BOARDPOLICIES 2019

CASMAN Alternative Academy

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NATIONAL CHARTER SCHOOLS INSTITUTE
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About Our Cover

The featured artwork on the cover is from the National Charter Schools Institute's 2018 Midwest Charter Schools K-5 Art Contest: "Who's your hero?" Over 1,000 students from Illinois, Indiana, Michigan, Ohio, and Wisconsin submitted entries. The featured artwork on the cover represents some of the most outstanding and inspirational submissions, including the 1st, 2nd and 3rd place winners.

For more information on the Institute's art contest, visit **www.CharterInstitute.org/artcontest**.

CASMAN Alternative Academy

July 2019

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L = Legally Required (if applicable)
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2000 **PROGRAM**

2105	Mission of the School	BP
2110	Statement of Philosophy	BP
2111	Value Statements for Students and Staff	
2112	**Parent and Family Engagement**	**L****
2120	School Improvement	
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2210	**Curriculum Development**	**L**
2220	Adoption of Courses of Study	BP
2221	Mandatory Courses	BP
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2240	Controversial Issues	BP
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2260	**Nondiscrimination and Access to Equal Educational Opportunity**	**L**
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2261	**Title I Services**	**L****
2261.01	**Parent and Family Member Participation in the Title I Programs**	**L****
2261.03	**Academy and School Report Card**	**L**
2270	Religion in the Curriculum	BP
2271	**Post-Secondary (Dual) Enrollment Options**	**L**
2370	Educational Options	BP
2370.01	**Online/Blended Learning Program**	**L**
2410	**Prohibition of Referral or Assistance**	**L**
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	BP
2413	Critical Health Problems	BP
2414	Reproductive Health and Family Planning	BP
2418	**Sex Education**	**L**
2430	Academy-Sponsored Clubs and Activities	BP
2431	**Interscholastic Athletics**	**L**
2461	Recording of Academy Meetings Involving Students and/or Parents	BP
2623	**Student Assessment**	**L**
2628	State Aid Incentives	BP
2700	**P.A. 25 Annual Report**	**L****

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3000 **STAFF**

3000	ESP Statement	
3121	**Criminal History Record Check**	**L**
3220	Teacher Evaluation	BP
3419.03	**Patient Protection and Affordable Care Act**	**L**

5000 **STUDENTS**

5111	**Admission of Students**	**L**
5111.01	**Homeless Students**	**L**
5111.02	**Educational Opportunity for Military Children**	**L**
5111.03	**Children and Youth in Foster Care**	**L**
5111.02A	Capping the Number of Enrolled Students on Campus	BP
5114	**Foreign and Foreign-Exchange Students**	**L**
5136	Personal Communication Devices	BP
5200	Attendance	BP
5215	Missing and Absent Children	BP
5230	Late Arrival and Early Dismissal	BP
5320	Immunization	BP
5330	**Use of Medications**	**L**
5330.01	**Epinephrine Auto-Injectors**	**L**
5340.01	**Concussions and Athletic Activities**	**L**
5460	**Graduation Requirements**	**L**
5463	Credits from Nonpublic Schools	BP
5510	Students-Sex Offender Registry; Criminal Convictions	
5512	Use of Tobacco by Students	BP
5516	**Student Hazing**	**L**
5517	**Anti-Harassment**	**L**
5517.01	**Bullying**	**L**
5517.02	**Sexual Violence**	**L**
5530	**Drug Prevention**	**L**
5532	**Performance-Enhancing Drugs/Compounds**	**L**
5540	**Interrogation of Students**	**L**
5610	**Emergency Removal, Suspension & Expulsion of Students**	**L**
5611	**Due Process rights**	
5630.01	**Student Seclusion and Restraint**	**L**
5722	School-Sponsored Publications and Productions	BP
5771	Search and Seizure	BP
5772	**Possession of Weapons**	**L**
5830	Student Fundraising	BP

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6000 **FINANCES**

6110	Grant Funds	BP
6111	Internal Controls	BP
6120	Safe Deposit Box	BP
6144	**Investments**	**L**
6152	Student Fees, Fines, and Supplies	BP
6320	**Purchasing**	**L**
6321	**New School Construction, Renovation**	**L**
6325	**Procurement – Federal Grants/Funds**	**L****
6420	**Conflict of Interest—Legal Counsel, Advisors, or Consultants**	**L**
6423	Use of Credit/Debit Cards	BP
6520	Payroll Deductions	BP
6550	**Travel Payment & Reimbursement**	**L**
6605	Crowdfunding	BP
6680	Recognition	BP
6700	**Fair Labor Standards Act (FLSA)**	**L**
6850	**Public Disclosure and Reporting**	**L**

7000 **PROPERTY**

7217	**Weapons**	**L**
7310	**Disposition of Surplus Property**	**L**
7430	Safety Standards	BP
7434	**Use of Tobacco on Academy Premises**	**L**
7440	Facility Security	BP
7450	**Property Inventory**	**L**
7510A	Use of Academy's Facilities	
7510B	Supervision of Rented Facilities	
7530.01	Staff Use of Wireless Communication Devices	BP
7530.02	Staff Use of Personal Communication Devices	BP
7540	Technology	BP
7540.01	Technology Privacy	BP
7540.02	Web Accessibility, Content, Apps and Services	BP
7540.03	Student Education Technology Acceptable Use and Safety	BP
7540.04	Staff Technology Acceptable Use and Safety	BP
7540.05	Electronic Mail	BP
7540.06	Academy-Issued Student E-mail Account	BP
7540.07	**Personal Internet Account Privacy—Students**	**L**
7540.08	**Personal Internet Account Privacy—Staff**	**L**
7542	Access to District Technology Resources and/or Information Resources from Personal Communication Devices	BP

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7543	Utilization of the Academy's Website and Remote Access to the Academy's Network	BP
7544	Use of Social Media	BP
7545	Electronic Communications	BP

