been mistakenly, improperly, or inadvertently blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Parents are advised that a determined user may be able to gain access to online content and/or services/apps that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to content that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

The Superintendent or Superintendent's designee is directed to prepare procedures which address students' safety and security while using e-mail, chat rooms and other forms of direct electronic communications, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors online.

The Superintendent or Superintendent's designee is responsible for providing training so that students under their supervision are knowledgeable about this policy and its accompanying guidelines.

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

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;
- B. the dangers inherent with the online disclosure of personally identifiable information;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online; and
- D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

The Board directs staff members to provide guidance and instruction to their students regarding the appropriate use of School Information & Technology Resources and online safety and security as specified above. Additionally, such training shall include, but not be limited to, education concerning appropriate online behavior including interacting with others on social media, including in chat rooms, and cyberbullying awareness and response. Furthermore, staff members will monitor the online activities of students while they are at school.

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

All students who use School Information & Technology Resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures. (See Form 7540.03 F1)

In order to keep School Information & Technology Resources operating in a safe, secure, efficient, effective, and beneficial manner to all users, students are required to comply with all School-established cybersecurity procedures. The Superintendent or Superintendent's designee is responsible for providing such training on a regular basis and measuring the effectiveness of the training.

Students are responsible for good behavior when using School Information & Technology Resources – i.e., behavior comparable to that expected of students when they are in physical classrooms and school buildings and at school-sponsored events. Because communications the Internet are often public in nature, general school rules for behavior and communication apply. The Board does not approve any use of its Information & Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

Students may only use School Information & Technology Resources to access or use social media if it is done for educational purposes in accordance with their teacher's approved plan for such use.

## Use of Artificial Intelligence/Natural Language Processing Tools For School Work

Unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of School Information & Technology Resources that are not authorized by this policy and its accompanying procedures.

The Board designates the Superintendent or Superintendent's designee as the person(s) responsible for initiating, implementing, and enforcing this policy and its accompanying procedures as they apply to students' use of School Information & Technology Resources.

Section 7000 BP - Property

Title AI Policy

Code 7540.03a

Status Active

During some class sessions, students may leverage generative Artificial Intelligence (AI) tools to support their learning. Use of generative AI will be limited to exercises during class sessions. The teacher will always indicate when and where use of AI tools during class sessions is appropriate (and not). Examples of use during ungraded classroom exercises might include:

- · brainstorming new ideas,
- developing example outlines or approaches to your work, and/or
- generating different ways to talk about a problem.

In contrast, students may not use AI tools to generate work for an assignment to be submitted for a grade, as this cannot be considered a substitute for developing the fundamental skills and expertise represented by the learning objectives of this course.

Please note that generative AI tools rely on predictive models to generate content that may appear correct, but has been shown to sometimes be incomplete, inaccurate, taken without attribution from other sources, and/or biased. Consequently, an AI tool should not be considered a substitute for traditional approaches to research and you should complete all graded assignments without any assistance from AI tools. Students are ultimately responsible for the content of the information submitted and may not attempt to pass off any work generated by an AI program as their own.

#### What are examples of some AI tools (example list is not inclusive of all AI tools)?

AI tools mean something different to each person, especially related to education, so we have grouped them into categories and named a few tools for each.

Туре	What they do	Example tools
Chatbots	III apperates written responses answers dijestions. & checks work	ChatGPT (and GPT-4), Google Bard, Bing AI, Jasper AI
AI writing assistants	Edits, rephrases, & rewrites text to improve writing	Grammarly, QuillBot, Hemingway Editor
	Answers questions & completes numerous "nomework help" tasks	
Voice assistants	Takes voice commands to provide answers to questions & operate portions of devices.	Siri, Alexa, Google Assistant, Cortana

Please note that countless AI tools exist, and the omission of a specific tool does not mean its use is permitted. If students have questions about a certain tool, they should not use it until they have discussed it with their teacher, and permission is given for its use.

#### **Acceptable Use of AI Tools**

Students may be allowed to use AI in courses to enrich their learning experience with interactive activities and as a way for students to gain practical experience with important technologies.

#### **Key Takeaways for AI Use:**

Do not use any AI tools during any high stakes assessments (ex-NWEA, M-Step, SAT, A-net), exams or quizzes.

Do not use AI tools during any assignments or activities without specific permission and instructions.

Credit and cite any time you use AI.

Except during exams and quizzes, you may use writing assistants to check your written work for grammar and punctuation.

Writing assistants and other AI should not be used to write, paraphrase, or change the style and composition of your writing.

Using AI as a supplement is permitted. Examples include using browser extensions or apps to check your answers to practice questions.

Never enter any personally identifiable information or other relevant information into AI tools

#### The Negatives of Using AI Tools

Integrating AI into course activities helps create interactive and engaging learning experiences. However, it is crucial that students adhere to the guidelines about the use of AI tools because it impacts the entire learning experience and student data privacy.

Inappropriate or unauthorized use of AI tools to gain an unfair advantage and any other forms of academic dishonesty not only devalue your education but also jeopardize the integrity and reputation of the entire course and program you and others have invested in. We ask that students fully, honestly, and ethically commit to using AI only as instructed.

Section 7000 BP - Property

Title STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Code 7540.04 BP

Status Active

Adopted November 16, 2011

Last Revised March 21, 2018

Prior Revised Dates 12/10/2014;

## STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

#### Reference:

P.L. 106-554, Children's Internet Protection Act of 2000

P.L. 110-385, Title II, Protecting Children in the 21st Century Act

18 USC 1460 18 USC 2246 18 USC 2256

20 USC 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

47 USC 254(h), (1), Communications Act of 1934, as amended (2003)

47 C.F.R. 54.520

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Directors provides Technology and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The School's computer network and Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of School Technology and Information Resources by principles consistent with applicable local, State, and Federal laws, and the School's educational mission. This policy and its related administrative guidelines and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the School's Technology and Information Resources and staff's personal communication devices when they are connected to the School's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using School's Technology and Information Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the School's computer network and/or Internet connection).

Staff are expected to utilize School Technology and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2521 – Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the School with computers and users worldwide. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, School Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, the Board may not be able to technologically limit access over its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures, that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or Superintendent or Superintendent Designee, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on Staff members to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the Principal. The technology protection measures may not be disabled at any time that students may be using the School Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be subject to disciplinary action, up to and including termination.

The Superintendent or Superintendent Designee may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. The Superintendent or Superintendent Designee may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

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

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media and other forms of electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online; and,
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students or staff online.
- D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors. Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor online activities while students are at school.

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

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

Building principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the School Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media including in chat rooms, and cyberbullying awareness and response. All users of School Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

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

With prior approval from the Superintendent or Superintendent Designee or IT Director, staff may direct students who have been issued School-assigned email accounts to use those accounts when signing up/registering for access to various online educational services including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

The Board expects all School personnel to be responsible for good behavior when using School Technology and Information Resources – i.e., behavior comparable to that expected when in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its Technology and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Staff members may only use School Technology Resources to access or use social media if it is done for educational or business-related purposes.

General School rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of School Technology and Information Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Educational Service Provider as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of School Technology and Information Resources.

#### Social Media Use

Personal or private use of social media may result in unintended consequences. While the Board respects employees First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the School's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes School personnel online conduct that occurs off school property, including rom the School's personal or private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

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

Section 7000 BP - Property

Title ACADEMY-ISSUED STAFF E-MAIL ACCOUNT

Code 7540.05 BP

Status Active

# SCHOOL-ISSUED STAFF E-MAIL ACCOUNT

The Board of Directors is committed to the effective use of electronic mail ("e-mail") by all School staff and Board members in the conduct of their official duties. This policy and any corresponding guidelines are intended to establish a framework for the proper use of e-mail for conducting official business and communicating with colleagues, students, parents and community members.

When available, the School's e-mail system must be used by employees for any official School e-mail communications. Personal e-mail accounts on providers other than the School's e-mail system may be blocked at any time if concerns for network security, SPAM, or virus protection arise. Furthermore, School staff are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the School's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

School staff shall not send or forward mass e-mails, even if the e-mails concern School business, without prior approval of the Technology Director/ Superintendent or Superintendent Designee.

School staff may join list servs or other e-mail services (e.g. RSS feeds) that pertain to their responsibilities in the School, provided these list servs or other e-mail services do not exceed the staff member's e-mail storage allotment. If a staff member is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue administration. The Technology Director/Superintendent or Superintendent Designee is authorized to block e-mail from list servs or e-mail services if the e-mails received by the staff member(s) become excessive.

Staff members are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages, appropriately saving e-mails that constitute a public record or student record and e-mails that are subject to a litigation hold (see Policy 8315 – Information Management), and purging all other e-mails that have been read. If the staff member is concerned that his/her e-mail storage allotment is not sufficient, s/he should contact the School's administration.

#### **Public Records**

The School complies with all Federal and State laws pertaining to electronic mail. Accordingly, e-mails written by or sent to School staff and Board members may be public records if their content concerns School business, or education records if their content includes personally identifiable information about a student. E-mails that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. E-mails that are student records must be maintained pursuant to Policy 8330 – Student Records. Finally e-mails may constitute electronically stored information ("ESI") that may be subject to a litigation hold pursuant to Policy 8315 – Information Management.

State and Federal law exempt certain documents and information within documents from disclosure, no matter what their form. Therefore, certain e-mails may be exempt from disclosure or it may be necessary to redact certain content in the e-mails before the e-mails are released pursuant to a public records request, the request of a parent or eligible student to review education records, or a duly served discovery request involving ESI.

E-mails written by or sent to School staff and Board members by means of their private e-mail account may be public records if the content of the e-mails concerns School business, or education records if their content includes personally identifiable information about a student. Consequently, staff shall comply with a School request to produce copies of e-mail in their possession that are either public records or education records, or that constitute ESI that is subject to a litigation hold, even if such records reside on a computer owned by an individual staff member, or are accessed through an e-mail account not controlled by the School.

#### Retention

Pursuant to State and Federal law, e-mails that are public records or education records, and e-mails that are subject to a litigation hold shall be retained.

E-mail retention is the responsibility of the individual e-mail user. Users must comply with School guidelines for properly saving/archiving e-mails that are public records, student education records, and/or subject to a litigation hold. E-mails sent or received using the School's e-mail service are retained to the extent of the law on the server. This retention is for disaster recovery and not to provide for future retrieval. The School does not maintain a central or distributed e-mail archive of e-mail sent and/or received. Any questions concerning e-mail retention should be directed to the Technology Director, site administrator or the Educational Service Provider administration.

The School maintains archives of all e-mails sent and/or received by users of the School's e-mail service. Staff members are required to forward copies of any e-mails received in their personal e-mail account(s) not affiliated with the School server to their School e-mail account so that these records are also archived for future retrieval, if necessary.

## **Unauthorized E-mail**

The Board does not authorize the use of its Technology Resources, including its computer network ("network") to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

### **Authorized Use and Training**

Pursuant to Policy 7540.04, staff and Board members using the School's e-mail system shall acknowledge their review of, and intent to comply with, the School's policy on acceptable use and safety by signing and submitting Form 7540.04 F1.

Furthermore, staff and Board members using the School's e-mail system shall satisfactorily complete training, pursuant to Policy 7540.04, regarding the proper use and retention of e-mail annually.

Section 7000 BP - Property

Title SCHOOL-ISSUED STUDENT E-MAIL ACCOUNT

Code 7540.06 BP

Status Active

Adopted March 21, 2018

# SCHOOL-ISSUED STUDENT E-MAIL ACCOUNT

Students assigned a School e-mail account are required to utilize it for all School-related electronic communications, including those to staff members and individuals and/or organizations outside the School with whom they are communicating for School-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their School-assigned e-mail account when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

This policy and any corresponding guidelines serve to establish a framework for student's proper use of e-mail as an educational tool.

Personal e-mail accounts on providers other than the School's e-mail system may be blocked at any time if concerns for network security, SPAM, or virus protection arise. Students are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the School's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

Students shall not send or forward mass e-mails, even if educationally-related, without prior approval of their classroom teacher or the site administrator and/or Educational Service Provider administration.

Students may join list servs or other e-mail services (e.g. RSS feeds) that pertain to academic work, provided the e-mails received from the list servs or other e-mail services do not exceed the students' individual e-mail storage allotment. If a student is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue with his/her classroom teacher, the building principal or the School's Educational Service Provider administration. The Technology Director, site administrator and/or Educational Service Provider administration is authorized to block e-mail from list servs or e-mail services if the e-mails received by the student becomes excessive.

Students are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages and purging e-mails once they are read and no longer needed for school.

#### **Unauthorized E-mail**

The Board does not authorize the use of its Technology Resources, including its computer network ("network"), to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

#### **Authorized Use and Training**

Pursuant to Policy 7540.03, students using the School's e-mail system shall acknowledge their review of, and intent to comply with, the School's policy on acceptable use and safety by signing and submitting Form 7540.03 F1 annually.

Furthermore, students using the School's e-mail system shall satisfactorily complete training, pursuant to Policy 7540.03, regarding the proper use of e-mail annually.

Section 7000 BP - Property

Title PERSONAL INTERNET ACCOUNT PRIVACY - STUDENTS

Code 7540.07 BP

Status Active

Adopted November 20, 2013

# PERSONAL INTERNET ACCOUNT PRIVACY - STUDENTS

#### Reference:

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

#### The Academy will not:

- A. request a student or prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the student's or prospective student's personal internet account.
- B. expel, discipline, fail to admit, or otherwise penalize a student or prospective student for failure to grant access to, allow observation of, or disclose information that allows access to or observation of the student's or prospective student's personal internet account.

The following definitions shall be used for this policy:

- A. "Access information" means user name, password, login information, or other security information that protects access to a personal internet account
- B. "Personal internet account" means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications, or stored data.
- C. The Academy may:
  - 1. request or require a student to disclose access information to gain access to or operate any of the following:
    - a. An electronic communications device paid for in whole or in part by the Academy.
    - b. An account or service provided by the Academy that is either obtained by virtue of the student's admission to the educational institution or used by the student for educational purposes.
  - 2. view, access or utilize information about a student or applicant that can be obtained without any required access information or that is available in the public domain.

Section 7000 BP - Property

Title PERSONAL INTERNET ACCOUNT PRIVACY - STAFF

Code 7540.08 BP

Status Active

Adopted November 20, 2013

# PERSONAL INTERNET ACCOUNT PRIVACY - STAFF

#### Reference:

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

#### The Academy will not:

- A. request an employee or an applicant for employment to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.
- B. discharge, discipline, fail to hire, or otherwise penalize an employee or applicant for employment for failure to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.

The following definitions shall be used for this policy:

- A. "Access information" means user name, password, login information, or other security information that protects access to a personal internet account.
- B. "Personal internet account" means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications, or stored data.

## C. The Academy may:

- request or require an employee to disclose access information to the Academy to gain access to or operate any of the following:
  - a. An electronic communications device paid for in whole or in part by the employer.
  - b. An account or service provided by the employer, obtained by virtue of the employee's employment relationship with the employer, or used for the Academy's business purposes.
- 2. discipline or discharge an employee for transferring the proprietary or confidential information or financial data to an employee's personal internet account without the Academy's authorization.
- 3. conduct an investigation or require an employee to cooperate in an investigation in any of the following circumstances:
  - a. If there is specific information about activity on the employee's personal internet account, for the purpose of ensuring compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct.
  - b. If the Academy has specific information about an unauthorized transfer of the Academy's proprietary information, confidential information, or financial data to an employee's personal internet account.
- 4. restrict or prohibit an employee's access to certain websites while using an electronic communications device paid for in whole or in part by the Academy or while using the Academy's network or resources, in accordance with State and Federal law.
- 5. monitor, review, or access electronic data stored on an electronic communications device paid for in whole or in part by the employer, or traveling through or stored on an Academy's network, in accordance with State and Federal law.

- 6. screen employees or applicants prior to hiring or to monitor or retain employee communications that is established under Federal law or by a self-regulatory organization, as defined in section 3(a)(26) of the securities and exchange act of 1934, 15 USC 78c(a)(26).
- 7. view, access or utilize information about an employee or applicant that can be obtained without any required access information or that is available in the public domain.

Section 7000 BP - Property

Title ACCESS TO SCHOOL TECHNOLOGY RESOURCES FROM PERSONAL COMMUNICATION

**DEVICES** 

Code 7542 BP

Status Active

Adopted November 16, 2011

Last Revised March 20, 2013

# ACCESS TO SCHOOL TECHNOLOGY RESOURCES FROM PERSONAL COMMUNICATION DEVICES

The Board permits employees, students, Board members, guests, as well as contractors, vendors, and agents to use their personal communication devices ("PCDs") to wirelessly access the School's technology resources (guest or business networks, servers, projectors, printers, etc.) while they are on-site at any School facility. Access to the business/guest network shall require authentication.