8000 **OPERATIONS**

8120	**Iran Economic Sanctions Act Compliance**	**L**
8142	**Criminal History Record Check**	**L**
8142.01	Weapons	BP
8210	Academy Calendar	
8310	**Public Records**	**L**
8315	Information Management	BP
8321	**Criminal Justice Information Security**	**L**
8325	Receipt of Legal Documents	BP
8330	**Student Records**	**L**
8340	**Letters of Reference**	**L**
8350	Confidentiality	BP
8351	Beach of Confidential Information	BP
8390	**Animals on Academy Property**	**L**
8400	**Academy Safety Information**	**L**
8401	**Fire Safety and Fire Department Notification**	**L**
8402	**Emergency Operations Plan**	**L**
8405	Environmental Health and Safety Issues	BP
8405.01	**Integrated Pest Management**	**L**
8420	Emergency Situations at the Academy	BP
8431	**Preparedness for Toxic Hazards and Asbestos Hazard**	**L**
8500	**Food Services**	**L**
8510	**Wellness**	**L**
8510A	Specific Goals for Nutrition	
8510C	Specific Goals for Other Academy-Based Activities Designed to Promote Student Wellness.	
8510E	Board Resolution	
8800	**Religious/Patriotic Ceremonies and Observances**	**L**
8900	Anti-Fraud	BP

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9150	Academy Visitors	BP
9160	Public Attendance at Academy Events	BP
9211	Academy Support Organizations	BP
9700	Relations with Special Interest Groups	
9700.01	Advertising and Commercial Activities	

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9710 Volunteers BP

**Legally required for schools receiving funding under ESEA.

Revised 4/17/08; 7/30/08; 1/22/09; 3/18/10; 8/5/10; 3/24/11; 4/19/12; 2/21/13; 9/19/13; 4/24/14; 11/24/14; 6/22/15; 1/25/16; 9/26/16; 3/20/17; 8/28/17; 10/23/17; 1/22/18; 9/24/18; 10/22/18; 2/25/19; 5/20/19

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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)

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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

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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.

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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.

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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).

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ACRONYMS

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

A

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

B

C

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

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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

D

DHS – Department of Human Services (formerly FIA and DSS)

DOE –Department of Education (Federal)

E

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

F

FAIN - Federal Award Identification Number

FAPE – Free and Appropriate Public Education

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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

G

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

H

HACCP – Hazard Analysis Critical Control Point

HAV – Hepatitis A

HBV – Hepatitis B

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

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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

K

L

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

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MDCIS – Michigan Department of Consumer and Industry Services

MDE – Michigan Department of Education

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)

O

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

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OTC – Over the Counter

OTIS - Offender Tracking Information System

P

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

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

S

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

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SOR - Sex Offenders Registry

SRO – School Resource Officer

STD – Sexually Transmitted Disease

T

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

X

Y

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0171.2	Vice-President
0171.3	Secretary
0171.4	Treasurer
0172	Legal Counsel
0173	Independent Auditor
0175	Association Memberships
0175.1	Board Conferences, Conventions, and Workshops

Adopted 09/15/05
Revised 12/15/05; 8/5/10; 4/19/12; 9/19/13; 4/24/14; 11/24/14; 1/25/16; 9/26/16; 3/20/17; 10/23/17; 9/24/18; 2/25/19; 5/20/19

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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

The Public School Academy

Administrative Guideline

A policy-based statement, usually written, outlining and/or describing the means by which a policy should be implemented and providing for the management cycle of plan, act, and assess or evaluate.

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

Board

The Board of Directors. (See Charter Contract Bylaws). Depending on context to the extent lawfully delegated, “Board” may refer to the Designee thereof.

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, authorizing a public school academy. Subject to the constitutional powers of the state board and applicable law, the charter contract is the written instrument executed by an authorizing body, conferring certain rights, franchises, privileges, and obligations on a public school academy.
Due Process

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An established, rule-based procedure for hearing evidence, based on prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond. Due process may require consideration of statutorily mandated factors, the right to counsel and/or confrontation or cross examination of witnesses, depending upon the situation.

Educational Service Provider
(Educational Management Organization or Charter 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 Academy, 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.

Management Agreement

An agreement to provide educational, administrative, management, instructional services or staff to a Public School Academy.

May

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

Meeting

Any gathering attended by, or open to, all of the members of the Academy's Board of Directors. A meeting is 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.

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Parent

The natural, adoptive, or surrogate parent(s) 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 Academy.

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 statement written by the governing Board that defines its expectations or position on a particular matter. A policy also authorizes appropriate action that must or may be taken to establish and/or maintain the Board's expectations.

President

The official leader of the Board. In addition to the responsibilities listed in "Duties of President," contained in the Charter Contract Bylaws and Articles of Incorporation, the President has 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 Academy or individual building of the Academy.

School Leader

The administrator employed by the Board (or Educational Service Provider) who is responsible for the daily operations of the Academy and the implementation of the policies of the Board. The School Leader can delegate appropriate duties assigned by the Board (or Educational Service Provider). The School Leader must hold an appropriate school administrator certificate or permit.

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 words *will* and *must* also signifies a required action.)

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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 Academy's website as Academy-approved social media platforms/sites.

Student

A person who is officially enrolled in the Academy.

Support Employee

An employee who provides support to the Academy's program, professional staff, and Administration, whose position does not require professional certification.

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 Academy. (See Charter Contract Bylaws)

Vice-President

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

Voting

The act of taking 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, Board members must be physically present to have their vote officially recorded in the Board minutes.

Citations to Michigan Compiled Laws (MCL) are shown as MCL followed by the Section Number (e.g., MCL 380.1438). Citations to the Michigan Administrative Code are prefaced AC Rule (e.g., AC 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 USC.

Adopted 3/20/17
Revised 9/24/18; 2/25/19; 5/20/19

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POWERS AND PHILOSOPHY

Reference: MCL 380.503, 380.504a, 380.1225, 423.217

0121 Authority

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

MCL 380.1201 et seq.

0122 Board Powers

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

A. Educate Students. In addition to educating students in the grades and subjects authorized in the Charter Contract, the Board may operate preschool, adult education, and GED testing preparation programs, if specified in the Charter Contract.

B. Provide for the safety and welfare of students while at the Academy, at an Academy-sponsored activity, or while en route to or from the Academy or an Academy-sponsored activity.

C. Acquire, construct, maintain, repair, renovate, dispose of, or convey Academy property, facilities, equipment, technology, or furnishings.

D. In accordance with its Charter Contract and with an Educational Service Provider: to hire, contract for, schedule, supervise, or terminate employees, independent contractors, and others to carry out Academy operations. The Board may contract with the Educational Service Provider or employ the Director to provide educational, administrative and other services and to exercise certain of said powers. The rights, responsibilities and obligations of the school and the Educational Service Provider or Director are set forth in the agreement between the Board and the Educational Service Provider or Director. The Academy's policies and procedures are not intended to modify any of the terms of such a contract.

E. Receive, account for, invest, or expend Academy money; borrow money and pledge Academy funds for repayment; and qualify for State-School Aid and other public or private money from local, regional, State, or Federal sources.

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

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

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

A. The policyholder of an employee group insurance benefit (if the Board employs staff.)

B. The starting day for the school year and the amount of student contact time to receive full State school aid.

C. The composition of the Academy's school-improvement committee(s) established under M.C.L. 380.1277.

D. 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.

E. Use of volunteers.

F. Decisions regarding the use of experimental or pilot programs including staffing, use of technology, provision of the technology, and the impact on individual staff members.

G. Compensation or reimbursement of a staff member for monetary penalties imposed on the staff member under the Public Employment Relations Act. (if the Board employs staff).

H. Any decision regarding the placement of teachers, or the impact of that decision on an individual employee.

I. Decisions about the development, content, standards, procedures, adoption and implementation of a performance evaluation system under M.C.L. 380.1249 for teachers and administrators. (If the Board employs staff.)

J. Decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such decision. (If the Board employs staff.)

K. Decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher. (if the Board employs staff.)

L. 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.)

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

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N. Any requirement that would violate section 10(3), M.C.L. 423.210(3), (Right to Work Law).

O. Decisions about the development, format, content, and procedures of the notification to parents and legal guardians required under M.C.L 380.1249a (the requirement to make the notifications is effective with the 2018-2019 school year).

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

Revised 9/19/13; 11/24/14; 2/25/19

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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 Academy and shall be bound to follow such bylaws and policies.

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

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

Board policies that are neither dictated by the statutes or rules of the State of Michigan nor ordered by either the Charter Contract of the authorizing institution or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board provided the proposed adoption, amendment, or repeal was proposed at a previous Board of Directors meeting and, once proposed, remained on the agenda of each succeeding Board of Directors meeting until approved or rejected.

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

Periodically, it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include statutory references, scrivener's errors, renumbering that does not change the order of the sections or subsections, grammatical corrections or additions including punctuation or typographical errors, as well as alterations and omissions not affecting the construction or meaning of any sections, subsections, chapters, titles, or policies as a whole. Technical corrections may also include the updating of the named individuals in these policies where the originally named individual no longer works for the Academy or no longer works in the applicable position. Should the Board choose to make such technical corrections, it may be accomplished by resolution without going through the normal policy adoption procedures.

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

MCL 450.2223, 450.2231

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0132 Executive

0132.1 Selection of Educational Service Provider

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

0132.2 Administrative Procedures

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

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

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

0133 Judicial

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

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

Adopted 11/24/14
Revised 2/25/19

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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.

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 Academy, and learn Board procedures. Accordingly, the Board shall, in conjunction with the Authorizer, give the following items to each new Board member no later than his/her first regular meeting as Board member for his/her use and possession during the term on the Board:

A. A copy of the Charter Contract

B. A copy of the Board policy manual

C. Open meetings act

D. Meeting conduct material (standard agenda, recording minutes, handling of a motion)

E. Other Materials, as deemed appropriate by the Board.

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

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

0143 Authority

Individual members of the Board do not possess the powers that reside in the Board of Directors. The Board speaks through 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 of the Academy present at a meeting at which a quorum is present.

(See Charter Contract Bylaws)

MCL 15.261 et seq.

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 Academy 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 Academy matters make it clear that their views do not necessarily reflect the views of the Board or those of their colleagues on the Board.

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

1. correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter

2. routine, not for publication, correspondence of the Academy Director and other Board employees

3. routine "thank you" letters of the Board

4. statements by Board members on nonschool matters (providing 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

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creation of a public record. Postings to social media should be done in a manner sensitive to the Board member's responsibilities, applicable Academy policies, and legal obligations.

0144 Operations

0144.1 Compensation

Board members shall not be entitled to compensation for Board service.

0144.11 Reimbursement of Expenses

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 Academy-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 Academy-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 Academy 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:

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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 Academy to the Director;

F. communicate to other Board members and the Director 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 school 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 public schools;

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 free from any conflict of interest. To this end, 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 Academy.

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When a member of the Board suspects the possibility of a personal interest conflict, he/she should disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board) and thereafter abstain from any participation in both the discussion of the matter and the vote thereon.

If a Board member's financial interest pertains to a proposed contract with the Academy, 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 Academy, 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 verbal 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 $5,000 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 (excluding 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 Academy.

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

"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.

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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 Academy 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 Academy 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 must 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 Academy included in

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the contract; and the nature and degree of assignment of 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. 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.

G. 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:

1. The Board member receives no compensation as a volunteer coach or supervisor;
2. The Board member abstains from voting on issues before the Board concerning the program in which he is involved during the period of time s/he serves as a volunteer coach or supervisor; and
3. The appointing authority has received the results of a criminal history 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 Directors and Officers harmless and may indemnify, 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 seq., 37.2101 et seq.

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

Adopted
Revised 12/15/05; 1/22/09; 9/19/13; 9/19/13; 4/24/14; 1/25/16; 9/26/16; 9/24/18; 2/25/19

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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 Academy, 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 Posting Notice of 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 Academy and its telephone number. The notice shall also contain the following statement:

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"Upon request to the Director, the Academy 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 Academy 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 Academy. Said notice shall be posted on the front door of the Academy 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 Academy. 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 **Posting Notice of 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 Academy has been posted on the front door of the Academy 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 Academy. 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)

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0166 **Agenda**

The Director 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 Director on information relating to the Academy 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 Academy'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."

Any person or group wishing to place an item on the agenda shall register their intent with the Director no later than 14 days prior to the meeting and include:

A. name and address of the participant;

B. group affiliation, if and when appropriate;

C. topic to be addressed.

Such requests shall be subject to the final approval of the Director or the Board President.

Denial of the opportunity to have an item placed on the agenda will not preclude an individual or group from the opportunity to speak during the public participation portion of the meeting.

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 seven (7) 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.

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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 Director 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 members 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 Michigan 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), MCL 15.261 et. seq.