For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phone (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, etc.), and/or other web-enabled devices of any type.

If the user wants to access the School's technology resources through a hard-wired connection, the user's PCD must first be checked by the Technology Director to verify it meets the established standards for equipment used to access the network.

The Technology Coordinator is charged with developing (or, is directed to develop) the necessary standards for connecting PCDs to the School's technology resources. The standards shall be available upon request.

The standards shall be designed and enforced to minimize the Board's exposure to damages, including, but not limited to, the loss of sensitive District data, illegal access to confidential data, damage to the School's intellectual property, damage to the District's public image, and damage to the School's critical internal systems, from unauthorized use.

The use of PCDs must be consistent with the established standards for appropriate use as defined in Policy 7540.03 and AG 7540.03 – Student Network and Internet Acceptable Use and Safety, Policy 7540.04 and AG 7540.04 – Staff Network and Internet Acceptable Use and Safety, Policy 5136 and AG 5136 - Personal Communication Device, Policy 7530.02 - Staff Use of Communication Devices. When an individual connects to and uses the School's technology resources, s/he must agree to abide by all applicable policies, administrative procedures and laws (e.g., the user will be presented with a "splash screen" that will set forth the terms and conditions under which s/he will be able to access the School's technology resource(s); the user will need to accept the stated terms and conditions before being provided with access to the specified technology resource(s)).

In order to comply with the Children's Internet Protection Act ("CIPA"), the Board has implemented technology protection measures that protect against (e.g., filter or block") access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors. The Board also utilizes software and/or hardware to monitor online activity to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors.

Any user who violates the established standards and/or the Board's Acceptable Use policy, or who accesses the School's technology resources without authorization may be prospectively denied access to the School's technology resources. If the violation is committed by a contractor, vendor or agent of the School, the contract may be subject to cancellation. Further disciplinary action may be taken if the violation is committed by a student or employee.

The owner of a PCD bears all responsibility and assumes all risk of theft, loss, or damage to, or misuse or unauthorized use of the device while it is on Board property. This provision applies to everyone, regardless of their affiliation or connection to the School.

Section 7000 BP - Property

Title REMOTE ACCESS TO THE SCHOOL'S NETWORK

Code 7543 BP

Status Active

Adopted November 16, 2011

# REMOTE ACCESS TO THE SCHOOL'S NETWORK

Access to the School's Website (www.DEPSA.org) is encouraged.

The following resources shall be available on the School's website:

- A. the School's calendar of events
- B. (grade book program)
- C. (required State report)
- D. Board agendas and minutes

The Board encourages employees, parents, students, and community members to check the School's website regularly for changes to these resources and for the addition of other resources. Some resources may require a user name and password, or a login procedure due to the personally identifiable nature of the information provided through that resource (e.g., the grade book program and e-mail system). If a user name and password, or login procedure, is necessary to access a resource, information shall be provided on the website explaining who is eligible for a user name and password, how to obtain a user name and password, and detailed instructions concerning the login process.

#### Access to the School Network through Server

Board members, School employees, students, well as contractors, vendors, and agents of the School, are not permitted to use their personally-owned or School-owned computer or workstation and/or web-enabled devices of any type to remotely (i.e. away from School property or facilities) access the School's server and connect to the School's Network.

Any exceptions to this policy must be approved in advance, in writing, by the Superintendent or Superintendent Designee.

Any employee who violates this policy may be disciplined, up to and including termination; any contractor, vendor or agent who violates this policy may have his/her contract with the School terminated; and any student who violates this policy may be disciplined up to and including suspension or expulsion.

Section 7000 BP - Property

Title ELECTRONIC COMMUNICATIONS

Code 7545 BP

Status Active

Adopted November 16, 2011

# **ELECTRONIC COMMUNICATIONS**

The advancement of technology has provided many new ways for individuals to communicate with one another. These electronic communications include social networking sites, instant messaging, text messaging, e-mailing and photo-sharing, among others. Additional methods of electronic communication can be anticipated as the technology continues to evolve.

However, use of such technology must be approached with caution by School employees. Given the nature of the communications, there is a significant potential both for inappropriate use and for alleged inappropriate use. To protect staff and students, the following restrictions are established:

- A. Electronic communications with students should be appropriate in tone, content, and quantity. Stalking, harassment, or other unwelcome behaviors are prohibited, including any type of sexually suggestive comments, photos, or graphics.
- B. Electronic communications with other employees should be appropriate in tone, content, and quantity. Stalking, harassment, or other unwelcome behaviors are prohibited.
- C. Electronic communications during work time shall only be allowed for work-related matters or personal emergencies. Work time is defined as all paid work time that is not a designated break or meal period.
- D. Communications with students are not to occur through electronic methods. This does not apply to students to whom you are related or over whom you have quardianship.
- E. Electronic communications with students are only to occur through School maintained e-mail accounts or websites. The School may require the employee to produce records for review when there is reason to believe that this policy has been violated. Records within the School's control may be reviewed periodically to assure that this policy is being complied with. These may include Internet logs, cell phone records, or other similar documentation.

Questions regarding acceptable electronic communications or unwelcomed electronic communications from someone associated with the School should be submitted to Superintendent or Superintendent Designee or Technology Director.

Section 8000 BP - Operations

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Code 8000 BP - OPERATIONS

Status Active

Last Revised October 18, 2023

Prior Revised Dates 11/16/11; 3/20/13; 10/03/13; 11/20/13; 12/10/14; 11/20/13; 9/2/15; 2/10/16; 2/15/17;

LR

9/13/17; 3/21/18; 9/18/19; 10/21/2020; 03/15/2023

**Iran Economic Sanctions Act Compliance** 

# 8000 **OPERATIONS**

8120

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8142.01	Weapons	LR
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8220	School Day	ВР
8305	Information Security	ВР
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8320	Personnel Files	ВР
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8401	Fire Safety and Fire Department Notification	LR
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8540	Vending Machines	LR*
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LR\* These policies are only legally required if the Academy serves food to students and receives direct or indirect federal aid for the program.

Section 8000 BP - Operations

Title IRAN ECONOMIC SANCTIONS ACT COMPLIANCE

Code 8120 BP

Status Active

Adopted November 20, 2013

# IRAN ECONOMIC SANCTIONS ACT COMPLIANCE

Reference:

M.C.L. 329.311 - 329.316

The School will not enter into or renew a contract with any Iran linked business while Iran is a State sponsor of terror as defined under Section 2 of the Divestment From Terror Act, 2008 PA 234, MCL 129.292. To this end, and in accordance with the Iran Economic Sanctions Act of Michigan, the School shall require a person that submits a bid on a request for proposal with the School to certify that it is not an Iran linked business.

If the School determines, using credible information available to the public, that a person has submitted a false certification, the School shall provide the person with written notice of its determination and of the intent not to enter into or renew a contract with the person. The notice shall include information on how to contest the determination and specify that the person may become eligible for a future contract with the School if the person ceases the activities that cause it to be an Iran linked business. The person shall have ninety (90) days following receipt of the notice to respond in writing and to demonstrate that the determination of false certification was made in error. If a person does not make that demonstration within ninety (90) days after receipt of the notice, the School may terminate any existing contract and shall report the name of the person to the attorney general together with information supporting the determination.

"Person" means any of the following:

- A. An individual, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group.
- B. Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in section 1701(c)(3) of the international financial institutional act, 22 U.S.C. 262r(c)(3).
- C. Any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in subparagraph A. or B.

"Iran Linked Business" means either of the following:

- A. A person engaging in investment activities in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran.
- B. A financial institution that extends credit to another person, if that person will use the credit to engage in investment activities in the energy sector of Iran.

"Iran" means any agency or instrumentality of Iran.

"Energy Sector of Iran" means activities to develop petroleum or natural gas resources or nuclear power in Iran.

"Investment" means one (1) or more of the following:

- A. A commitment or contribution of funds or property.
- B. A loan or other extension of credit.
- C. The entry into or renewal of a contract for goods or services.

"Investment activity" means one (1) or more of the following:

- A. A person who has an investment of \$20,000,000.00 or more in the energy sector of Iran.
- B. A financial institution that extends \$20,000,000.00 or more in credit to another person, for forty-five (45) days or more, if that person will use the credit for investment in the energy sector of Iran.

Section 8000 BP - Operations

Title CRIMINAL HISTORY RECORD CHECK

Code 8142 BP

Status Active

Adopted December 10, 2014

Last Revised March 21, 2018

# CRIMINAL HISTORY RECORD CHECK

Reference:

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

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

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

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

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

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

- A. the record check has been requested;
- B. the applicant has signed a disclosure of all convictions and acknowledges that employment may be terminated if there are discrepancies; and

C. the hiring occurs during the school year or not more than thirty (30) days before the beginning of the school year. For substitute teachers or substitute bus drivers currently working in another district, public school academy or non-public school in the State, the Superintendent or Superintendent Designee may use a report received from the State Police by such school to confirm, that the individual has no criminal history. Absent such confirmation, a criminal history record check shall be performed.

Individuals working in multiple districts or Schools may authorize the release of a prior criminal history records check with another district or School in lieu of an additional check for either direct employment or working regularly and consistently under contract in the schools.

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the School in lieu of submitting to a new criminal background check. If this method is used,

the Superintendent or Superintendent Designee must confirm that the record belongs to that individual and whether there have been any additional convictions by processing the individual's name, sex and date of birth through the Internet Criminal History Access Tool (ICHAT).

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

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

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

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

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

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

An applicant must submit, at no expense to the School, a set of fingerprints, prepared by an entity approved by the Michigan State Police, upon receiving an offer of employment, or as required by State law for continued employment.

#### Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those who have not been given access to the CHRI by the Superintendent or Superintendent Designee or the Board. Records involving misdemeanor convictions for sexual or physical abuse or any felony are not subject to these restrictions. Violation of confidentiality is considered a misdemeanor punishable by a fine up to \$10,000.

Any notification received from the Michigan Department of Education or Michigan State Police regarding School employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days until the accuracy of the information can be verified. Thereafter, only information about felony convictions or misdemeanor convictions involving physical or sexual abuse may be disclosed in reference to a FOIA request.

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

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

[1] Individuals who submit and receive such criminal history record checks on behalf of the School must be direct employees of the School or, if such access is approved by the Board, ESP personnel who are provided view only access by the Local Agency Security Officer. Notwithstanding this, Information Technology contractors and vendors may be granted access to CHRI subject to successful completion of a national fingerprint-based criminal history record check as detailed in Policy 8321.

Section 8000 BP - Operations

Title WEAPONS

Code 8142.01 BP

Status Active

Adopted February 15, 2017

## **WEAPONS**

The Board prohibits any person who is under contract from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the School for the purpose of school activities approved and authorized by the School including, but not limited to, property leased, owned, or contracted for by the School, a School-sponsored event, including athletic events, or in a School vehicle.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the School or with a third-party vendor, Educational Service Provider, or similar contracting entity, to provide staffing, educational, food, custodial, transportation, counseling or administrative services to the School. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

The term "weapon" means any object which, in the manner in which it used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited firearms, guns of any type including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paint balls, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapon, ammunition, and explosives or any other weapon described in 18 U.S.C. 921.

The Educational Service Provider shall refer an individual who violates this policy to law enforcement officials. The School may also take other action against the individual and/or his/her employer, including, but not limited to, requiring that the individual not be allowed to provide services to the School in the future and/or terminating any contractual relationship with the individual and/or the employer.

Individuals under contract shall immediately report knowledge of dangerous weapons and/or threats of violence by students, staff members, or other individuals to the Educational Service Provider.

Section 8000 BP - Operations

Title SCHOOL CALENDAR

Code 8210 BP

Status Active

Adopted September 6, 2005

Last Revised October 21, 2020

Prior Revised Dates 11/15/2011;

# **SCHOOL CALENDAR**

Reference:

MCL 380.1284, 1284(a), 1284(b), 1175, 388.1701

AC Rule R340.10 et. seq.

Pupil Accounting Manual 2019-2020, Michigan Department of Education

The Board of Directors, shall ensure that its school calendar complies with the common calendar adopted by the Intermediate School District (ISD), unless the School is statutorily exempt from this requirement or receives a waiver from the Superintendent of Public Instruction in compliance with State law. The common calendar will identify the specific dates for each school year when the School will not be in session for at least a winter holiday break, and a spring break for at least the next five (5) school years, and may further describe them more generally for subsequent school years as long as the dates can be readily determined. This calendar shall be posted on the School's web site and distributed to the School's constituents. The calendar shall provide for the instructional program of the academies, for orderly educational planning, and for the efficient operation of the School.

The Board shall determine annually the total number of days the School will be in session for instructional purposes. To avoid withholding of State school aid payments, the number of days and hours will be in accordance with Michigan law. The Board shall ensure the School is not in session for students before Labor Day, unless the School is statutorily exempt from this requirement or receives a waiver from the Superintendent of Public Instruction in compliance with State law.

If the School receives services from the Intermediate School District and is located within the ISD, then beginning with the 2008-2009 school year the board shall ensure that the School calendar complies with the common school calendar adopted by the ISD. The Superintendent is authorized to work with the Intermediate School District on the development of a common calendar for all of the public schools in the Intermediate School District.

A school session shall not be held on the following public holidays in Michigan Public Schools: January 1, New Year's Day; the last Monday of May, Memorial or Decoration Day; July 4, Independence Day; the first Monday in September, Labor Day; the fourth Thursday of November, Thanksgiving Day, and December 25, Christmas Day.

If one (1) of these days falls on Sunday, the Monday following shall be a public holiday in the public schools.

The School shall provide at least 1098 hours during 180 days of pupil instruction per school year, unless it obtains a waiver from this requirement.

No more than thirty (30) hours of student instruction lost due to conditions not within the control of the School such as severe storms, fires, epidemics, and health conditions can be counted as a part of the required minimum hours of instruction. All subsequent hours lost for instruction cannot be counted for State aid, unless they occur after April 1, are due to unusual and extenuating occurrences resulting from conditions not within the control of the school authorities such as those conditions described above and are approved by the State Superintendent of Public Instruction. Hours lost due to strikes by School staff or to teacher conferences, unless approved as qualifying professional development in accordance with State law, shall not be counted as hours of instruction.

The Superintendent shall certify to the State Department of Education by no later than August 1st of each year, the number of hours of student instruction during the previous school year.

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Section 8000 BP - Operations

Title SCHOOL DAY

Code 8220 BP

Status Active

# **SCHOOL DAY**

Reference:

MCLA 380.1284

The Board of Directors authorizes the School day to be arranged and scheduled by the Superintendent or Superintendent Designee. It is to offer the maximum education for the time spent within the limitations of School facilities and the laws and regulations of the State.

The Superintendent or Superintendent Designee may close the School, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. The Superintendent or Superintendent Designee shall prepare rules for the proper and timely notification of concerned persons and parents in the event of any emergency closing of the School.

The Superintendent or Superintendent Designee shall have the authority to determine which School-related activities may be conducted if the School is closed for a period of time. The Superintendent or Superintendent Designee shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and conduct of such activities.

Section 8000 BP - Operations

Title INFORMATION SECURITY

Code 8305 BP

Status Active

Adopted September 13, 2017

# **INFORMATION SECURITY**

The School collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the School. This information may be in hard copy or digital format, and may be stored in the School or offsite with a third party provider.

Data/information collected by the School shall be classified as Confidential, Controlled, or Published. Data/information will be considered Controlled until identified otherwise.

Protecting School Information Resources (as defined in Bylaw 0100) is of paramount importance. Information security requires everyone's active participation to keep the School's data/information secure. This includes Board of Education members, staff members/employees, students, parents, contractors/vendors, and visitors who use School Technology Resources (as defined in Bylaw 0100) and Information Resources.

Individuals who are granted access to data/information collected and retained by the School must follow established procedures so that the information is protected and preserved. Board members, administrators, and all School staff members, as well as contractors, vendors, and their employees, granted access to data/information retained by the School are required to certify annually that they shall comply with the established information security protocols pertaining to School data/information. Further, all individuals granted access to Confidential Data/Information retained by the School must certify annually that they will comply with the information security protocols pertaining to Confidential Data/Information. Completing the appropriate section of the Staff Technology Acceptable Use and Safety form (Form 7540.04F1) shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the security of that data/information and the School Technology Resources on which it is stored.

If an individual has any questions concerning whether this Policy and/or its related administrative guidelines apply to him/her or how they apply to him/her, the individual should contact the School's Technology Director or Information Technology Department/Office.

The Superintendent or Superintendent Designee and the Educational Service Provider shall develop administrative guidelines that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of School Data/Information.

Further, the Superintendent or Superintendent Designee and the Educational Service Provider is authorized to develop procedures that would be implemented in the event of an unauthorized release or breach of data/information. These procedures shall comply with the School's legal requirements if such a breach of personally-identifiable information occurs.

The Superintendent or Superintendent Designee and the Educational Service Provider shall require the participation of staff members in appropriate training related to the internal controls pertaining to the data/information that they collect, to which they have access, and for which they would be responsible for the security protocols.

Third-party contractors/vendors who require access to Confidential Data/Information collected and retained by the School will be informed of relevant Board policies that govern access to and use of Information Resources, including the duty to safeguard the confidentiality of such data/information.

Failure to adhere to this Policy and its related administrative guidelines may put data/information collected and retain by the School at risk. Employees who violate this policy and/or the administrative guidelines promulgated consistent with this policy may have disciplinary consequences imposed, up to and including termination of employment, and/or referral to law enforcement. Students

who violate this Policy and/or AGs will be subject to disciplinary action, up to and including expulsion, and/or referral to law enforcement. Contractors/vendors who violate this Policy and/or AGs may face termination of their business relationships with and/or legal action by the School. Parents and visitors who violate this Policy and/or AGs may be denied access to the School's Technology Resources.

The Superintendent or Superintendent Designee and the Educational Service Provider shall conduct a periodic assessment of risk related to the access to and security of the data/information collected and retained by the School.

Section 8000 BP - Operations

Title PUBLIC RECORDS

Code 8310 BP

Status Active

Adopted September 6, 2005

Last Revised March 15, 2023

Prior Revised Dates 11/16/2011

# **PUBLIC RECORDS**

Reference:

MCL 15.231 et seq. MCL 445.81 et seq.

Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

The Board of Directors recognizes its responsibility and directs the Superintendent or Superintendent Designee to maintain the public records of this School and to make such records available to residents of Michigan for inspection and reproduction.

The public records of this School include any writing or other means or recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the School, its Board, officers, or employees subject to certain exemptions according to the Michigan Freedom of Information Act (FOIA). The School shall not disclose the confidential address of a student or of an employee who has provided proper notice of a participation card issued by the department of the attorney general under the Address Confidentiality Program Act.

Any person may make a written request for any public records of the School. The person may inspect, copy, or receive copies of the public record requested. The School shall respond to such requests within five (5) working days after receipt unless otherwise agreed to in accordance with the Freedom of Information Act.

An individual may purchase copies of the School's public records upon payment of a fee. No original public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties. Neither the Board nor its employees shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see Policy 8350 and AG 8350).

The Board chooses not to provide for enhanced access to any of its public records.

The Board has determined that personal and confidential information provided to and retained by the School on parents, students, staff and others will be considered exempt from disclosure pursuant to a Freedom of Information Act request, unless advised specifically by the School's legal counsel that the particular information must be released. Such personal and confidential information shall include home addresses, telephone numbers, e-mail addresses or website pages (e.g. My Space, Facebook), except as they are specifically related to the operation of the schools, or specifically authorized for release by the individual, or the parent/guardian if the individual is a minor.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of this School.

The Superintendent or Superintendent Designee is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or e-mail, providing the message does not alter existing School records.

The Superintendent or Superintendent Designee is responsible for transmission of data contained in the single record student data base established by the Michigan Department of Education. Such transmission shall be in accordance with procedures established by the Wayne RESA Intermediate School District and the Center for Educational Performance and Information (CEPI).

The Superintendent or Superintendent Designee shall establish administrative guidelines to ensure proper compliance with the	ıe
intent of this policy and the Freedom of Information Act.	

Section 8000 BP - Operations

Title INFORMATION MANAGEMENT

Code 8315 BP

Status Active

Adopted November 16, 2011

# **INFORMATION MANAGEMENT**

Reference:

Federal Rules of Civil Procedure 34, 37(f)

The Board of Directors recognizes its responsibility, in certain circumstances, to maintain information created, maintained or otherwise stored by the School outside the "Records Retention Schedule". In such situations, a "Litigation Hold" procedure will be utilized to identify and preserve information relevant to a specific matter. "Information" includes both paper documents and electronically stored information ("ESI"). When implementing the "Litigation Hold," the School will identify individuals in possession or custody of paper documents, ESI and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the "Records Retention Schedule". The School will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a "Litigation Hold," which is under the control of the School, must be preserved in a readily accessible form and cannot be disposed of under the "Records Retention and Disposal" requirements. Failure to comply with a Litigation Hold notice may result in disciplinary action, up to and including possible termination.

Instances where the Board must maintain information outside the "Records Retention Schedule" include:

- A. when the Board has specific information and/or written notice from an individual, parent or student of an intent to file an appeal of student discipline to State court;
- B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;
- C. when the Board is served with litigation, including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;
- D. when the Board receives specific information and/or written notification from an employee, labor union, or other person of an intent to file a claim against the Board, its members, employees or agents at an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;
- E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;
- F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation against that third party;
- G. when the Superintendent or Superintendent Designee recommends the termination of an employee to the Board pursuant to a labor contract;
- H. when the Board explores, contemplates or initiates litigation.

#### **Definitions**

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic media" includes, but is not limited to, hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" – including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the School for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.

#### Initiation and Removal of a "Litigation Hold"

The Board or the Superintendent or Superintendent Designee may initiate a "Litigation Hold" under this policy. If the Superintendent or Superintendent Designee initiates a "Litigation Hold," s/he or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Superintendent or Superintendent Designee may utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure" outlined in AG 8315.

A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" once the "Litigation Hold" is removed.

The Superintendent or Superintendent Designee shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

Section 8000 BP - Operations

Title PERSONNEL FILES

Code 8320 BP

Status Active

# **PERSONNEL FILES**

The Superintendent or Superintendent Designee, as the employer of record for all staff, shall be responsible for establishing and maintaining appropriate personnel files.

Section 8000 BP - Operations

Title CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)

Code 8321 BP

Status Active

Adopted March 20, 2013

Last Revised March 15, 2023

Prior Revised Dates 12/10/2014; 02/10/2016; 02/15/2017

# **CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)**

#### Reference:

Criminal Justice Information Services - Security Policy (Version 5.2, 2013),
U.S. Dept. of Justice and Federal Bureau of Investigation
Noncriminal Justice Agency Compliance Audit Review, Michigan State
Police, Criminal Justice Information, Center, Audit and Training Section
Conducting Criminal Background Checks, Michigan State Police, Criminal Justice Information Center

The School is required by State law to obtain both a State and a Federal Bureau of Investigation (FBI) criminal history record information (CHRI) background check report for all employees of the School and contractors, vendors and their employees who work on a regular and continuous basis in the School. The School shall comply with all rules established by the Michigan State Police (MSP) and the FBI while processing, storing, and sharing CHRI.

## **Incident Handling and Responses**

Information system security incidents shall be tracked using Form CJIS-016 and documented on an ongoing basis. Incident-related information may be obtained from audit monitoring, network monitoring, physical access monitoring, and user/administrator reports. The LASO shall maintain completed security incident reporting forms for three (3) years or until legal action (if warranted) is complete, whichever timeframe is greater. The School shall implement steps for incident handling capabilities, for both digital and physical CHRI media. At a minimum, the following will be implemented:

	Physical - Hard Copy CHRI	Digital - Digitally Saved CHRI
1. Preparation	The CHRI container will be locked at all times in the business office where it is stored. The office must be locked when the office staff is not present.	Firewalls, virus protection, and/or malware/spyware protection shall be implemented and maintained to prevent unauthorized access or intrusion of the information systems.
2. Detection	Unauthorized activities or physical intrusions to the building shall be monitored by building alarm or video surveillance. Doors must be locked and checked at night.	Electronic intrusions shall be monitored and detected by the firewalls, virus protection, and/or malware/spyware protection software.
3. Analysis	The LASO will work with police authorities to determine how the incident occurred and what data was affected.	The LASO shall work with the IT department to determine what systems or data were compromised and affected.
1	The LASO shall lock uncompromised CHRI information in a secure container, or transport CHRI to a secure area.	The IT department shall stop the spread of any intrusion of the information systems and prevent further damage.

any threats and compromised CHRI data.	The IT department shall remove the intrusion of the information systems before restoring the system. All steps necessary to prevent recurrence shall be taken before restoring the system.
	The IT department shall restore the agency information system and media to a safe environment.

When an incident involving the security of CHRI or systems with access to CHRI is discovered, the following procedures shall be followed:

- A. The LASO shall be notified immediately.
- B. The breach shall be assessed and steps taken to correct the situation:
  - 1. access shall be stopped for any unauthorized user;
  - 2. media shall be secured:
  - 3. systems shall be shut down as necessary to avoid further exposure to unauthorized access or dissemination of CHRI;
  - 4. such steps are deemed necessary by the LASO or authorized personnel involved in assessing the incident.
- C. All necessary information regarding the security breach and School responses shall be recorded, analyzed, and preserved, including who was involved in taking incident response measures.
- D. The LASO shall be responsible for filing the incident report with the MSP.

The LASO shall monitor MSP information/guidance on incident reports and train authorized users with access to CHRI on detection and response to security incidents.

- E. Mobile Device Incident Handling and Response
  - 1. The LASO shall be notified immediately.
  - 2. The breach shall be assessed and steps taken to correct the situations:
    - a. access shall be stopped immediately, and remotely if necessary, for any authorized user;
    - b. media shall be secured and steps taken to identify how the incident occurred and what systems or data were compromised or affected;
    - c. systems shall be shut down as necessary to avoid further exposure to unauthorized access or dissemination of CIT:
    - d. such other steps as are deemed necessary by the LASO or authorized personnel involved in assessing the incident.
  - 3. All necessary information regarding the security breach and School responses shall be recorded, analyzed, and preserved, including who was involved in taking incident response measures.
  - 4. Steps shall be taken to restore the device and media to a safe environment.
  - 5. The LASO shall be responsible for filing the incident report with the MSP using form CJIS-016. A copy of the completed form shall be retained and produced to MSP upon request.

When a device is lost the School shall document and indicate how long the device has been lost. Special reporting procedures for mobile devices shall apply in any of the following situations:

- a. for a lost device, report if the owner:
  - 1. believed the device was locked;
  - 2. believed the devices was unlocked;

- 3. could not validate the device's locked state.
- b. for a total loss of a device, report if:
  - 1. CHRI was stored on the device;
  - 2. the device was locked or unlocked;
  - 3. capable of remote tracking or wiping of device.
- c. report any compromise of a device when the intrusion occurs while still in the owner's possession
- d. report any compromise outside of the United States

## **Collection of Evidence**

Where an information security incident involves legal action against the School or an individual (either civil or criminal), evidence shall be collected, retained, and presented in accordance with the rules of evidence of the relevant jurisdiction(s).

Section 8000 BP - Operations

Title RECEIPT OF LEGAL DOCUMENTS

Code 8325 BP

Status Active

Adopted December 10, 2014

# RECEIPT OF LEGAL DOCUMENTS

#### **Service of Process on the Board of Directors**

In suits against the Board, only the Board President or Superintendent or Superintendent Designee accepts service on behalf of the Board.

#### **Service of Legal Documents on Board Employees**

Board employees may be served with legal documents (1) requesting not only public records (such as employees' personnel files), but also student education records and other documents and electronically stored information maintained by the School, or (2) directing them to testify at a deposition or hearing concerning issues that fall within the employees' employment responsibilities.

An employee served with legal documents in his/her official capacity as a Board employee shall immediately provide copies of those legal documents to his/her Principal or site administrator.

The Principal or site administrator shall immediately furnish copies to the Board attorney and shall follow his/her directives.

Generally, confidential personnel records, student records, or personal observations or opinions about student behavior/academic performance do not have to be disclosed. The law makes an exception for a subpoena or court order.

Board policy requires the Principal or a site administrator to release only the documents specifically identified in the subpoena or order. In circumstances where, in responding to a subpoena or order, information is developed or summarized from the student's education records, a copy of that information and a statement of the purpose for which it was prepared shall be filed in the student's cumulative folder.

If doing so is in the Board's best interest, the Principal or site administrator or Board attorney shall accompany the employee to the deposition or hearing.

## **Actions Against the Board**

In actions against the Board, it is not unusual for Board employees to be served with subpoenas and/or called as witnesses. Board legal counsel and the Superintendent or Superintendent Designee will assist Board employees in these matters.

# **Independent Legal Counsel**

This policy does not prohibit Board employees from consulting with their own independent legal counsel, but they are prohibited from discussing or releasing student personally identifiable information to a third party except as expressly authorized by Board Policy (Policy 8330).

Section 8000 BP - Operations

Title STUDENT RECORDS

Code 8330 BP

Status Active

Adopted September 6, 2005

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 12/10/14; 09/02/15; 09/13/2017

# STUDENT RECORDS

#### Reference:

MCL 380.1135

Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education

34 C.F.R. Part 99, 2002

Section 444 of subpart of part C of the General Education Provisions Act

Title IV of Public Law 90-247

20 USC, Section 1232f through 1232i (FERPA)

20 USC 1400 et seq., Individuals with Disabilities Education Improvement Act

20 USC 7165(b) 26 USC 152 20 USC 7908

In order to provide appropriate educational services and programming, the Board of Directors must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

After June 26, 2021, if the parent or legal guardian of a student provides the School with notice that s/he/they have received a participation card issued by the attorney general under the address confidentiality program act, the School shall not disclose the confidential address of the student, regardless of any other provision of this policy. The Educational Service Provider, or his or her designee, shall develop a process to ensure that a student's participation in the address confidentiality program act is appropriately noted to avoid disclosure of this information to any person or entity.

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

The Board of Directors is responsible for maintaining records of all students attending this School. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School or specifically permitted by this Board will be compiled. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. samples of student work
- C. information obtained from professionally acceptable standard instruments of measurement such as:

- 1. interest inventories and aptitude tests
- 2. achievement tests
- 3. vocational preference inventories
- 4. standardized intelligence tests
- D. authenticated information provided by a parent or eligible student concerning achievements and other School activities which the parent or student wants to make a part of the record
- E. verified reports of serious or recurrent behavior patterns
- F. rank in class and academic honors earned
- G. attendance records
- H. health records
- I. custodial arrangements

In all cases, permitted narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, and designated School officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a non-custodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students, parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals as entities as "school officials" for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online Educational Service Providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 CFR 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered an "School official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the School" or if the record is necessary in order for the School official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the Superintendent or Superintendent Designee to:

A. forward student records, including any suspension and expulsion action against the student, on request to a school in which a student of this School seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;

- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school Board in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;
- C. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- D. report a crime committed by a child with or without a disability to appropriate authorities and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action taken against the student to the authorities and school officials for their consideration;
- E. release de-identified records and information in accordance with Federal regulations;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the School for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the School will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

This written agreement must include:

- 1. Specification of the purpose, scope, duration of the study, and the information to be disclosed;
- 2. a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study;
- 3. a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and
- 4. a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.
- G. Disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local education authorities. The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

The School will verify that the authorized representative complies with FERPA regulations.

H. Request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of educational records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Upon written request by a student's parent or legal guardian, the School shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the School as part of the student's education records.

If the School provides any personally identifiable information concerning the student that is collected or created by the School as part of the student's education records to any person, agency, or organization, then the School shall disclose to the student's parent or legal guardian upon his or her written request:

- A. The specific information that was disclosed.
- B. The name and contact information of each person, agency, or organization to which the information has been disclosed.
- C. The legitimate reason that the person, agency, or organization had in obtaining the information.

This information shall be provided without charge within 30 days after the School receives the written request and without charge to the parent or legal guardian.

The School is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the School as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

- A. Provision of such information to the Michigan Department of Education or CEPI.
- B. Provision of such information to the student's parent or legal quardian.
- C. Provision of such information to its authorizing body or to an educational management organization with which it has a management agreement.
- D. Provision of such information to or from its intermediate school board or to another intermediate school board providing services to the School or its students pursuant to a written agreement.
- E. Provision of such information to a person, agency, or organization with written consent from the student's parent or legal quardian or, if the student is at least age 18, the student.
- F. Provision of such information to a person, agency, or organization seeking or receiving records in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction.
- G. Provision of such information as necessary for standardized testing that measures the student's academic progress and achievement.
- H. Provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age 18 or is an emancipated minor, the student has signed and submitted the opt-out form referenced below.