0167.2 **Closed Session**

Per the Open Meeting Act, the Board may, 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)

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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) (Also see Operating Policy 0169, Student Disciplinary Hearings)

C. for strategy and negotiation sessions connected with the negotiation of a collectively-bargained agreement if either negotiating party requests a closed hearing. (a majority vote is required)

D. 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)

E. 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 (two-thirds (2/3) vote is required)

F. 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 (two-thirds (2/3) vote is required)

G. 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)

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 Academy'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 Academy 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.

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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 five (5) 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 does not observe reasonable decorum;

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; with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

F. The portion of the meeting during which the participation of the public is invited shall be limited to thirty (30) minutes, but the timeframe will be extended, if necessary, so that no one’s right to address the Board will be denied.

G. Tape or video recordings are permitted. The person operating the recorder should contact the Director prior to the Board meeting to review possible placement of the equipment, and agree to abide by the following conditions:

1. No obstructions are created between the Board and the audience.

2. No interviews are conducted in the meeting room while the Board is in session.

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3. 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 Director prior to the Board meeting to review possible placement of the equipment.

MCL 15.263(4)(5)(6)

0167.4 **Administrative Participation**

The Director 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 Director 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 Academy operations;

F. responses to questions posed by members of the public, the Director, or Academy 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.

0167.6 **Use of Social Media**

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

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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 Academy 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.

The Board Secretary shall not include in or with its minutes any personally identifiable information on any student of the Academy which if released, would prevent the public body from complying with the Family Educational Rights and Privacy Act of 1974.

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.

0169 Student Disciplinary Hearings

0169.1 Closed Session Requested

If parent or student requests a closed hearing, a vote must be taken. The purpose of the closed session should be announced: “To consider a student disciplinary

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matter, pursuant to the request of the parent/guardian" [NOTE: Do not need to use the name since that could identify the student]. A majority is required to go into a closed session.

Those invited into the closed session should include the student, parent(s) and/or representative(s) and the Director who brings charges. Others may be admitted at Board discretion, if needed for the proceeding or at the request of student/parents.

Witnesses should be admitted when needed to testify. They should be asked to leave the closed session after testifying. Witnesses may be required to affirm that they will tell the truth.

The Director should present a summary of the requested discipline and an overview of the incident(s) supporting discipline. The Director shall call and question witnesses as s/he determines appropriate. The Director may testify as a witness to the results of his/her investigation of the incident and the student's past record.

The student, parent, or representative (only one (1)) should be allowed to ask the witness(es) questions related to issues reasonably related to the discipline. Additional questioning by the Administration, the student/representative and/or the Board may be allowed at the Board's discretion.

The student, parent, or representative may then present witnesses or statements to the Board. The Administration and/or the Board may ask questions of these individuals. The Board may allow additional questioning at its discretion.

When the presentation of evidence is concluded, the Board will deliberate. It may exclude both the Administration and the student and representatives, or allow both sides to remain. If the Board desires clarification of any testimony during its deliberation, it shall assure that both the Administration and the student are present to hear the information.

The Board shall not take any action in the closed session. To act on the discipline the Board must return to open session where a majority vote is required to confirm any Board action.

During the open session the name of the student shall not be used in voting on the discipline, to protect student privacy under the Federal Family Education Rights and Privacy Act. The student may be referred to by a Code Number or Pseudonym (i.e. Student A). Only the reference code shall be indicated in the Board minutes, NOT the student's actual name. The reference code shall be listed in the student's discipline file.
If, at any time during the hearing, the student, parent or authorized representative withdraws the request for a closed hearing, the matter shall proceed under the open hearing provisions.

0169.2 **Open Hearing**

If the student, parent or authorized representative does not request a closed hearing, the Board must still assure that the Family Education Rights and Privacy Act is not violated.

The parents (or student if eighteen (18) or older) should sign an authorization to release student record information to allow discussion of the student's information in

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the public forum (Form 8330 F4). If the parents refuse to sign the authorization or information relating to other students must be presented at the hearing, it should be done anonymously by referring to students by Code Numbers or Pseudonyms. If this is not possible, then the Board may go into closed session to receive student identifiable information pursuant to a two-thirds (2/3) roll call vote for the announced purpose of "Considering material exempt from discussion or disclosure by State or Federal law."

In all other respects the hearing shall proceed as outlined under the Closed Hearing.

The Board must deliberate and act on the discipline in open session. The student, parents, administration and public will be allowed to be present. Students/parents who have not authorized disclosure to the public will not be mentioned by name during deliberations, but only by anonymous reference code. Any action must be by a vote of the Board in open session. If the student/parents have signed an authorization for public disclosure, then the student's name may be used in the motion and recorded in the Board minutes.

Adopted 09/15/05
Revised 8/5/10; 4/19/12; 10/23/17; 2/25/19; 5/20/19

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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 Academy and Board in actions brought for or against the Academy and render other legal services for the welfare of the Academy.

0173 Independent Auditor

The Board shall obtain annually a letter of engagement from the selected audit firm, prior to the Annual Financial Audit. The independent auditor shall perform the following:

A. examine the balance sheet of the Academy, at the close of its fiscal year, and the related statements of transactions in the various funds, for the fiscal year just ended;

B. conduct the examination, in accordance with generally accepted auditing standards, and include such tests of the accounting records and such other auditing procedures as are necessary under the circumstances;

C. render an opinion of the financial statements prepared at the close of the fiscal year;

D. make recommendations to the Board of Directors concerning its accounting records, procedures, and related activities, as may appear necessary or desirable;

E. perform other related services, as requested by the Board.

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0175 Association Memberships

The Board of Directors may maintain professional association memberships and may take part in the activities of these groups.

The Academy may maintain institutional memberships in educational organizations that the Board and Educational Service Provider/Director 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 levels. Attendance at local, county, state workshops and conferences is encouraged.

Each Board member is expected to report back to the Board after attending a conference at Academy 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 Academy, 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.)

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

Adopted 1/25/16

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1000 **ADMINISTRATION**

1110	Assessment of School's Goals	
1130	**Conflict of Interest**	**L**
1210	Board – Director Relationship	BP
1220	Employment of the Director	BP
1230	Responsibilities of the Director	BP
1230.01	Development of Administrative Guidelines	BP
1240	Evaluation of the Educational Service Provider	BP
1241	Termination of the Director	BP
1260	Incapacity of the Director	BP
1400	Job Descriptions	
1420	Academy Administrator and Director Evaluation	BP
1421	**Criminal History Record Check**	**L**
1422	**Nondiscrimination and Equal Employment Opportunity**	**L**
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
1439	**Administrator Discipline**	**L**
1460	Physical Examination	BP
1461	Unrequested Leaves of Absence/Fitness for Duty	BP
1619.03	**Patient Protection and Affordable Care Act**	**L**
1623	**Section 504/ADA Prohibition Against Disability Discrimination in Employment**	**L**
1630.01	**Family & Medical Leaves of Absences (FMLA)**	**L**
1662	**Anti-Harassment**	**L**

Revised 12/15/05; 2/21/07; 3/24/11; 4/19/12; 2/21/13; 4/24/14; 11/24/14; 6/22/15; 1/25/16; 9/26/16; 3/20/17; 1/22/18; 9/24/18; 2/25/19

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ASSESSMENT OF SCHOOL GOALS

One of the major functions of the Board of Directors is to work with the administration to establish the goals by which the School can accomplish its mission and to provide the resources necessary for their accomplishment. Because of the importance the Board places on accomplishing goals, it has established the following policy for effective assessment of the School's progress toward their realization.

In conjunction with its annual evaluation of the Director, the Board shall also provide the time for both the Board and the administration to assess the progress of the School, during the previous year, toward the achievement of current goals. Both the Director's evaluation and the progress-assessment of goals shall take place at a time of the year when the following conditions are most favorable to assure this policy operates as intended.

[1110.1] Adequate and reliable data on results-to-date of each School goal is available so assessment and evaluation can focus on how well the School is accomplishing its goals.

[1110.2] Evaluations or progress assessments of the School's learning programs as well as evaluations of key administrators and other staff have been completed so such data is available for reference by the Director and Board during the assessment of School goals and the evaluation of the Director.

[1110.3] The Board uses this assessment/evaluation time period to assess the effectiveness of the Board as well as each Board member.

[1110.4] Summaries and synthesized data, compiled from the evaluation of the Director, the Board's self-assessment, and the evaluation data on programs and staff, is available to serve as reference information when determining the reasons for progress and/or lack of progress toward accomplishment of School goals.

This annual process of assessing/evaluating the Board, the Director, staff, programs, and resources shall not be considered finished until:

[1110.5] School goals and the strategies and actions being used to accomplish them have been reviewed and reprioritized;

[1110.6] revisions have been made in light of what all of the evaluation data for that year has indicated

[1110.7] The Board develops and implements a plan to improve its own performance as the body charged with the responsibility for the governing of the School.

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CONFLICT OF INTEREST

Reference: 2 CFR 200.318

All staff members, officers, and agents of the Academy, whether employed by the Board or an Educational Service Provider, shall perform their official duties in a manner free from conflict of interest. To this end the maintenance of high standards of honesty, integrity, impartiality, and professional conduct by staff is essential to ensure the proper performance of Academy business and to maintain public confidence in the Academy.

To achieve this, the Board of Directors has adopted the following procedures to assure that conflicts of interest do not occur. These procedures apply to all Academy personnel, including Board members, staff, whether employed by the Board or an Educational Service Provider, officers, and agents of the Academy. These procedures are not intended to be all-inclusive, and are not meant to substitute for the good judgment of all personnel.

A. No Academy personnel shall engage in or have a financial interest, either directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the Academy. When the existence of a personal interest is suspected, he/she should disclose his/her interest.

B. No Academy personnel shall use his/her position to benefit either himself/herself or any other individual or agency apart from the total interest of the Academy.

C. If the financial interest pertains to a proposed contract involving Federal grants and awards, the following requirements must be met:

    1. Academy personnel may not participate in the selection, award, or administration of a contract supported by the Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the Academy personnel, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

    2. No Academy personnel may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

D. Academy personnel shall not engage in business, the private practice of their profession, rendering services, or selling goods of any type that take advantage of any current or past professional relationship with any student, client, or parents in the course of their employment or professional relationship with the Academy.

    Included, by way of illustration rather than limitation are the following:

    1. providing any private lessons or services for a fee;

    2. using, selling, or improperly divulging any privileged information about a student or client, which was gained in the course of the Academy personnel's employment or professional relationship through his/her access to Academy records;

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3. referring any student or client for lessons or services to any private business or professional practitioner, if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals;

4. requiring students or clients to purchase any private goods or services provided by an Academy personnel or any business or professional practitioner with whom any Academy personnel has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations

E. Academy personnel shall not make use of materials, equipment, or facilities of the Academy in private practice. Examples include the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

F. Academy personnel must disclose any potential conflict of interest which may lead to a violation of this policy to the Board. Upon discovery of any potential conflict of interest, the Board will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The Board will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

Should exceptions to this policy be necessary in order to provide services to students or clients of the Academy, all such exceptions will be made known to the employee's supervisor and will be disclosed to the Board before entering into any private relationship.

Violation of this policy shall result in discipline, which may include termination from employment.

Adopted 12/15/05
Revised 1/25/16; 9/26/16

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BOARD - DIRECTOR RELATIONSHIP

The Board of Directors believes that, in general, it is the primary duty of the Board to establish policies and that of the Director to administer such policies. Policy should not be originated or changed without the recommendation of the Director. The Director should be given the latitude to determine the best method of implementing the policies of the Board.

The Director, as the chief administrative officer of the School, is the primary professional advisor to the Board. S/He is responsible for the development, supervision, and operation of the school program and facilities. His/Her methods should be made known to the staff through the administrative guidelines of the School. The Board shall retain oversight supervision of such administrative guidelines.

The Director and/or those staff members selected by the Director shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

The Board is responsible for determining the success of the Director in meeting the goals established by the Board through annual evaluations of the Director's performance. The Board, in formulating its position with regard to the performance of the Director, shall rely, whenever possible, on the objective outcomes of its evaluations rather than on subjective opinions.

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EMPLOYMENT OF THE DIRECTOR

Reference: MCL 380.1229, 380.1246

The Board of Directors vests the primary responsibility for administration of this School in the Director. The Board's appointment of that officer is, therefore, one of the most important functions the Board can perform.

Whenever the position of Director shall be vacant, the Board shall appoint (after consulting with the instructional staff) a Director as chief executive officer and fix his/her salary and term of office.

[1220.1] No person may be employed as Director of this School unless s/he has the proper qualifications and has signed an employment contract with the Board of Directors.

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RESPONSIBILITIES OF THE DIRECTOR

The Director shall strive to achieve School goals by providing educational direction and supervision to the professional staff and supervision to the support staff and by acting as a proper model for staff and students both in and outside the School.