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

## **Directory Information**

Each year the Superintendent or Superintendent Designee will provide public notice to students and their parents of its intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. address (except for students participating in the address confidentiality program act);
- C. telephone number;
- D. date and place of birth;
- E. major field of study;
- F. participation in officially recognized activities and sports;
- G. height and weight, if a member of an athletic team;

- I. weight, if member of an athletic team which requires disclosure to participate;J. dates of attendance;K. date of graduation;
- L. awards received;

H. height if member of an athletic team;

- M. honor rolls;
- N. scholarships;
- O. telephone numbers only for inclusion in School or PTO directories.

The School designates School-assigned email accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile application/apps that will be utilized by the student educational purposes and for inclusion in internal email address books. School-limited purpose(s) and to any person or entity but the specific online Educational Service Provider and internal users of the School's Education Technology.

The Educational Service Provider will also develop a list of uses for which the School commonly would disclose a student's directory information and develop an opt-out form that lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for 1 or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first 30 days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the School by a student's parent or legal guardian, the School shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age 18 or is an emancipated minor may act on his or her own behalf with respect to the opt-out form

Parents and eligible students may also refuse to allow the School to disclose any or all of such "directory information" upon written notification to the School within fourteen (14) days after receipt of the School's public notice.

#### **Armed Forces Recruiting**

The Board shall provide United States Armed Forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses (except for students participating in the address confidentiality program act), and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to official recruiting representatives, then the officials of the School shall not allow that access to the student's directory information. The Board shall ensure that students and parents and guardians are notified of the provisions of the opportunity to deny release of directory information.

Public notice shall be given regarding right to refuse disclosure of any or all "directory information" including in the armed forces of the United States and the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the high school, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to the School Records Officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a time for the access. Request should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Superintendent or Superintendent Designee shall appoint a person who has no conflicting interest to provide such written consent.

Parents or students who believe their rights under FERPA have been violated may file a complaint with by writing the Family Policy Compliance Office. Complaints must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA occurred.

For addition information or technical assistance parents may contact the following address: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605, (202) 260-3887.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The School shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

- A. Providing the information to an educational management organization with which the School has a management agreement.
- B. Providing the information as necessary for standardized testing that measures the student's academic progress and achievement.
- C. Providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the School.

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town, unless a parent is prohibited from doing so due to a student's participation in the address confidentiality program act), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible students, must submit a written request to the building principal at least five (5) work days before the scheduled date of the activity. The instrument will be provided to the parent within two (2) business days of the principal receiving the request.

The Educational Service Provider shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure or use of personal information collected from students from the exclusive purpose of developing, evaluating, or providing educational products or service for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment;
- B. book clubs, magazines, and programs providing access to low-cost literary products;
- C. curriculum and instructional materials used by elementary and secondary schools;
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- E. the sale by students of products or services to raise funds for school-related or education-related activities; and
- F. student recognition programs.

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the District nor its employees will be held responsible for any breech of this policy by the parent/eligible student or any unauthorized party.

The Superintendent or Superintendent Designee shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board policy and administrative guidelines on student records.

The Superintendent or Superintendent Designee shall also develop administrative guidelines for:

- A. the proper storage and retention of records, including a list of the type and location of records;
- B. informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this School specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into written contract with the Board of Directors delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization from the Board. Further, the entity conduction the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Directors. See Form 8330 F14 and Form 8330 F116 for additional contract requirements.

Section 8000 BP - Operations

Title LETTERS OF REFERENCE

Code 8340 BP

Status Active

Adopted September 13, 2017

# **LETTERS OF REFERENCE**

Reference:

MCL 423.452, 380.1230(b)

Section 8546 of the Every Student Succeeds Act (ESSA)

The Board of Directors recognizes any current or former Educational Service Provider employee's request to an administrator for a letter of reference is an opportunity to share information about the staff member's performance with a prospective employer. The Board, however, does not require such references to be provided. A current or former staff member should not expect a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator and the Superintendent or Superintendent Designee and the Educational Service Provider.

However, if an administrator decides to prepare such a letter, the Board expects that administrator to provide specific and truthful comments concerning the employee's actual performance, which can be substantiated by the individual's personnel file. The letter must be reviewed by the Educational Service Provider and the Superintendent or Superintendent Designee before it may be released.

In accordance with State law, an administrator who provides such a letter of reference is entitled to at least a qualified privilege for statements made in the letter, provided such statements were made in good faith, without malice.

All School employees, including but not limited to an administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, are prohibited from assisting an School employee, contractor or agent in obtaining a new job if s/he knows or has reasonable cause to believe that such School employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of State or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct.

This policy does not excuse the School from providing responses to requests for information about unprofessional conduct, as required by State law.

Section 8000 BP - Operations

Title CONFIDENTIALITY

Code 8350 BP

Status Active

Adopted September 6, 2005

Last Revised November 16, 2011

## CONFIDENTIALITY

Reference:

Freedom of Information Act 1976, paragraph 15.243 et seq. MCLA 445.83, 445.84

Neither the Superintendent or Superintendent Designee nor any of its employees shall divulge confidential information contained in the records and files of this Board, except to employees who may need such information in connection with their duties and to authorized parties in accordance with proper procedures.

When the School receives in trust from public agency information identified to be confidential or exempt from disclosure under the Freedom of Information Act, Common Law, Privilege Case Law, or Federal Law, the Board will maintain the confidentiality of said information to the maximum extent permitted by the law.

Neither the Board nor its employee's shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see AG 8350). Documents containing social security numbers shall be restricted to those employees who have a need to know that information or a need to access those documents. When documents containing social security numbers are no longer needed, they shall be shredded by an employee who has authorized access to such records.

Freedom of Information Act requests shall only be responded to in accordance with the Academy's Policy.

If the Superintendent or Superintendent Designee is approached to provide information inappropriately, the Superintendent or Superintendent Designee shall refuse to release the requested information and shall refer the requestor to the legal counsel.

In order to prohibit the unauthorized disclosure of information identified as confidential by the sending public agency, the Board may seek to obtain court protection by denying requests for release of such information absent subpoena or court order and pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Superintendent or Superintendent Designee will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

The Board shall hold the Superintendent or Superintendent Designee accountable for any inappropriate release of information, or the uses of confidential information for personal reasons.

Employees who intentionally violate this policy are subject to discipline, up to and including discharge.

The Superintendent or Superintendent Designee shall assure that employees receive a copy of and have readily available access to this policy.

Section 8000 BP - Operations

Title BREACH OF CONFIDENTIAL INFORMATION

Code 8351 BP

Status Active

Adopted November 16, 2011

# **BREACH OF CONFIDENTIAL INFORMATION**

Reference:

MCL 445.61 et. seq.

It is the policy of the Board of Directors that when unauthorized access or acquisition of data occurs, which would compromise the confidentiality or security of personal information maintained by the School, the School will take appropriate action to assess the risk and notify the affected individuals.

A "breach" means the unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by the School. Unauthorized access may be considered incidental access by an employee or other individual if the access meets all of the following:

- A. The individual acted in good faith in accessing the data;
- B. The access was related to the activities of the agency or person
- C. The individual did not misuse any personal information or disclose any personal information to an unauthorized person. Personal information for purposes of this policy means the person's last name with either the first name or initial when linked to one of more of the following:
  - A. Social security number
  - B. Driver's license
  - C. Demand deposit or other financial account numbers (including credit/debit card numbers, when combined with access code, security code or password which would allow access to the financial accounts)

Upon determining that a breach has occurred, the individual shall notify the Superintendent or Superintendent Designee in writing. The Superintendent or Superintendent Designee shall promptly determine and implement the steps necessary to correct the unauthorized access and notify those individuals whose personal information may have been compromised.

Individuals who intentionally violate this policy shall be reported to the appropriate law enforcement agency and may be subject to criminal penalties.

Section 8000 BP - Operations

Title ANIMALS ON SCHOOL PROPERTY

Code 8390 BP

Status Active

Last Revised October 18, 2023

# **ANIMALS ON SCHOOL PROPERTY**

Reference:

28 C.F.R. 35.104, 36.104

Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)

The Americans with Disabilities Act, as amended (ADA)

The Individuals with Disabilities Education Improvement Act (IDEIA)

#### Introduction

The Board of Directors recognizes that there are many occasions when animals are present on School property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at the School by a service or therapy animal in accordance with Federal and State law and this policy.

This policy applies to all animals on School property, including service animals.

# <u>Definitions</u>

- A. "Animal": Includes any living creature that is not a human being.
- B. "Service animal": Pursuant to 28 C.F.R. Section 36.104, "means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

- C. "Emotional Support Animal": Emotional support animals provide comfort to individuals but are not trained to perform a specific job or tasks. This definition does not include psychiatric service animals who are properly trained and certified as a "service animal". See 28 C.F.R 36.104.
- D. "Therapy Dog": Therapy dogs are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes for the purpose of providing affection and comfort to aid in a particular purpose, such as healing or learning. A therapy dog in an school setting services the function of assisting students in the learning process while providing comfort and affection to specific students or to a group of students. Therapy dogs are not service dogs and do not have the same special access as service dogs (source: American Kennel Club/AKC).

#### Vaccination, Licensing and/or Veterinary Requirements

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

#### **Service Animals for Students**

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the School campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare or supervision of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on School property or at School-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means) or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 9710.

#### Removing and/or Excluding a Student's Service Animal

If a service animal demonstrates that it is not under the control of the student or its handler, the Superintendent or Superintendent Designee is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from the School.

Similarly, in instances when the service animal demonstrates that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from School property.

The Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) shall be notified when a service animal is removed and/or excluded and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) decision to remove and/or exclude a service animal from School property may be appealed in accordance with the complaint procedure set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and their parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or the Department of Justice.

#### **Eligibility of a Student's Service Animal for Transportation**

A student with a disability shall be permitted to access School transportation with their service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access School transportation.

When a service animal is going to ride on a school bus or other Board-owned or leased vehicle, the student and their parents, or eligible student, and the handler, is the handler is someone other than the student, shall:

- A. Meet with the Superintendent or Superintendent Designee to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.
- B. At the discretion of the Superintendent or Superintendent Designee an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet.

Situations that would cause cessation of transportation privileges for the service animal include:

- A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

The student and their parents shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the Superintendent or Superintendent Designee.

Although transportation may be suspended for the service animal, it remains the School's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

#### **Service Animals for Staff Members**

In accordance with Policy 1623 and Policy 3123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). A staff member with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA-mandated interactive process.

## Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the School's facilities where members of the public, as participants in services, programs or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the School's facilities with their service animals should notify the Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) that their service animal will accompany them during their visit.

An individual with a disability who attends a School event will be permitted to be accompanied by their service animal in accordance with Policy 9160 - Public Attendance at School Events.

## Non-Service Animals in Academies and Elsewhere on School Property

Animals permitted in the School and elsewhere on School property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Superintendent or Superintendent's designee must approve and may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member seeking approval to have a non-service animal in their classroom shall:
  - 1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
  - 2. take precautions deemed necessary to protect the health and safety of students and other staff;
  - 3. provide that the animal is treated humanely, keeping it in a healthy condition and inappropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
  - 4. keep the surrounding areas in a clean and sanitary condition at all times;
- B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

#### **Emotional Support Animals for Students**

An emotional support animal is not granted the same access to School buildings and classrooms as service animals. Unless required by a student's IEP or Section 504 Plan, the School is not required to grant a student's request that the student be permitted to bring an emotional support animal to classes or on School grounds for any purpose.

Consistent with State and Federal law, authorization for an emotional support animal to be on School grounds may be suspended if the animal is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the animal to be on School grounds requires approval by the Superintendent or Superintendent's designee. Authorization for an emotional support animal to be on School grounds may be withdrawn at any time by the Superintendent or Superintendent's designee.

Section 8000 BP - Operations

Title SCHOOL SAFETY INFORMATION

Code 8400 BP

Status Active

Adopted September 6, 2005

Last Revised October 18, 2023

Prior Revised Dates 11/16/11; 09/02/15; 02/10/16; 09/13/17; 09/18/19; 10/21/2020; 03/15/2023

## SCHOOL SAFETY INFORMATION

#### Reference:

Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended MCL 380.1241, 380.1308, 380.1308a, 380.1310a, 752.913, 771.2a

The Board of Directors is committed to maintaining a safe school environment. The Board believes that school crime and violence are multifaceted problems which need to be addressed in a manner that utilizes the best resources and coordinated efforts of School personnel, law enforcement agencies, and families. The Board further believes that the School and local law enforcement officials must work together to provide for the safety and welfare of students while they are at School or a School-sponsored activity or while enroute to or from the School, or a School-sponsored activity. The Board also believes the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote safety and minimize the likelihood of crime and violence at the School.

In furtherance of its commitment to a safe school environment, the Board has prohibited weapons on school property and at school-sponsored events, except in very limited circumstances. See Board Policy 3217, and Policy 5772. This prohibition is reasonably related to legitimate educational concerns, including the ability to provide a safe and secure learning and social environment for its students and controlling and minimizing disruptions to the educational process. The presence of dangerous weapons on school property or at school-sponsored events, except under very controlled circumstances, creates a potentially dangerous situation for students, staff and visitors, and may trigger precautionary safety responses, which disrupt the educational process and learning environment for students.

Federal law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons and drugs. Individuals are prohibited from possessing or using weapons and or drugs at any time on School property, within the Student Safety Zone, or at any school-related event.

The School will work with local officials in arranging signage defining the 1,000-foot boundary.

The Superintendent or Superintendent Designee shall ensure continued implementation and compliance with the School's obligations under the Statewide School Safety Information Policy and related law. The Superintendent or Superintendent's designee may convene meetings to make modifications as deemed necessary and proper to address issues that are unique to the School; discuss additional training that might be needed; and discuss any other such related matters as may be deemed to be necessary by the participants. Participants in this meeting shall include the Superintendent or Superintendent Designee, members of the Board of Directors, the County Prosecutor or their designee, and representatives from the local law enforcement agencies. Others may also be invited to participate in the meeting.

The Superintendent or Superintendent Designee shall make a report to the Board about all such reviews and recommend the approval and adoption of any proposed revisions or additions to local policy. The Board encourages regular meetings, preferably annually, among the above-listed constituents to review the effectiveness and to review the procedures developed within local policy.

## **School Contact Person/Liaison**

Furthermore, in accordance with state law, the Board hereby designates the Superintendent or Superintendent Designee as the School contact person who shall receive information from law enforcement officials, prosecutors, and the court officials, including receipt of information provided from the Michigan State Police relating to the student safety act hotline ("OK2Say"). The current contact information for the Superintendent or Superintendent Designee shall be provided to the Michigan State Police in the manner and frequency required by law.

The School contact person shall notify the Superintendent or Superintendent Designee of the school of attendance of a student about whom information is received from law enforcement officials, prosecutors, or court officials within twenty-four (24) hours of the receipt of that information. The Superintendent or Superintendent Designee shall, in turn, notify the building staff members, who the Superintendent or Superintendent's designee determines have a need to know the information that has been received, within twenty-four (24) hours of receipt of that information.

The Superintendent or Superintendent Designee shall notify the appropriate law enforcement officials when an adult or a student commits any offense listed as a reportable incident in the School Safety Information Policy and related law and shall report all information that is required to be reported to State or local law enforcement agencies and prosecutors. Reporting such information is subject to 20 U.S.C. 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

If a student is involved in an incident that is reported to law enforcement officials pursuant to the School's local school safety information policy, then, upon request by school officials, the student's parent or legal guardian shall execute any waivers or consents necessary to allow school officials access to school, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

The School designates the Superintendent or Superintendent's designee as a liaison to work with the school safety commission created under the comprehensive school safety and the office of school safety, including work on identifying model practices for determining school safety issues.

#### **Required Reporting**

The Superintendent or Superintendent Designee shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the School during the preceding school year and the reason for the expulsion.

The Superintendent or Superintendent Designee shall post a report on the School website at least annually, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at the School. At least once annually, a copy of the most recent report of incidents of crime, disaggregated by school building, shall be made available to the parent or legal quardian of each student enrolled in the School. This report will minimally include crimes involving any of the following:

- A. physical violence;
- B. gang-related acts;
- C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;
- D. trespassing;
- E. property crimes including but not limited to theft and vandalism, including an estimate of the cost to the School resulting from the property crime.

Each Superintendent or Superintendent Designee shall collect and keep current on a weekly basis the information required from the report of incidents of crime and must provide that information, within seven (7) days, upon request.

Each School building shall collect and keep current on a weekly basis the information required from the report of incidents of crime and must provide that information, within seven (7) days, upon request.

Additionally, the School shall report all incidents of and attempted commissions of the crimes listed above to the Michigan State Police, in the form and manner prescribed by the Michigan State Police, within twenty-four (24) hours after the incident occurs.

#### Law Enforcement Information Network (LEIN)

The Board authorizes the Superintendent or Superintendent Designee to request vehicle registration information for suspicious vehicles within 1,000 feet of School property through the Law Enforcement Information Network (LEIN).

#### **Persistently Dangerous Schools**

The Board recognizes that State and Federal law requires that the School report annually incidents which meet the statutory definition of violent criminal offenses that occur in the School, on school grounds, on a school conveyance, or at an school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or

not a school is considered "persistently dangerous," as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, School administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in the School exceed the threshold number established in State policy, the Superintendent or Superintendent Designee shall discuss this at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent or Superintendent Designee shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

Section 8000 BP - Operations

Title FIRE SAFETY AND FIRE DEPARTMENT NOTIFICATION

Code 8401 BP

Status Active

## FIRE SAFETY AND FIRE DEPARTMENT NOTIFICATION

Reference:

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

The School administration shall develop written procedures that provide for all of the following:

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

Section 8000 BP - Operations

Title EMERGENCY OPERATIONS PLAN

Code 8402 BP

Status Active

Adopted September 18, 2019

## **EMERGENCY OPERATIONS PLAN**

References:

M.C.L.380.1308a

By no later than January 1, 2020, each School shall 1) develop an emergency operations plan or 2) adapt its statewide school information policy (referred to as the "Plan" throughout the remainder of this Policy) to comply with the requirements of this Policy. This action shall be taken with input from the public. School building means any building intended to be used to provide instruction to students and any recreational or athletic structure or field intended to be used by students.

Beginning in the 2019-2020 school year, and at least biennially thereafter, the School shall conduct a review of its Plan, including a review of the vulnerability assessment, with at least one law enforcement agency that has jurisdiction over the School.

The Plan must include guidelines and procedures that address all of the following:

- A. school violence and attacks
- B. threats of school violence and attacks
- C. bomb threats
- D. fire
- E. weather-related emergencies
- F. intruders
- G. parent and pupil reunification
- H. threats to an school-sponsored activity or event whether or not it is held on school premises
- I. a plan to train teachers on mental health and pupil and teacher safety
- J. a plan to improve school building security
- K. an active violence protocol
- L. continuity of operations after an incident
- M. a vulnerability assessment

The School shall notify the Michigan Department of Education not later than thirty (30) days after it adopts its Plan and after each biennial review in the form and manner prescribed by the Department.

Section 8000 BP - Operations

Title ENVIRONMENTAL HEALTH AND SAFETY ISSUES

Code 8405 BP

Status Active

## **ENVIRONMENTAL HEALTH AND SAFETY ISSUES**

The Board of Directors recognizes its responsibility relative to student, employee, and visitor health and safety and to the need for the development of a comprehensive program designed to provide a healthy, safe, and secure environment on School property and at School-sponsored activities. To achieve this, the Board intends for the School to take advantage of the most current, proven technologies in the fields of health, safety, and environmental sciences.

#### Student, Employee, and Visitor Health and Safety

The Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) shall develop and implement a positive, proactive environmental health and safety program that integrates responsibilities within the School and promotes and incorporates the following:

- A. Procedures that describe a hazard identification and abatement program requiring the following: periodic inspection of School facilities; the implementation of immediate and programmed corrective actions, when deemed necessary by such inspections; and the development of a School-wide hazard reporting procedure that enables employee/parent/school community participation. This program should also provide procedures for identifying and responding to hazards created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine if appropriate requirements for environmental health and safety have been met.
- B. Procedures that promote environmental health and safety awareness among employees, students, parents and community. These procedures shall include, but not be limited to, the establishment of School safety committees and the establishment of a program of regular communication with students, employees, and parents about pertinent safety and health issues through available mediums in the School.
- C. Procedures that address the safety and health of students during transportation to the School, in the School, on School property, and during participation in School-related activities. These procedures shall include, but not be limited to, promoting bus safety for students; assessing the safety of School traffic patterns; operating School clinics; administering medication and medical treatment; promoting laboratory and shop safety; promoting safety in sports and other outdoor activities; inspecting playground equipment and promoting safety on playgrounds; and assessing environmental exposure.
- D. Procedures that relate to School employees' health and safety issues, including, but not limited to, provision of work areas free from recognized hazards; OSHA-related programs required by Federal and State law (e.g., employee safety and health training and training in hazard recognition); and definition of employer and employee responsibilities and expectations related to health and safety.
- E. Procedures that establish a system for reporting and investigating accidents, including identification of root causes, determination of remedial and programmed corrective actions, and communication about accidents to employees, parents and members of the School community.
- F. Procedures that detail plans for foreseeable emergencies and fire prevention.

#### **Phase-out/Banned Products**

The Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) shall immediately ban the use, on Board property, of any chemicals, insecticides, or other materials, which the Federal government is phasing out and/or banning by a certain date.

## **Indoor Environmental Quality (IEQ)**

The Board recognizes that excessive moisture levels within the School can lead to conditions optimum for the development of biological contaminants (e.g., mold and fungi on building surfaces). The Board further recognizes the presence of these contaminants can be harmful on contact with respiratory tissue.

Contributing factors to excessive moisture levels include the following:

- A. roof leaks;
- B. structural defects in the building;
- C. improperly controlled humidity levels;
- D. faulty HVAC systems.

As preventive measures, the School shall do the following:

- A. address prevention of water intrusion as a priority IEQ issue and implement strategies toward its elimination;
- B. maintain environmental conditions in occupied areas in compliance with applicable regulations and strive to conform to industry standards;
- C. implement a preventative maintenance program for HVAC systems that includes, but is not be limited to, periodic filter replacement; inspection; cleaning and disinfecting processes; and procedures to eliminate the contribution to indoor air quality problems caused by this equipment;
- D. implement a system to ensure materials used (and purchased for use) in the construction, furnishing and maintenance (including cleaning), do not contribute to health hazards for employees and students by degrading the quality of indoor air. In addition, activities that create indoor air quality health hazards shall not be permitted.

In addition, the Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) shall develop Administrative Guidelines for properly monitoring factors that contribute to excessive moisture and for developing mitigation plans when, and if, problems with IEQ are identified.

#### **Diesel Exhaust and School Bus Idling**

In accordance with the Environment Protection Agency's initiative to reduce pollution caused by buses on School property, the Board will take the recommended steps to reduce the negative effects of diesel exhaust on indoor and outdoor air quality on School campuses, including, but not limited to, reducing bus idling time and reinforcing smart driving practices.

The Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) shall develop the Administrative Guidelines necessary to establish these practices in the School (see AG 8615).

#### **Pollution Control and Prevention**

In an effort to comply with environmental policy and applicable regulations, the School shall develop and implement procedures designed to prevent air and water pollution; minimize or eliminate waste streams, where possible; and identify possible sources of air and water pollution.

See also the following related Policies:

Policy 7430 Safety Standards

Policy 8410 Crisis Intervention

Policy 8420 Emergency Situations at the School

Policy 8431 Preparedness for Toxic Hazard and Asbestos Hazard

Policy 8442 Reporting Accidents

Policy 8450 Control of Casual-Contact Communicable Diseases

Policy 8453 Direct Contact Communicable Diseases

Policy 8453.01 Control of Blood-Borne Pathogens



Section 8000 BP - Operations

Title INTEGRATED PEST MANAGEMENT

Code 8405.01 BP

Status Active

Adopted November 16, 2011

## INTEGRATED PEST MANAGEMENT

#### Reference:

MCL 324.8316 This policy applies to all pest control activities and pesticide use in the school building and related facilities including grounds. Recipients of this policy include faculty, other staff, or any employees or independent contractors monitoring or treating pest problems. Each recipient is required to follow this policy.]

#### **Purpose**

The goal of this integrated pest management policy is to provide a safe and healthy learning environment that is relatively pest-free with the least possible use of pesticides. To achieve this goal, it is the policy of the School to develop, implement and maintain an integrated pest management program for the control of pests and minimize pesticide exposure to children, faculty, and staff. This policy is consistent with MCL 324.8316, which encourages schools to adopt an IPM strategy.

Sanitizers, germicides, disinfectants, or antimicrobials are exempt from the IPM notification requirements. This policy adheres to the principles of IPM and is conducted in accordance with all federal and state laws and regulations and local ordinances.

Pests are controlled to protect the health and safety of students and staff, maintain a productive learning environment and maintain the integrity of the school building and grounds. IPM is a pest management system that uses all suitable techniques in a total management system to prevent pests from reaching unacceptable levels or to reduce existing pest populations to acceptable levels while balancing the risk of the pest with the potential risk of the management technique.

## **Development of IPM program**

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

- A. Site evaluation, including site description, inspection, and monitoring and the concept of threshold levels;
- B. Consideration of the relationship between pest biology and pest management methods;
- C. Consideration of all available pest management methods, including population reduction techniques, such as mechanical, biological, and chemical techniques and pest prevention techniques, such as habitat modification;
- D. Pest controls methods selection, including consideration of the impact on human health, especially for children, and the environment; and
- E. Continued evaluation of the integrated pest management program.

The Superintendent or designee for the School shall be responsible for ensuring that an IPM program is developed and is in compliance with MCL 324.8316.

## **Education / Training**

The School community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM Coordinator, School staff and pesticide applicators involved with implementation of the School IPM program will be trained in appropriate components of IPM as it pertains to the School environment.

Students, parents/guardians will be provided with information on this policy and instructed on how they can contribute to the success of the IPM program.

#### Record keeping

Records of pesticide use shall be maintained on-site to meet the requirements of the Michigan Department of Agriculture and the School Board. Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

#### **Notification/Posting**

The Superintendent or IPM Coordinator of the School is responsible for timely pre- notification to students' parents or guardians and the School staff of pesticide treatments pursuant to the requirements under the Natural Resources and Environmental Protection Act, MCL 324.8316.

#### **Re-entry**

In accordance with the Natural Resources and Environmental Protection Act, Part 83, reentry to a pesticide treated area may not occur less than 4 hours after application unless the product label requires a longer reentry period. Outdoor ornamental and turf applications of liquid spray pesticides shall not be made on School grounds within 100 feet of an occupied classroom during normal school hours or when persons are using the treatment area.

#### Pesticide applicators

The IPM coordinator shall ensure that pesticide applicators, as well as School staff and volunteers follow state regulations, including licensing requirements, applicator certification or registration, and IPM training, label precautions, and comply with all components of the IPM Program.

#### **Evaluation**

Annually, the Superintendent will report to the School Board on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Superintendent is responsible to develop guidelines for the implementation of this policy.

Section 8000 BP - Operations

Title CRISIS INTERVENTION

Code 8410 BP

Status Active

## **CRISIS INTERVENTION**

The Board of Directors believes that the employees, and students of the School, as well as visitors, are entitled to function in a safe school environment. In this regard, the Board has adopted policies related to conduct in the School setting as well as those that address various crisis situations.

The Superintendent or Superintendent Designee shall develop administrative guidelines for responding to a crisis situation, developing a prevention plan, and providing effective intervention for students who may show warning signs that relate to violence or other troubling behaviors.

Section 8000 BP - Operations

Title EMERGENCY SITUATIONS AT THE SCHOOL

Code 8420 BP

Status Active

Last Revised December 10, 2014

Prior Revised Dates 11/16/2011;

## **EMERGENCY SITUATIONS AT THE SCHOOL**

Reference:

MCI 29.19

A.C. 1301:7-7-01, 3301-35-03 (D), 3301-83-15

HB No. 4713 (2013)

The Board of Directors is committed to providing a safe learning and work environment. Unfortunately natural and man-made disasters do occur. Such emergencies are best met by preparedness and planning.

## **Emergency Preparedness**

The School shall develop emergency preparedness procedures address the following goals and/or objectives:

- A. the health and safety of students and staff are safeguarded;
- B. the time necessary for instructional purposes is not unduly diverted;
- C. minimum disruption to the educational program occurs;
- D. students are helped to learn self-reliance and trained to respond sensibly to emergency situations.

  All threats to the safety of School facilities shall be identified by appropriate personnel and responded to promptly

All threats to the safety of School facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

School personnel, including teachers, shall provide for unrestricted emergency egress during school hours and when the school is open to the public.

## A. Drills

- 1. Each School shall conduct a minimum of five (5) fire drills each school year. Three (3) of the fire drills shall be held by December 1st of the school year, and two (2) shall be held during the remaining part of the school year, with a reasonable spacing interval between each drill.
- 2. Each School shall conduct a minimum of two (2) tornado safety drills each school year. At least one (1) of the tornado safety drills shall be conducted during March of the school year. These drills shall be conducted for the purpose of preventing injuries caused by severe weather.
- 3. Each School shall conduct a minimum of three (3) drills in which the occupants are restricted to the interior of the building and the building secured each school year. At least one (1) of these drills shall be conducted by December 1st of the school year, and at least one (1) shall be conducted after January 1st of the school year, with a reasonable spacing interval between each drill. Such drills shall include security measures that are appropriate to an emergency such as the release of a hazardous material or the presence of a potentially dangerous individual on or near the premises. The Superintendent or Superintendent Designee (employed by the Board) shall seek input from local public safety officials on the nature of the drills to be conducted under this subsection.
- 4. Each School shall conduct at least one (1) of the drills required under Sections 2(A)-(C) during a lunch or recess period, or at another time when a significant number of the students are gathered but not in the classroom.

- 5. Schools shall not conduct a drill required under Sections 2(A)-(C) at a time that would interfere with the conduct of a state-mandated assessment.
- 6. Not later than September 15th of each school year, the Superintendent or Superintendent Designee shall provide a list of the scheduled drill days to the county emergency management coordinator.
- 7. If a drill is not conducted on a scheduled drill day due to conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, the school shall reschedule the drill to occur within ten (10) school days after the scheduled date of the cancelled drill. The Superintendent or Superintendent Designee shall notify the county emergency management coordinator of the rescheduled date for the drill.

#### B. **Drill Result Publication**

- 1. The Superintendent or Superintendent Designee shall provide that documentation of a completed school safety drill is posted on the school's website within thirty (30) school days after the drill is completed and is maintained on the website for at least three (3) years.
- 2. The documentation posted on the website shall include at least all of the following:
  - a. Name of the School
  - b. School year of the drill
  - c. Date and time of the drill
  - d. Type of drill completed
  - e. Number of completed drills for that school year for each type of drill required under Sections 2(A)-(C)
  - f. Signature of the Superintendent or Superintendent Designee or his/her designee acknowledging the completion of the drill.
  - g. Name of the individual in charge of conducting the drill, if other than the Superintendent or Superintendent Designee.

#### C. Cardiac Emergency Response Plan

- 1. Use and regular maintenance of the automated external defibrillators, if available.
- 2. Activation of a cardiac emergency response team during an identified cardiac emergency.
- 3. A plan for effective and efficient communication throughout the school campus.
- 4. If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.
- 5. Incorporation and integration of the local emergency response system and emergency response agencies with the school's plan.
- 6. An annual review and evaluation of the cardiac emergency response plan.

Section 8000 BP - Operations

Title PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

Code 8431 BP

Status Active

## PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

#### Reference:

MCLA 324.8316, 380.1256

15 USC 2601 20 USC 4022 20 USC 4014 20 USC 4011 20 USC 4011 et seq.

Asbestos Hazard Emergency Response Act of 1986 (AHERA)

Asbestos School Hazard Abatement Act of 1984

Asbestos School Hazard Abatement Reauthorization Act of 1990

The Board of Directors is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of School officials or from the presence of asbestos materials used in previous construction.

#### **Toxic Hazards**

These hazards exist in chemicals, pesticides, and other substances used in the School setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment. The Superintendent or Superintendent Designee will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will be responsible for the following:

#### **Hazard Determination**

Identification of potential sources of toxic hazards in cooperation with material suppliers, who shall supply the Toxic Hazard Preparedness Officer with Material Safety Data Sheets (MSDSs). The Superintendent or Superintendent Designee will rely on MSDSs from material suppliers to meet hazard determination requirements.

#### Labeling

Ensuring that all incoming materials are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party, and that any containers to which the materials are transferred are also properly labeled.