Duties and Responsibilities

The Director shall be directly responsible to the Board of Directors for the performance of the following assigned duties and responsibilities:

[1230.1] ensure that all aspects of School operation comply with State laws and regulations as well as Board contracts and policies

[1230.2] establish and maintain any written educational plan that may be required by law and consistent with the educational goals adopted by the Board

[1230.3] ensure proper implementation of the current School-wide instructional plan

[1230.4] strive to increase the efficient use of School resources in the daily operations of the School

[1230.5] evaluate the progress of the professional and support staff toward the attainment of educational goals

[1230.6] interpret the results of instructional program development as it applies to the Board's educational goals

[1230.7] recommend changes in instructional or staffing patterns based on an analysis of staff and program progress

[1230.8] work with staff to assure that the decision-making process includes participation of the school's staff, parents, students and others associated with the School

[1230.9] work cooperatively with parents and community groups concerned with programs in the School

[1230.10] develop personal capabilities in personnel strategies and facility management

[1230.11] work cooperatively with the Board and administrative staff (see attached Job Description)

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DEVELOPMENT OF ADMINISTRATIVE GUIDELINES

The Director and staff, with the Board of Directors, will design the guidelines. The Director will implement the guidelines, define required actions, and detail arrangements under which the School will operate. These administrative guidelines shall not be inconsistent with the policies adopted by the Board.

The Board itself will formulate and adopt administrative guidelines and rules only when required by law, and when the Director recommends Board adoption.

The Director may issue, upon adoption by the Board, administrative and student handbooks as s/he may consider necessary for the effective administration of the school and distribute them to employees and students and/or their parents.

As long as the provisions of these administrative guidelines and handbooks are not inconsistent with Board policies, or with Federal/State law, they will be considered to be an extension of the policy manual and binding upon all employees and students.

[1230.12] A copy of the School's administrative guidelines manual and a copy of each handbook shall be made a part of the Board's reference materials maintained in the School office.

The Director shall maintain a current organizational chart to which immediate reference can be made by the Board or any employee of the Board.

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EVALUATION OF THE EDUCATIONAL SERVICE PROVIDER

The Board of Directors believes it is essential to evaluate the Educational Service Provider's performance periodically to assist both the Board and the Educational Service Provider to properly discharge their responsibilities and to enable the Board to provide the Academy with the best possible leadership. To carry out this responsibility, the Board will evaluate the Educational Service Provider according to the contract between the Board and the Educational Service Provider and a mutually agreed-upon tool.

Revised 6/22/15

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TERMINATION OF THE DIRECTOR

The Board of Directors may terminate a Director agreement during its term in accordance with the terms of that agreement.

Adopted: 12/15/05

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INCAPACITY OF THE DIRECTOR

In the event that the Director is incapacitated in such a manner that s/he is unable to perform the duties of his/her office, it is the duty of the instructional staff to recommend to the Board of Directors a ‘pro tempore’. This recommendation must be approved by a majority vote of the Board of Directors.

The Board shall fix the compensation of the Director 'pro tempore' who shall serve until the Director's incapacity is removed or until the expiration of the Director's contract or term of office, whichever is sooner. He/she shall perform all functions and duties of the Director.

The Board will exercise its authority under law to determine the incapacity of the Director.

The Director may request a hearing before the Board on any action taken under this policy.

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JOB DESCRIPTIONS

The Board of Directors authorizes the Director with the Personnel Committee to maintain job descriptions which shall be brief, factual, and, wherever possible, generically descriptive of similar jobs. The Board shall adopt all job descriptions.

The job description for the Director shall include the Responsibilities of the Director as defined in Policy #1230.

All other job descriptions shall be defined as administrative guidelines of the Director and each shall contain the following provision:

"The employee shall remain free of any alcohol or non-prescribed controlled substance abuse use in the workplace throughout his/her employment in the School."

[1400.1] Revisions to job descriptions shall be reviewed with the employees affected prior to their use.

[1400.2] Each employee will be provided with a copy of his/her job description at the time of
employment and any revisions thereto.

[1400.3] Employees will be evaluated, at least in part, against their job descriptions.

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ACADEMY ADMINISTRATOR AND DIRECTOR EVALUATION

Reference: MCL 380.1249; 380.1249b

The Board of Directors is responsible for the employment and discharge of all personnel. To carry out this responsibility, it shall establish and implement a rigorous, transparent, and fair performance evaluation system that does all of the following:

A. Evaluates the Director and all other academy administrator's job performances at least annually in a year-end evaluation, while providing timely and constructive feedback.

   The Board shall perform the academy administrators' evaluations. The Board shall perform the Director's evaluation. A Director or academy administrator rated highly effective on three (3) consecutive year-evaluations may be evaluated every other year at the Board's discretion.

B. Establishes clear approaches to measuring student growth and assessment data and provides the Director or academy administrators with relevant data on student growth.

C. Evaluates a Director or academy administrator's job performance as highly effective, effective, minimally effective or ineffective, using multiple rating categories that take into account student growth and assessment data. For the 2016-2017 and 2017-2018 school years twenty-five (25) percent of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018-2019 school year, forty (40) percent of the annual year-end evaluation shall be based on student growth and assessment data.

D. Uses the evaluations, at a minimum, to inform decisions regarding all of the following:

   1. The effectiveness of the Director or academy administrators, so that they are given ample opportunities for improvement;

   2. Promotion, retention, and development of the Director or academy administrators, including providing relevant coaching, instruction support, or professional development.

   3. Removing ineffective Directors or academy administrators after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

E. The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following:

   1. The Director or academy administrator's training and proficiency in conducting teacher performance evaluations if s/he does so or his/her designee's proficiency and training if the administrator designates such duties.

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2. The progress made by the academy in meeting the goals established in the academy improvement plan.

3. Student attendance.

4. Student, parent and teacher feedback and other information considered pertinent by the Board.

F. For the purposes of conducting annual year-end evaluations under the performance evaluation system, by the beginning of the 2016-2017 school year, the Board shall adopt and implement one (1) or more of the evaluation tools for teachers, or administrators, if available, that are included on the list established and maintained by the Michigan Department of Education. However, if the Board has one (1) or more local evaluation tools for administrators or modifications of an evaluation tool on the list, and the academy complies with G., below, the academy may conduct annual year-end evaluations for Directors or academy administrators using one (1) or more local evaluation tools or modifications. The evaluation tools shall be used consistently among the schools operated by the Academy so that all similarly situated academy administrators are evaluated using the same measures.