#### **Material Safety Data Sheets**

Maintaining a current file of MSDSs for all hazardous materials present on School property. The MSDS files will be kept at the principal's office; additional copies for employees' use will be located at the office of the Board of Directors.

MSDSs will be available for review to all employees. Copies will be available upon request to the Toxic Hazard Preparedness Officer. Posters identifying the person responsible for monitoring MSDSs and where MSDSs are located at the principal's office. Posters notifying employees when new MSDSs are received will be located in the same location. The Toxic Hazard Preparedness Office shall contact the supplier, in writing, if a required MSDS is not received, and promptly procure the MSDS before releasing the material for use.

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

## **Multi-Employer Work Sites – Informing Contractors**

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

#### **Employee Information and Training**

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

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

#### Training should include:

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

Employees shall be informed of the employer's anti-discrimination/discharge policy for employees accessing hazard information and how the employee can contact OHD or General Industry Safety Division for assistance in obtaining an MSDS if s/he is unable to obtain the MSDS from the employer.

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

#### **Hazardous Non-routine Tasks**

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

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

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

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

#### **Asbestos**

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

- A. inspect the building for the existence of asbestos or asbestos-containing materials;
- B. take appropriate actions, in accordance with State Law and EPA regulations, based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;

E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials. The Superintendent or Superintendent Designee shall appoint a person to develop and implement the School's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students. Upon completion the School's Asbestos Plan must be submitted to the Michigan Department of Consumer and Industry Services, Occupational Health Division, Lansing, Michigan 48909.

The Superintendent or Superintendent Designee shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the School is licensed pursuant to the Michigan Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent act, or a deliberate act beyond the control of the Board or its officers and employees.

The Board may provide, however, legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the employee was performing the duties while in the course of his/her employment or while acting within the scope of his/her authority. The Board reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct.

This policy may apply to work performed by authorized employees prior to the date of its adoption.

Section 8000 BP - Operations

Title REPORTING ACCIDENTS

Code 8442 BP

Status Active

## REPORTING ACCIDENTS

The Board of Directors directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and the Superintendent or Superintendent Designee employees the Board requires that accidents be reported by the Superintendent or Superintendent Designee and evaluated. Any accident that results in an injury, however slight, to a student, staff or a visitor to the School must be reported promptly and in writing to the Superintendent or Superintendent Designee. Injured persons shall be referred immediately to the school nurse and/or appropriate personnel for such medical attention as may be needed.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any staff who suffers a job-related injury must report the injury and its circumstances to the Superintendent or Superintendent Designee following established procedures, as soon as possible following the occurrence of the injury.

Section 8000 BP - Operations

Title CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

Code 8450 BP

Status Active

Last Revised November 16, 2011

## CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

Reference:

MCL 380.1169

The Board of Directors recognizes that control of the spread of communicable disease spread through casual-contact is essential to the well-being of the community and to the efficient School operation.

For purposes of this policy, "casual-contact communicable disease" shall include: diphtheria, scarlet fever and other strep infections, whooping cough, mumps, measles, rubella, and others designated by the Michigan Department of Community Health.

In order to protect the health and safety of the students, Superintendent or Superintendent Designee personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling casual communicable disease spread through normal interaction in the School setting.

If a student exhibits symptoms of a communicable disease, the Superintendent or Superintendent Designee will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

The Superintendent or Superintendent Designee shall develop administrative guidelines for the control of communicable disease which shall include:

- A. instruction of professional staff members in the detection of these common diseases and measures for their prevention and control;
- B. removal of students from School property to the care of a responsible eligible;
- C. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. filing of reports as required by statute State Department of Education and the State Department of Community Health.

Section 8000 BP - Operations

Title VENDING MACHINES

Code 8540 BP

Status Active

Last Revised December 10, 2014

Prior Revised Dates 11/16/2011;

## **VENDING MACHINES**

Reference:

42 USC 1779

7 CFR Parts 210 and 220

The Board of Directors recognizes that vending machines can produce revenues which are useful to augment programs and services to students and staff. It may, therefore, authorize their use in School facilities providing that the following conditions are satisfied.

- A. a contract is made with a reputable supplier of vending machines and products to install, service, stock, and maintain each vending machine.
- B. The School's share of the revenues is managed by the School in accordance with relevant Board policies and Administrative Procedures.
- C. No products are vended which would conflict with or contradict information or procedures contained in the School's educational programs on health and nutrition.
- D. No food or beverages are to be sold or distributed which will compete with the School's food-service program.
- E. Food items and beverages available for sale to students in vending machines for consumption on the School campus (any area of property under the jurisdiction of the School that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day) shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.

The Superintendent or Superintendent Designee shall develop and implement administrative guidelines which will require that these conditions are adhered to on a continuing basis.

Section 8000 BP - Operations

Title PEDICULOSIS (HEAD LICE)

Code 8450.01 BP

Status Active

## PEDICULOSIS (HEAD LICE)

Whenever a student is found to be infested with head lice, s/he is to be sent home for treatment and not readmitted until the parent can confirm that the child is free of any nits.

The other students in the infested student's classroom and the student's sibling(s) should be examined for evidence of either the lice or lice eggs (nits). The examinations should be done by the School nurse.

Section 8000 BP - Operations

Title AUTOMATIC EXTERNAL DEFIBRILLATORS (AED)

Code 8452 BP

Status Active

## **AUTOMATIC EXTERNAL DEFIBRILLATORS (AED)**

The Board of Directors and the Superintendent or Superintendent Designee have determined that it may enhance school safety to have an automatic external defibrillator (AED) placed in building(s) within the School.

An AED is a medical device that contains a heart monitor and defibrillator that is used to administer an electronic shock through a person's chest wall to the heart. The built-in computer system for the AED assesses the patient's heart rhythm, determines whether defibrillation is needed, and then administers a shock, if necessary. Audible and/or visual prompts guide the user through the process of using the AED.

The Board directs the Superintendent or Superintendent Designee to develop guidelines that govern AED's, including the use of the AED, placement of the AED, training and oversight by a medical doctor or by the local EMS Medical Director, to review the guidelines, as appropriate. The AED devices will be located at the nurse's office for use by employees with proper AED training.

Section 8000 BP - Operations

Title DIRECT CONTACT COMMUNICABLE DISEASES

Code 8453 BP

Status Active

## **DIRECT CONTACT COMMUNICABLE DISEASES**

Reference:

MCLA 380.1169

The Board of Directors directs the Superintendent or Superintendent Designee to provide a safe educational environment for students and staff. This can best be accomplished by assuring that all persons with the School community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease.

For purposes of this policy, these diseases shall include: HIV (human immunodeficiency virus); AIDS (acquired immune deficiency syndrome); AIDS related complex (condition); HAV, HBV, HCV (Hepatitis A, B, C); and other disease that may be specified by the Michigan Department of Community Health as contact communicable diseases.

The Superintendent or Superintendent Designee recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

With this in mind, the Board of Directors directs the Superintendent or Superintendent Designee to develop programs for students and staff for the purpose of understanding the manner in which these diseases may be prevented and how they are transmitted. These programs should specify the risk factors involved how to deal with those risks, and emphasize the fact that these diseases are preventable if basic precautions are taken.

The Board of Directors directs the Superintendent or Superintendent Designee to assure that students or staff that reveals the fact they have contracted one of these diseases will have their status safeguarded in accordance with Federal and State statutes dealing with confidentiality and that their civil rights will be respected. Staff members will have access to leave policies in accordance with administrative guidelines and opportunities for reasonable accommodation as described by the Americans with Disabilities Act. Should a student be unable to attend school as a result of illness, an alternative education program shall be provided in accordance with the Board's policy and administrative guidelines dealing with Homebound Instruction.

Additionally, the Board directs the Superintendent or Superintendent Designee to develop an educational program in accordance with Michigan law that will ensure proper instruction of guidance counselors, nurses (need not be included if a "licensed health care professional"), teachers, and other School personnel who teach students about HIV and AIDS. Such a program shall include information about:

- A. the nature of the disease;
- B. its causes and effects;
- C. the means of detecting it and preventing its transmission;
- D. the availability of appropriate sources of counseling and referral; and
- E. any other information that is appropriate considering the age and grade levels of students.

The Superintendent or Superintendent Designee shall develop administrative guidelines which establish procedures to fulfill the intent of this policy.



Section 8000 BP - Operations

Title CONTROL OF BLOOD-BORNE PATHOGENS

Code 8453.01 BP

Status Active

## **CONTROL OF BLOOD-BORNE PATHOGENS**

Reference:

29 CFR 1910.1030

The Board of Directors directs the Superintendent or Superintendent Designee to protect staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The Superintendent or Superintendent Designee shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

Section 8000 BP - Operations

Title STUDENT ABUSE AND NEGLECT

Code 8462 BP

Status Active

Last Revised October 21, 2020

## STUDENT ABUSE AND NEGLECT

Reference:

MCL 380.1505, 722.621 et. seq.

The Board of Directors is concerned with the physical and mental well-being of the students of this School and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Any staff and all other persons employed by the Educational Service Provider who are mandatory reporters under the law who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The staff member or other mandatory reporter shall immediately notify the local office of the Central Registry of the Michigan Department of Health and Human Services (MDHHS) Family Independence Agency, by telephone, or, if available, through the online reporting system, of the suspected child abuse or child neglect. If an oral report is made by telephone, the reporting person shall file a written report within seventy-two (72) hours of making the oral report as required by the Child Protection Law.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting employee shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the school is a violation of the law and subjects the disseminator to civil liability for resulting damages.

The Superintendent or Superintendent Designee should be mindful of the possibility of physical or mental abuse being inflicted on a student by a staff member. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent or Superintendent Designee.

Section 8000 BP - Operations

Title FOOD SERVICES

Code 8500 BP

Status Active

Last Revised March 15, 2023

Prior Revised Dates 11/16/11; 02/10/16; 02/15/17; 09/13/17; 09/18/2019

#### **FOOD SERVICES**

#### Reference:

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 USC 1751 et seq.

Child Nutrition Act of 1966, 42 USC 1771 et seq.

7 CFR Parts 15b, 210, 215, 220, 225, 226, 240, 245, 3015

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

The Educational Service Provider may provide food service for the purchase and consumption of lunch for all students.

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

The Board's Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity shall apply to any food service program offered by the School.

Any food-service program provided shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, and to the fiscal management of the program. Operation of such a program shall be as follows.

#### **Substitutions**

If determined appropriate by a student's Section 504 team, substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a healthcare provider who has prescriptive authority in the State of Michigan has provided medical certification that the student has a disability which restricts his/her diet, in accordance with all applicable law.

If determined appropriate by a team of qualified individuals, substitutions to the standard meal requirements may be made, at no additional charge, for a student who is not a "disabled person" but has a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs.

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

The operation and supervision of the food-service program shall be the responsibility of the Educational Service Provider. Food services shall be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

A periodic review of the food-service accounts shall be made by the Educational Service Provider and such accounts shall be audited as part of the School's annual audit

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

The Superintendent or Superintendent designee and the Educational Service Provider is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service and shall also address feeding students with unpaid meal balances without stigmatizing them.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the School during the school year.

With regard to the operation of the School food service program, the Educational Service Provider shall ensure:

- A. the maintenance of sanitary, neat premises, free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the purchase of foods and supplies, in accordance with law State and Federal law, USDA regulations, and Board policy;
- D. complying with food holds and recalls in accordance with USDA regulations;
- E. the management (accounting and disposition) of food-service funds pursuant to Federal and State law and USDA regulations;
- F. the safety and safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- G. the planning and execution of menus in compliance with USDA requirements;
- H. the regular maintenance and replacement of equipment.

The School shall serve only nutritious food as determined by the Food Service Program in compliance with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food-service program must comply with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines, and may be vended subject to Board Policy 8540.

Section 8000 BP - Operations

Title APPENDIX A - SPECIFIC GOALS FOR NUTRITION

Code 8510 BP

Status Active

Adopted April 16, 2008

## **SPECIFIC GOALS FOR NUTRITION**

- A. Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
- B. Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.
- C. Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
- D. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.

Section 8000 BP - Operations

Title APPENDIX B - SPECIFIC GOALS FOR PHYSICAL ACTIVITY

Code 8510 BP

Status Active

Adopted April 16, 2008

## SPECIFIC GOALS FOR PHYSICAL ACTIVITY

#### **Physical Education**

- A. A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the standards and benchmarks established by the State.
- B. All students in grades K-12, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive daily physical education for the entire school year, for 150 minutes per week for K- 5 students and 225 minutes per week for students in grades 6-8.
- C. Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks established by the State.
- D. Properly certificated, highly qualified teachers shall provide all instruction in physical education.
- E. All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.
- F. Planned instruction in physical education shall promote participation in physical activity outside the regular school day.

#### **Physical Activity**

- A. Physical activity should not be employed as a form of discipline or punishment.
- B. The School shall encourage families and community organizations to institute programs that support physical activity of all sorts.

Section 8000 BP - Operations

Title APPENDIX C - SPECIFIC GOALS FOR OTHER SCHOOL-BASED ACTIVITIES DESIGNED TO

PROMOTE STUDENT WELLNESS

Code 8510 BP

Status Active

Adopted April 16, 2008

Last Revised March 15, 2023

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

Free drinking water shall be available to students during designated meal times and may be available throughout the school day.

- A. The School shall provide attractive, clean environments in which the students eat.
- B. Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.

Section 8000 BP - Operations

Title APPENDIX D - SPECIFIC GOALS FOR NUTRITION PROMOTION

Code 8510 BP

Status Active

Adopted April 16, 2008

Last Revised September 13, 2017

## SPECIFIC GOALS FOR NUTRITION PROMOTION

With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards.

Additionally, the School shall:

A. encourage students to increase their consumption of healthful foods during the school day.

Section 8000 BP - Operations

Title APPENDIX E - NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS DURING

THE SCHOOL DAY

Code 8510 BP

Status Active

Adopted April 16, 2008

Last Revised March 15, 2023

Prior Revised Dates 11/20/2013; 09/13/2017

# NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS DURING THE SCHOOL DAY

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).
- C. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- D. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines.
- E. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include classroom snacks, for classroom parties, and at holiday celebrations) shall comply with the food and beverage standards approved by the Superintendent or Superintendent Designee and the Educational Service Provider.
- F. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well regardless of unpaid meal balances and without stigma.

Section 8000 BP - Operations

Title WELLNESS

Code 8510 BP

Status Active

Adopted April 16, 2008

Last Revised March 15, 2023

Prior Revised Dates 09/13/2017

## **WELLNESS**

Reference:

42 USC §§ 1751, Sec. 204, Child Nutrition Act, 42 USC § 1771 7 CFR Parts 210 and 220

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the School's students. Furthermore, research concludes that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

A. With regard to nutrition education, the School shall:

(Specific goals need to be inserted here. See Appendix A.)

B. With regard to physical activity, the School shall:

(Specific goals need to be inserted here. See Appendix B.)

C. With regard to other school-based activities the School shall:

(Specific goals need to be inserted here. See Appendix C.)

D. With regard to nutrition promotion, the School shall:

(Specific goals need to be inserted here. See Appendix D.)

Furthermore, with the objectives of enhancing student health and well-being, and reducing childhood obesity, the following guidelines are established:

(Specific guidelines need to be inserted here. See Appendix E.)

The Board designates the Educational Service Provider and/or Superintendent or Superintendent Designee as the individual(s) charged with operational responsibility for verifying that the School meets the goals established in this policy.

The Superintendent or Superintendent Designee and the Educational Service Provider shall appoint an School wellness committee that includes parents, students, representatives of the School food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public and School

administrators to oversee development, implementation, evaluation and periodic update of the wellness policy. The Wellness Committee shall be an ad hoc committee with members recruited and chosen annually. School-level health advisory teams may assist in the planning and implementation of these Wellness initiatives.

The Wellness Committee shall be responsible for:

- A. assessment of the current School environment;
- B. review of the School's wellness policy;
- C. presentation of the wellness policy to the Board for approval;
- D. measurement of the implementation of the policy;
- E. recommendation for the revision of the policy, as necessary.

Before the end of each school year the Wellness Committee shall recommend to the Educational Service Provider and/or Superintendent or Superintendent Designee any revisions to the policy it deems necessary and/or appropriate. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.

The Educational Service Provider and/or Superintendent or Superintendent Designee shall report annually to the Board on the progress of the Wellness Committee and on its evaluation of policy implementation and areas for improvement, including status of compliance by individual schools and progress made in attaining goals of policy.

The Educational Service Provider and/or Superintendent or Superintendent Designee is also responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Educational Service Provider and/or Superintendent or Superintendent Designee (employed by the Board) shall distribute information at the beginning of the school year to families of School children and post the policy on the School's website, including the Wellness Committee's assessment of the implementation of the policy.

The School shall assess the Wellness Policy at least once every three (3) years on the extent to which Schools are in compliance with the School policy, the extent to which the School policy compares to model wellness policies, and the progress made in attaining the goals of the School Wellness Policy. The assessment shall be made available to the public;

- A. in the parent and staff handbooks.
- B. in the School Annual Report to the public.
- C. on the School website.
- D. on each individual School's website.
- E. in the School's calendar.

Section 8000 BP - Operations

Title INSURANCE

Code 8710 BP

Status Active

## **INSURANCE**

Reference:

MCLA 129.51, 380.124, 380.1269, 380.1332

The Board of Directors shall purchase with School funds the type and amount of insurance necessary to protect the School from major financial losses.

Insurance purchased shall include, but need not be limited to, the following:

- A. negligent acts or omissions which cause personal injury or wrongful death
- B. fire and extended coverage on buildings and contents
- C. comprehensive bodily injury, property damage on automobiles, buses, and trucks
- D. boiler and machinery
- E. special coverage for equipment not ordinarily covered under a standard policy
- F. employee insurance coverage as specified in the Master Agreement(s) or by Board action
- G. worker's compensation coverage
- H. legal liability for Board members and employees

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The Superintendent or Superintendent Designee/Human Resources shall administer the insurance program.

Section 8000 BP - Operations

Title BONDING

Code 8740 BP

Status Active

# **BONDING**

Reference:

MCLA 380.85, 380.124, 380.243, 380.317

The Board of Directors recognizes that prudent trusteeship of the resources of this School dictate that School employees responsible for the safekeeping of School monies and property be bonded.

The School shall be indemnified against loss of money and property by bonding of School employees holding the positions and in the amounts determined by the Board and in accordance with State law.

All other School employees handling money shall be covered under a blanket bond to an amount determined by the Board.

The School shall bear the cost of bonding each employee required to be bonded by this policy.

Section 8000 BP - Operations

Title RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

Code 8800 BP

Status Active

Last Revised September 18, 2024

Prior Revised Dates 11/20/2013

# RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

Reference:

20 USC 4071 et seq. 29 C.F.R. 1910.1030

Gregoire vs. Centennial School 907 F2d 1366, (3rd Circuit, 1990) Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)

M.C.L. 2.91, 380.1347, 380.1347a, 380.1565

#### **Religious Ceremonies and Observances**

The Board of Directors acknowledges that the U.S. Constitution prohibits it from adopting any policy or rule promoting or establishing a religion or any policy that unlawfully restricts any person's free exercise of the individual right to free exercise of religion enjoyed by all persons. Within the confines of this legal framework, the Board adopts the following policy to address the scope of these rights and the School's authority within its own facilities or during events.

As public employees, while on duty and acting within the scope of employment or pursuant to official duties, staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. Staff are expected to avoid circumstances where the staff member's expression of religious views could be reasonably construed as an endorsement or approval of the message by the School. Nothing in this policy or its application shall serve to prohibit or interfere with any staff member's free exercise of their religious views in circumstances not covered by this policy.

Nothing in this policy prohibits teaching about various religions and religious practices in a manner consistent with any adopted School course curriculum. This instruction may include discussion of religious holidays and customs in a manner related to the curriculum that does not give the appearance of an endorsement of one religion over other religions or favoring either a system or religious beliefs or of other beliefs, such as atheism or agnosticism. Observance of religious holidays through devotional exercises or acts of worship is also prohibited.

Distribution of any outside organization's materials, including a request by any person wishing to facilitate dissemination of materials on School property, may make a request in accordance with Policy 7510 Use of School Facilities and Policy 9700 - Relations with Special Interest Groups.

Students are not prohibited by this policy or any guideline promulgated pursuant to this policy, from engaging in the free, individual, and voluntary exercise or expression of the individual's/person's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate, or on an individual basis in a manner that does not disrupt the educational process.

Celebration activities, involving nonreligious decorations and use of secular works, are permitted. Nonetheless, faculty members have the responsibility to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on groups or individuals, and do not interfere with the educational program of the School.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any School-sponsored event.

## **Patriotic Activities and Observances**

The flag of the United States shall be raised above each public school building operated by the Academy at all times during school hours, weather permitting. This flag shall measure at least four (4) feet two (2) inches by eight (8) feet. A United States flag shall also be displayed in every classroom or other instructional site in which students recite the Pledge of Allegiance.

All students in attendance at school will be provided an opportunity to recite the Pledge each day that school is in session. However, no student shall be compelled to recite the Pledge of Allegiance. No student shall be penalized for failure to participate in the Pledge and the professional staff shall protect any such students from bullying as a result of their not participating in the Pledge.

The building principal or administrator shall be responsible for determining the appropriate time and manner for reciting the Pledge, with due regard to the need to protect the rights and the privacy of a nonparticipating student.

The School may offer students and staff a Moment of Silence to commemorate a significant event that has a significant impact on the community. The decision to offer a moment of silence shall be the Superintendent's decision. No moment of silence shall be described by School officials with reference to religious symbolism or activity.

Section 8000 BP - Operations

Title FLAGS AND DISPLAYS

Code 8805 BP

Status Active

Adopted October 18, 2023

# **FLAGS AND DISPLAYS**

This policy is adopted by the Board of Directors as a content-neutral policy with respect to the appropriate usage and display of items in School buildings and on/in School property, including flags, banners, posters, electronic insignia, and similar items (collectively "Displays"). In addition to the use of the American flag as addressed in Policy 8800, the only Displays that may be flown, posted, or affixed to the grounds, stadiums, fencing, walls, doors, ceilings, or any other furnishings or appurtenances of any public school system building, vehicle, or facility owned or operated by the Board or posted on any electronic messaging, including emails, on the School's network, are as follows:

- A. The current Michigan flag.
- B. The current school flag.
- C. Displays used in the classroom as a part of a temporary unit of study within the approved curriculum with approval of the Superintendent or Superintendent's designee.
- D. Displays that denote a recognition of achievement and are approved by the Superintendent or Superintendent's designee.
- E. Michigan High School Athletic Association or other similar sport tournament Displays recognizing the participation of or accomplishment of a school team and/or athlete.
- F. Displays from colleges or universities.
- G. Flags of countries representing our Foreign Exchange Students.

Section 9000 BP - Relations

Title TABLE OF CONTENTS

Code 9000 BP - RELATIONS

Status Active

Last Revised February 15, 2017

Prior Revised Dates 11/16/11; 4/18/12; 11/20/13; 12/10/14; 9/2/15; 2/10/16

# 9000 RELATIONS

9111	Telephone Communications	BP
9120	School Information Program	ВР
9130	Public Complaints	ВР
9150	School Visitors	BP
9160	Public Attendance at Academy Events	LC
9211	School Support Organizations	ВР
9250	Relations with Parents	LR
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	ВР
9700	Relations with Special Interest Groups	ВР
9700.01	Advertising and Commercial Activities	ВР
9710	Volunteers	ВР

Section 9000 BP - Relations

Title TELEPHONE COMMUNICATIONS

Code 9111 BP

Status Active

# **TELEPHONE COMMUNICATIONS**

The Board of Directors is vitally interested in maintaining effective communication with parents, members of the community, vendors, and others who have dealings with the School. The Board realizes that although advances in technology provide the possibility of enhancing communications some innovations can also inhibit effective contact between the public and School personnel.

The Board directs that incoming calls during regular school hours to be answered by a School staff member or volunteer and not by a computer-generated voice. This will ensure that each caller's concern is dealt with in an expeditious manner.

If, under certain rare circumstances it is not possible for a staff member or volunteer to be available to answer a telephone call to a main office number, a computer message may be substituted provided the message instructs the caller on how to contact an School staff member who can take some type of action in response to the caller's need.

Telephone calls to extension numbers within the School may be answered by voice mail provided the caller is provided the alternative of dialing 0 and talking to a staff member or volunteer.

Under no circumstances, is the telephone system to operate in such a way that a caller is unable to talk directly to someone who can be of assistance to the caller. In cases of emergency, lack of effective telephone contact could be critical.

Section 9000 BP - Relations

Title SCHOOL INFORMATION PROGRAM

Code 9120 BP

Status Active

# **SCHOOL INFORMATION PROGRAM**

The Board of Directors directs that the Superintendent or Superintendent Designee employ reasonable means to keep the parents and other interested parties informed on matters of importance regarding School policies, finances, programs, personnel, and operations. The Superintendent or Superintendent Designee shall develop administrative guidelines for this purpose.

Section 9000 BP - Relations

Title PUBLIC COMPLAINTS

Code 9130 BP

Status Active

## **PUBLIC COMPLAINTS**

Reference:

20 USC 1232 h

Any person or group, having a legitimate interest in the operations of this School shall have the right to present a request, suggestion, or complaint concerning staff, the curriculum, or operations of the School. At the same time, the Board of Directors has a duty to protect staff from unnecessary harassment. It is the intent of this policy to provide the means for judging each public complaint in a fair and impartial manner and to seek a remedy where appropriate.

It is the desire of the Board to rectify any misunderstandings between the public and the School by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences, that more formal procedures shall be employed.

Any requests, suggestions, or complaints reaching the Board, Board members, and the administration shall be referred to the Superintendent or Superintendent Designee or the Board for consideration according to the following procedure.

Matters Regarding a Staff Member or Administrator other than Superintendent or Superintendent Designee

## **First Step**

The matter must be addressed, initially, to the concerned staff member who shall discuss it promptly with the complainant and make every effort to provide a reasoned explanation or take appropriate action within his/her authority and administrative guidelines.

This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by School officials

As appropriate, the staff member shall report the matter and whatever action may have been taken to the Superintendent or Superintendent Designee.

#### **Second Step**

If the matter cannot be satisfactorily resolved, it shall be discussed by the complainant with the appropriate chain of command being the Lead Teacher, Assistant Principal, Superintendent or Superintendent Designee.

# **Third Step**

If a satisfactory solution is not achieved by discussion with the Superintendent or Superintendent Designee, a written request for a conference shall be submitted to the Superintendent or Superintendent Designee. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the manner in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason(s) that the matter could not be resolved in discussions with the Superintendent or Superintendent Designee;
- D. the relief which the complainant seeks and the reasons why it is felt that such relief is needed. Should the matter be resolved in conference with the Superintendent or Superintendent Designee, the Board shall be advised of the resolution.

#### **Fourth Step**

Should the matter still not be resolved, or if it is one beyond the Superintendent or Superintendent Designee's authority and requires a Board decision or action, the complainant shall request, in writing, a hearing by the Board.

The Board, after reviewing all material relating to the case, may

- A. provide the complainant with its written decision,
- B. grant a hearing,
- C. before the Board, or
- D. before a committee of the Board.

The complainant shall be advised, in writing, of the Board's decision no more than five (5) business days following the Board's decision or action. The Board's decision will be final on the matter, and it will not provide a meeting to other complainants on the same issue.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy.

## Matters Regarding the Superintendent or Superintendent Designee

Should the matter be a concern regarding the Superintendent or Superintendent Designee's decision regarding a complaint with Superintendent or Superintendent Designee which cannot be resolved through discussion with the Superintendent or Superintendent Designee, the complainant may submit a written request for a conference to the Board. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason that matter was not able to be resolved with the Superintendent or Superintendent Designee;
- D. the relief which the complainant seeks and the reasons why it is felt that such relief is needed.

The complainant shall be advised, in writing, of the Board's decision within ten (10) business days, following the next regular meeting of the Board. The Board's decision will be final and not subject to appeal.

### Matters Regarding the Educational Program, Services or Operations

If the request, suggestion, complaint, or grievance relates to a matter of educational program, procedure or operation, it should be addressed, initially, to the Superintendent or Superintendent Designee. Should the matter still not be resolved, or if it is one beyond the Superintendent or Superintendent Designee's authority and requires a Board decision or action, the complainant shall request, in writing, a hearing by the Board.

The Board, after reviewing all material relating to the case, may

- A. provide the complainant with its written decision.
- B. grant a hearing.
- C. before the Board.
- D. before a committee of the Board.

The complainant shall be advised, in writing, of the Board's decision no more than five (5) business days following the next regular meeting. The Board's decision will be final on the matter, and it will not provide a meeting to other complainants on the same issue.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy

#### **Matters Regarding Instructional Materials**

The Superintendent or Superintendent Designee shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their right to inspect instructional materials and the procedure for completing such an inspection per Policy 2210.01.

If the request, suggestion, complaint, or grievance relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the School, the following procedure shall be followed:

The criticism is to be addressed to the Superintendent or Superintendent Designee, in writing, and shall include:

- A. author;
- B. title;
- C. publisher;
- D. the complainant's familiarity with the material objected to;
- E. sections objected to by page and item;
- F. reasons for objection.

Upon receipt of the information, the Superintendent or Superintendent Designee may, appoint a review committee which may consist of:

- A. one (1) or more professional staff members;
- B. one (1) or more Board members;
- C. one (1) or more lay persons knowledgeable in the area;
- D. one (1) or more parents.

The Superintendent or Superintendent Designee shall be an ex official member of the committee.

The committee, in evaluating the questioned material, shall be guided by the following criteria:

- A. the appropriateness of the material for the age and maturity level of the students with whom it is being used
- B. the accuracy of the material
- C. the objectivity of the material
- D. the use being made of the material

The material in question may be withdrawn from use pending the committee's recommendation to the Superintendent or Superintendent Designee.

The committee's recommendation shall be reported to the Superintendent or Superintendent Designee in writing within thirty (30) business days following the formation of the committee. The Superintendent or Superintendent Designee will advise the complainant, in writing of the committee's recommendation and advise the Board of the action taken or recommended.

The complainant may appeal this decision, within thirty (30) business days, to the Board through a written request. The Superintendent or Superintendent Designee shall forward all written material relating to the matter to the Board.

The Board shall review the case and advise the complainant, in writing, of its decision within ten (10) business days.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

Section 9000 BP - Relations

Title SCHOOL VISITORS

Code 9150 BP

Status Active

Last Revised October 18, 2023

Prior Revised Dates 11/16/2011

## **SCHOOL VISITORS**

The Board of Directors welcomes and encourages visits to School by parents, other adult residents of the community and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the School, it is necessary to establish visitor guidelines.

All visitors must report to the Principal who has the authority to prohibit the entry of any person to this School or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the School. If such an individual refuses to leave the School grounds or creates a disturbance, the Principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Individuals who are registered sex offenders and wish to participate in academy activities may be allowed on campus. Conditions may be imposed by the Principal on the individual's campus visit(s) governing the terms and conditions of the visit. These conditions may include, but are not limited to, the need to receive prior permission before entering campus, required check-in, an approved escort in the building or at an event, and time or location limitations while on campus.

Non-staff access to students and classes must be limited and only in accordance with a schedule which has been determined by the Principal after consultation with the teacher whose classroom is being visited. Classroom visitations must be non-obtrusive to the educative process and learning environment and should not occur on an excessive basis.

Parent concerns about any aspect of his/her child's educational program should be presented through the procedure set forth in Board Policy 9130 - Public Complaints, a copy of which is available at the Board office.

Except as set forth in School policy, canines brought on the premises by law enforcement personnel for law enforcement purposes, or in the case of "service animals" required for use by a person with a disability, no other animals may be brought or released onto school premises at any time.

The Principal shall develop such administrative guidelines as are necessary to protect students and employees from disruption to the educational program or the efficient conduct of their assigned tasks.

Rules regarding entry of persons other than students, Principal staff, and faculty upon School grounds or premises shall be posted conspicuously at or near the entrance to such grounds or premises if there are no formal entrances, and at the main entrance to the building.

Individual Board members who are interested in visiting the School or classrooms on an unofficial basis shall make the appropriate arrangements with the Principal. In keeping with Board bylaws, such Board member visits shall not be considered to be official unless designated as such by the Board.

The Board member shall be visiting as an interested individual in a similar capacity of any parent or citizen of the community. These visits should not be considered to be inspections nor as supervisory in nature.

If, during a visit to the Academy, a Board member observes a situation or condition which causes concern, s/he should discuss the situation first with the Principal as soon as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board.