G. Beginning with the 2016-2017 school year, the Board shall post on its public website all of the following information about the measures it uses for its performance evaluation system for school administrators:

1. The research base for the evaluation framework, instrument, and process or, if the Board adapts or modifies an evaluation tool from the MDOE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.

2. The identity and qualifications of the author or authors or, if the Board adapts or modifies an evaluation tool from the MDOE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.

3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the Board adapts or modifies an evaluation tool from the MDOE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.

4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.

5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.

6. A description of the plan for providing evaluators and observers with training.

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H. Beginning with the 2016-2017 school year:

1. The Board shall provide training to school administrators on the measures used by the Academy in its performance evaluation system and on how each of the measures is used. This training may be provided by the Board or by a consortium consisting of 2 or more public school academies.

2. The Board shall ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the Board, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The Board may provide the training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

The evaluation system shall ensure that if the Director or academy administrator is rated as minimally effective or ineffective, the person(s) conducting the evaluation shall develop and require the Director or academy administrator to implement an improvement plan to correct the deficiencies. The improvement plan shall recommend professional development opportunities and other measures designed to improve the rating of the Director or academy administrator on his/her next annual year-end evaluation. A Director or academy administrator rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment with the academy.

The evaluation program shall aim at the early identification of specific areas in which the individual administrator needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to an administrator shall not release that professional staff member from the responsibility to improve. If a Director or academy administrator, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal procedures may be invoked.

In such an instance, all relevant evaluation documents may be used in the proceedings.

Adopted 3/24/11
Revised 4/19/12; 11/24/14; 6/22/15; 3/20/17

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CRIMINAL HISTORY RECORD CHECK

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

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

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

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

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

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the Director 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.

[1] Individuals who submit and receive such criminal history record checks on behalf of the Academy must be direct employees of the Academy 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.

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Individuals working in multiple Academies or districts may authorize the release of a prior criminal history records check with another Academy or district in lieu of an additional check for either direct employment or working regularly and consistently under contract in the schools.

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the Academy in lieu of submitting to a new criminal background check. If this method is used, the Director 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 CHRI received from the State Police or produced by the State Police and received by the Academy from another proper source, will be maintained pursuant to Policy 8321.

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

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

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

The Director 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 Director shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must submit, at no expense to the Academy, a set of fingerprints, prepared by an entity approved by the Michigan State Police, as part of his/her employment application 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 CHRI by the Director or the Board. Violation of confidentiality is considered a misdemeanor punishable by a fine up to $10,000.

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Any notification received from the Michigan Department of Education or Michigan State Police regarding Academy employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days until the accuracy of the information can be verified. Thereafter, only information about felony convictions or misdemeanor convictions involving physical or sexual abuse may be disclosed in reference to a FOIA request.

CHRI may be released with the written authorization of the individual.

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

Adopted 1/22/18
Revised 9/24/18

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NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

Reference: M.C.L. 37.2101 et seq., 37.1101 et seq.
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendment Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended
29 C.F.R. Part 1635

It is the expectation of the Board of Directors that the Educational Service Provider will prohibit discrimination on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, in its programs and activities, including employment opportunities.

Academy Compliance Officers

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

Access Point Human Resources/Board President
225 9th Street
Manistee, MI 49660
(231) 723-4981

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

The COs are responsible for coordinating the Academy's efforts to comply with applicable Federal and State laws and regulations, including the Academy's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the Academy's collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other Academy official so that the Board may address the conduct. Any administrator, supervisor, or other Academy official or official who receives such a complaint shall file it with the CO within two (2) school days.

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Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the Academy community or a visitor to the Academy, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Director or oversee the preparation of such recommendations by a designee. All members of the Academy community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

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

Investigation and Complaint Procedure (See Form 1422 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual’s claims and a process for rendering a decision regarding whether the charges are substantiated.

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

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission (“EEOC”).

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop quickly inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure

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is provided as a less formal option for an employee who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Employees who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a Academy employee or any other adult member of the Academy community against a student will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: (1) to a building administrator; (2) directly to one of the COs; and/or (3) to the Director or other Academy official.

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

The Academy's informal complaint procedure is designed to provide employees who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

A. Advising the individual about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.

B. Distributing a copy of Policy 1422—Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works.

C. If both parties agree, the CO may arrange and facilitate a meeting between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints

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within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a principal, the CO, Director, or other Academy official. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a principal, Director, or other Academy official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the Director.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 1422 - Non-Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

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

A. Interviews with the Complainant;

B. Interviews with the Respondent;

C. Interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

D. Consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

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

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

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

If the Director determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

The decision of the Director shall be final.

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

The Complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the

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Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The Academy will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

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

Sanctions and Monitoring

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

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Director shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Director or designee shall provide appropriate information to all members of the Academy community related to the implementation of this policy and shall provide training for Academy students and staff where

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appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

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 Academy personnel related to the investigation and/or the Academy'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 interim measures offered and/or provided to complainants and/or the alleged perpetrators, 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;

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L. copies of the Board policy and/or procedures/guidelines used by the Academy to conduct the investigation, and any documents used by the Academy 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 and/or Employee Handbooks or Codes of Conduct);

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 Academy 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 Academy 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.

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 Academy's records retention schedule.

Adopted: 2/21/13
Revised 11/24/14; 2/25/19

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NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE

Reference: 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635

The Board of Directors prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of his/her genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Act (GINA), the Board shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, in compliance with this Act, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the Academy's application process.

The Academy recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows or the Internet. The Academy prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information, or accessing sources from which they are likely to acquire genetic information.

"Genetic information," as defined by GINA, means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

If the Academy either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment or a medical provider it shall be treated as a confidential medical record in accordance with law.

The Director shall appoint a compliance officer who shall be responsible for overseeing the Academy's compliance with Federal regulations and promptly dealing with any inquiries or complaints. S/He shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all Academy requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a

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written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

> The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II, including the Board of Directors, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Adopted 4/19/12

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ADMINISTRATOR DISCIPLINE

Whenever it becomes necessary to discipline an Administrator, the Educational Service Provider shall utilize the following principles and procedures. The Board, or its designee, shall utilize the following principles and procedures if the Director is the subject of the disciplinary action.