Section 9000 BP - Relations

Title PUBLIC ATTENDANCE AT ACADEMY EVENTS

Code 9160 BP

Status Active

Last Revised November 20, 2013

Prior Revised Dates 11/16/2011; 04/18/2012;

## PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Directors welcomes the attendance of members of the community at athletic and other public events held by the schools in the School, but the Board also acknowledges its duty to maintain order and preserve the facilities of the School during the conduct of such events. The Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a School event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave School property when reasonably requested. In accordance with Board Policy 7440 and AG 7440 B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

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

For facilities constructed or altered after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

The Board holds the legal authority to bar the attendance of or remove any person whose conduct may constitute a disruption at a School event.

The Board directs that no alcoholic beverage or other controlled substance be possessed, consumed, or distributed.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the School's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See also Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned or leased or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. Such prohibition also applies to School grounds and/or any School-related event.

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of School events

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, recording can be made if the appropriate license authorizing such recordings has been secured in advance by the School. If the performance is of copyrighted material and the necessary license has not been secured in advance by the School, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent or Superintendent Designee to establish rules and procedures governing the use of non-school audio/visual recording equipment at any School sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a School activity which is not a public event shall obtain prior permission from the Superintendent or Superintendent Designee.

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

"Upon request to the Superintendent or Superintendent Designee, the School shall make reasonable accommodation for a disabled person to be able to participate in this activity."

Section 9000 BP - Relations

Title SCHOOL SUPPORT ORGANIZATIONS

Code 9211 BP

Status Active

Last Revised February 10, 2016

Prior Revised Dates 12/10/2014;

# SCHOOL SUPPORT ORGANIZATIONS

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

The Board recognizes that parent-teacher organizations and other school-related organizations are channels through which School personnel, parents, and other citizens may discuss educational concerns, problems, and needs and then work together toward solutions.

No organization may hold itself out as affiliated in any manner with the School unless directly approved to do so by the School Board of Directors, and then only as a "booster" or PTA/PTO organization for support purposes. No support organization shall be, or hold itself out as, an agent of the School for any purpose whatsoever.

Section 9000 BP - Relations

Title RELATIONS WITH PARENTS

Code 9250 BP

Status Active

# **RELATIONS WITH PARENTS**

Reference:

MCLA 380.10, 380.1137

The Board of Directors believes that the education of children is a joint responsibility, one it shares with the parents of the School. To ensure that the best interests of the child are served in this process, a strong program of communication between home and the School must be maintained.

The parents have the right to participate in the education of their children as well as the ultimate responsibility for their children's in-school behavior, including the behavior of students who have reached the legal age of majority, but are still, for all practical purposes, under parental authority.

In accordance with Board policies and administrative guidelines 2240 (Opt-Out), 2413/14 (Health/Sex Education), and 9150 (School Visitors), the School shall provide the opportunity for parents to review curriculum and instructional materials and to visit the School to observe the instructional process.

With regard to student behavior, during school hours, the Board, through the Superintendent or Superintendent Designee, acts in loco parentis or in place of the parents.

The Board recommends that the following activities be implemented to encourage parent-School cooperation:

- A. parent-teacher conferences to permit two-way communication between home and school
- B. meetings of staff members and parents of those students having special abilities, disabilities, needs, or problems
- C. open houses to provide parents with the opportunity to see the School facilities, meet the faculty, and sample the program on a first hand basis

For the benefit of children, the Board believes that parents have a responsibility to encourage their child's career in school by:

- A. supporting the School in requiring that the children observe all School rules and regulations and by accepting their own responsibility for children's willful in- behavior;
- B. sending children to school with proper attention to their health, personal cleanliness, and dress;
- C. maintaining an active interest in the student's daily work and making it possible for the student to complete assigned homework by providing a quiet place and suitable conditions for study;
- D. reading all communications from the School, signing, and returning them promptly when required;
- E. cooperating with the School in attending conferences set up for the exchange of information of the child's progress in school;
- F. to include any parent expectation included in the family manual.

Section 9000 BP - Relations

Title RELATIONS WITH EDUCATIONAL INSTITUTIONS AND ORGANIZATIONS

Code 9500 BP

Status Active

# **RELATIONS WITH EDUCATIONAL INSTITUTIONS AND ORGANIZATIONS**

It is the policy of the Board of Directors that strong lines of communication be maintained by the School with other schools and with institutions and organizations which provide School students with programs, training, or services not available in the School.

The Superintendent or Superintendent Designee may recommend for Board approval such cooperative ventures with institutions or organization for the purpose of providing programs, which correlate to the School's curriculum and help students better, accomplish the educational outcomes established by the Board.

Before entering into any agreements, they shall keep the Board advised of any arrangements that would affect the use of School resources or require any additional resources of the School.

Section 9000 BP - Relations

Title PARTNERSHIPS WITH BUSINESS

Code 9555 BP

Status Active

# **PARTNERSHIPS WITH BUSINESS**

The Board of Directors is well aware of the role that education will play in increasing the nation's productivity and future well-being. To ensure success requires the combining of talent and resources within the region between business and education. It also recognizes that the School needs to operate as an integral part of the economic community if students are to receive the type of education and training they will need to function effectively in the twenty-first century.

The Board may seek to establish partnerships between the School and individual companies. The purpose will be to seek opportunities for students and staff to share in new strategies and technologies being created in the business world and offer, in exchange, the knowledge and skill of School personnel in creating more effective continuing education for employees and members of the community. Properly planned and implemented, such partnerships could have significant impact on the nature and content of the curriculum as well as on the manner in which students are taught to learn.

The Superintendent or Superintendent Designee is authorized to actively seek and present such partnerships for Board approval.

Section 9000 BP - Relations

Title RELATIONS WITH SPECIAL INTEREST GROUPS

Code 9700 BP

Status Active

Last Revised February 15, 2017

Prior Revised Dates 09/02/2015;

## **RELATIONS WITH SPECIAL INTEREST GROUPS**

It is the policy of the Board of Directors that students, staff members, and School facilities not be used for advertising or promoting the interests of any non-School agency or organization, public or private, without the approval of the Board or its delegated representative; and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this Board.

#### **Political Interests**

All materials or activities proposed by outside political sources for student or staff use or participation shall be reviewed by the Superintendent or Superintendent Designee on the basis of their educational contribution to part or all of the School program, benefit to students and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

The Board shall not permit the use of any type of educational material, program, or equipment in its curricular, co-curricular, or extra-curricular activities or at any time during the school day, if such materials programs, or equipment contain partisan political messages or are designed to persuade students or staff members to acquire a particular product or service offered by a named individual, company, organization, association or agency. With the approval of the Superintendent or Superintendent Designee, the professional staff may, however, utilize appropriate political materials, or those provided by special interest groups, in adopted courses of study.

School facilities or equipment may not be used as a means of producing or disseminating to the community any materials that advertise or promote a political party, a political cause, or the candidacy of an individual for public office. Students and employees of the Board shall not be used to distribute campaign literature within the school or on school grounds.

## Contests/Exhibits

The Board recognizes that contests, exhibits, and the like may benefit individual students or the School as a whole, but participation in such special activities may not:

- A. have the primary effect of advancing a special product, group, or company;
- B. make unreasonable demands upon the time and energies of staff or students or upon the resources of the School;
- C. interrupt the regular school program;
- D. involve any direct cost to the School; unless the student body as a whole derives benefit from such activities;
- E. cause the participants to leave the School, unless the Board's Policy 2340 Field and Other School-Sponsored Trips has been complied with in all aspects;

## **Distribution/Posting of Literature**

No outside organization or staff member or student representing an outside organization may distribute or post literature on that organization's behalf on School property either during or after school hours without the permission and prior review of the Superintendent or Superintendent Designee.

The Superintendent or Superintendent Designee shall establish administrative procedures which ensure that:

- A. criteria established in Policy 5722 Student Publications and Productions are used to make a decision regarding materials that students seek to post or distribute;
- B. the school mail system is not used by students or staff for distribution of non-school related materials;
- C. no materials from any profit-making organization are distributed for students to take home to their parents, unless authorized by the Superintendent or Superintendent Designee;
- D. the time, place, and manner of distribution of all non-school related materials is clearly established and communication;
- E. flyers and notices from outside non-profit organizations may be made available for students to pick up at the literature distribution rack/table by the school building's office, under the following circumstances:
  - 1. the flyer/notice publicizes a specific community activity or event that is age appropriate for the students that attend the school;
- 2. the organization submits the number of copies of the flyer that it wants placed in the literature distribution rack/table; No student shall be required to take any of the flyers/notices placed in the literature/distribution rack/table, and the rack/table shall contain a clear notice that the Board does not support or endorse any of the organizations and/or activities/events identified in the flyers/notices.

#### **Solicitation of Funds**

Any outside organization or staff member representing an outside organization desiring to solicit funds on School property must receive permission to do so from the Superintendent or Superintendent Designee.

Permission to solicit funds will be granted only to those organizations, individuals, or staff members who meet the permission criteria established in the School's administrative guidelines. Solicitation must take place at such times and places and in such a manner as specified in the administrative guidelines. In accordance with Board Policy 5830, no School student may participate in the solicitation without the Superintendent or Superintendent Designee's approval.

The Board disclaims all responsibility for the protection of, or accounting for, such funds.

Solicited funds are not to be deposited in any regular or special accounts of the School.

A copy of this policy as well as the relevant administrative guidelines shall be given to any individual granted permission to solicit funds on School property.

This policy does not apply to the raising of funds for School-sponsored activities.

Use of the name, logo, or any assets of the School, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Superintendent/Superintendent Designee or Educational Service Provider with Board approval.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Board upon the recommendation of the Superintendent or Superintendent Designee.

## **Prizes/Scholarships**

The Board is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this School. But, in accepting the offer of such scholarships or prizes, the Board directs that these guidelines be observed:

No information either academic or personal shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student who is eighteen (18), or the parents of a student who is younger in accordance with the Board's policy on student records.

The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the Superintendent or Superintendent Designee.

The Superintendent or Superintendent Designee, together with a committee of staff members designated by the Superintendent or Superintendent Designee, shall be involved in the selection of the recipient and, if agreeable to the sponsoring organization, the selection shall be left entirely to the Superintendent or Superintendent Designee and staff committee.

## Sale of School Supplies

In determining the appropriateness of the sale of school supplies by organizations other than the School, the Board requires that:

- A. the organization has a purpose which will benefit the School and its students;
- B. the organization's planned activities are clearly in the best interest of the School and its students;
- C. the organization has submitted the following information and assurances on the form provided by the School: a statement noting the purpose of the organization, financial accountability assurances, and use of facility assurances.

All funds generated by the sale of such school supplies shall be kept separate from other activity funds or other transactions of the Board.

#### **Surveys and Questionnaires**

Neither School-related nor non-school related organizations shall be allowed to administer a survey or questionnaire to students or staff unless the instrument and the proposed plan is submitted, in advance, to the Superintendent or Superintendent Designee. If approved, a copy of the results and the proposed manner of their communication are to be provided to the Superintendent or Superintendent Designee for review and approval before they are released.

Students shall not be required to complete surveys to provide marketing information to vendors, or distribute to vendors any personal information of students, including but not limited to names, addresses, and telephone numbers, except as may be required by law. In addition, the School shall not enter into any contract for products or services, including electronic media services, where personal information will be collected form the students by the providers of the services.

Section 9000 BP - Relations

Title ADVERTISING AND COMMERCIAL ACTIVITIES

Code 9700.01 BP

Status Active

Adopted September 2, 2015

# **ADVERTISING AND COMMERCIAL ACTIVITIES**

The purpose of this policy is to provide guidelines for the appropriate and inappropriate use of advertising or promoting of commercial products or services to students and parents in the schools.

"Advertising" comes in many different categories and forums and is defined as an oral, written or graphic statement made by the producer, manufacturer, or seller of products, equipment, or services which calls for the public's attention to arouse a desire to buy, use or patronize the product, equipment, or services. This includes the visible promotion of product logos for other than identification purposes. Brand names, trademarks, logos or tags for product or service identification purposes are not considered advertising.

The Board of Education may permit advertising in School District facilities or on School District property in the following categories or forums in accordance with the guidelines set forth herein:

#### A. Product Sales:

- 1. product sales benefiting a district, school or student activity (e.g., the sale of beverages or food within schools);
- 2. exclusive agreements between the District and businesses that provide the businesses with the exclusive right to sell or promote their products or services in the schools (e.g. pouring rights contracts with soda companies);
- 3. fundraising activities (e.g., short term sales of gift wrap, cookies, candy, etc.) to benefit a specific student population, club or activity where the school receives a share of the profits.

### B. Direct Advertising/Appropriation of Space:

- 1. signage and billboards in schools and school facilities;
- 2. corporate logos or brand names on school equipment (e.g., marquees, message boards or score boards);
- ads, corporate logos, or brand names on book covers, student assignment books, or posters;
- 4. ads in school publications (newspapers and yearbooks and event programs);
- 5. media-based electronic advertising (e.g., Channel One or Internet or web-based sponsorship); media-based electronic advertising (e.g., Channel One or Internet or web-based sponsorship);
- 6. free samples (e.g., of food or personal hygiene products).

## C. Indirect Advertising:

- 1. Corporate-sponsored instructional or educational materials, teacher training, contests, incentives, grants or gifts;
- 2. The Board approves the use of instructional materials developed b commercial organizations such as films and videos only if the education value of the materials outweighs their commercial nature. The films or materials shall be carefully elevated by the Superintendent or Superintendent Designee for classroom use to be determine whether the films or materials contain undesirable propaganda and re in compliance with eh procedures set forth above.

It is further the policy of the Board that its name, students, staff members and District facilities shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit or other non-school agency or organization, public or private, without the approval of the Board or its designee.

Any commercial advertising shall be structured in accordance with the General Advertising Guidelines set forth below.

## **General Advertising Guideline**

The following guidelines shall be followed with respect to any form of advertising on school grounds:

- 1. When working together, schools and businesses must protect educational values. All commercial or corporate involvement should be consistent with the District's educational standards and goals.
- 2. Any advertising that may become a permanent or semi-permanent part of a school requires prior approval of the Board.
- 3. The Board reserves the right to consider requests for advertising in the schools on a case-by-case basis.
- 4. No advertisement shall promote or contain references to alcohol, tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene, pornographic or illegal materials or activities, gambling, violence, hatred, sexual conduct or sexually explicit material, X or R rated movies, or gambling aids.
- 5. No advertisement shall promote any specific religion or religious, ethnic or racial group, political candidate or ballot issue and shall be non-proselytizing.
- 6. No advertisement may contain libelous material.
- 7. To advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.
- 8. No advertisement shall be false, misleading or deceptive.
- 9. Each advertisement must be reviewed in advance for age appropriateness.
- 10. Advertisements may be rejected by the School District if determined to be inconsistent with the educational objectives of the School District, inappropriate, or inconsistent with the guidelines set forth in this policy.
- 11. All corporate support or activity must be consistent with the Board's policies prohibiting discrimination on the basis of race, color, national origin, religion, sex, disability, or age, and must be age-appropriate.
- 12. Students shall not be required to advertise a product, service, company or industry.
- 13. Advertising will not be permitted on the outside or the inside of school buses.
- 14. The Superintendent or designee is responsible for screening all advertising.
- 15. The Superintendent or designee may require that samples of advertising be made available for inspection.
- 16. The inclusion of advertisements in School District publications, in School District facilities, or on school district property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.
- 17. Final discretion regarding whether to advertise and the content and value of the materials will be with the Board.

## **Accounting**

Advertising revenues must be properly reported and accounted for.

Section 9000 BP - Relations

Title VOLUNTEERS

Code 9710 BP

Status Active

Last Revised November 16, 2011

### **VOLUNTEERS**

The Board of Directors recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Superintendent shall be responsible for recruiting volunteers, reviewing their capabilities, and making appropriate placements. S/He shall not be obligated to make use of volunteers whose abilities are not in accord with School needs.

Any volunteer who works with or has access to students shall be screened through the Internet sites for the Sex Offenders Registry [SOR] list, the Internet Criminal History Access Tool [ICHAT] criminal history records check and the Offender Tracking Information System [OTIS] prior to being allowed to participate in any activity or program.

When deemed appropriate, the Superintendent shall conduct criminal background checks on all volunteers in the same manner as required for other professional staff.

When appropriate, the Superintendent is to inform each volunteer that s/he:

- A. shall agree to abide by all Board policies and School guidelines while on duty as a volunteer including signing, if appropriate, the School's Network and Internet Access Agreement Forms;
- B. will be covered under the School's liability policy but the School cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers compensation;
- C. will be asked to sign a form releasing the School of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services.

The Superintendent shall also ensure that each volunteer is properly informed of the School's appreciation for his/her time and efforts in assisting the operation of the School.