The Educational Service Provider shall conduct an investigation of any alleged act or omission by an Administrator that could result in disciplinary action. The Administrator shall be provided with oral or written notice of the issue or incident being investigated.

The investigation shall include, at a minimum, interviews of appropriate persons and a meeting with the subject Administrator to allow the Administrator an opportunity to respond to the complaint. Prior notice of this meeting shall be provided to the Administrator for any discipline that may result in a suspension or loss of pay.

After completion of the investigation, if discipline is to be imposed, the Administrator shall receive written notice of the discipline and this notice shall also be placed in the Administrator's file.

Discipline may include, but is not limited to:

A. written warning;

B. written reprimand;

C. suspension (paid or unpaid);

D. discharge;

E. financial penalty in accordance with Michigan law.

The Academy does not have to apply discipline in a progressive manner, but, rather, may impose discipline consistent with seriousness of the Administrator's conduct, as determined by the Academy. Additionally, nothing in this policy limits the Academy's right to take other appropriate action, such as placing an Administrator on administrative leave during the pendency of an investigation or issuing a counseling memorandum, which is considered instructional, not disciplinary.

The Educational Service Provider decision to impose any disciplinary action that is not subject to Board review is final.

Discharge, demotion or non-renewal of an Administrator may only be imposed by the Board in adherence with the requirements of the Revised School Code.

Adopted 1/22/18

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PHYSICAL EXAMINATION

Reference: 29 C.F.R. Part 1630
29 C.F.R. Part 1635
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

The Board of Directors or Director reserves the right to require any employee or candidate, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Director's guidelines and/or the terms of the negotiated, collectively-bargained agreements.

All such requests for examination shall include the following notice to the examiner:

> "The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. `Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services."

Reports of all such examinations or evaluations shall be delivered to the Director, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act, as amended ("ADA") and the Genetic Information Nondiscrimination Act (GINA).

In the event of a report of a condition that could influence job performance, the Director shall base a non-employment recommendation to the Board upon a conference with a physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

Adopted 4/19/12

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UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

Reference: Americans with Disabilities Act of 1990, as amended
42 U.S.C. 12101 et seq.
29 C.F.R. Part 1630
29 C.F.R. Part 1635

It is the policy of the Board of Directors to protect students and employees from professional staff members who are unable to perform essential job functions with or without accommodation.

The Board may place a professional staff member on unrequested leave of absence when the staff member is unable to perform assigned duties in conformance with statute and the negotiated, collectively-bargained agreement with or without accommodation.

If the Director believes the staff member is unable to perform essential job functions, the professional staff member will be offered the opportunity for a meeting to discuss these issues.

If a professional staff member refuses to attend the meeting, the Board may order the professional staff member to submit to an appropriate examination by a physician designated and compensated by the Board.

All such requests for examination shall include the following notice to the examiner:

> "The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, do not provide any genetic information when responding to this request for medical information. `Genetic information' as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

If, as a result of such examination, the professional staff member is found to be unable to perform assigned duties with or without accommodation, the professional staff member may be placed on leave of absence for a reasonable time to heal or until the staff member is able to perform the essential job function, but only for a period not to exceed one (1) year.

Should a professional staff member refuse to submit to the examination requested by the Board and the professional staff member has exercised his/her rights under the provisions hereinabove set forth, such refusal shall subject the professional staff member to disciplinary action.

Adopted 4/19/12

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PATIENT PROTECTION AND AFFORDABLE CARE ACT

Reference: 29 U.S.C. 218B
26 U.S.C. 4980H

The Board of Directors acknowledges that the Patient Protection and Affordable Care Act ("ACA") imposes certain obligations upon the Academy. Such obligations may include the following:

A. The Academy shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee's employment start date. Sample form notices are available from the U.S. Department of Labor at:

http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html

B. Employees of the Academy have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the Academy enrolls in the Health Insurance Marketplace and receives a subsidy, then the Academy may be liable for a penalty.

In event that the Academy concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the Academy shall incur the potential penalty.

Adopted 3/20/17

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SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

Reference: 29 C.F.R. Part 1630
29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended,
34 C.F.R. Part 104
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

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

Adopted 4/19/12
Revised 11/24/14

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FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")

Reference: 29 U.S.C. 2601 et seq.
29 C.F.R. Part 825
P.L. 110-181, Sec. 585 – National Defense Authorization Act (January 28, 2008)
P.L. 111-84, Sec. 565 – National Defense Authorization Act (October 28, 2009)

In accordance with Federal law, the Board of Directors shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible employees for the following reasons:

A-1. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth

B-1. the placement of a child with the employee by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival

C-1. the employee is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or

D-1. the employee's own serious health condition prevents him/her from performing the functions of his/her position

Employee Entitlement to Service Member FMLA

Leave Entitlement

Service member FMLA provides eligible employees unpaid leave for one, or for a combination, of the following reasons:

A-2. A "qualifying exigency" arising out of a covered family member's (spouse, son, daughter, or parent) covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves. Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (maximum fifteen (15) calendar days); 7) post-deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. (See AG 1630.01C). Covered active duty means deployment with the Armed Forces to a foreign country.

B-2. To care for a covered family member, including next of kin as provided in the statute, who has incurred an injury or illness or aggravation of a pre-existing illness or injury while in the line of duty while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating. Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves,

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provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers.

Duration of Service Member FMLA

A. When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period. Such leave shall be counted with regular FMLA leave time in calculating the twelve (12) weeks of allowable leave.

B. When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a onetime benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.

C. Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.

General FMLA Provisions

Employees are "eligible" if they have worked for the Board for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. Service time may be aggregated when the break in service is less than seven (7) years for military obligation or subject to recall under a collective bargaining agreement. All full-time employees are deemed to meet the 1,250 hour requirement. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining and employee's eligibility for FMLA leave.

Twelve (12) month period for determining hours worked and use of leave is defined as a fixed twelve (12) month period (i.e. the “leave year” is identical for all staff employees – e.g., a fiscal year or calendar year).

For Service Member FMLA leave, the use of the twenty-six (26) weeks of leave will be measured forward from the first date on which the employee takes leave.

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Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

A. inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or

B. continuing treatment by a healthcare provider, including:

1. a period of incapacity of more than three (3) consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either in person treatment two (2) or more times by a healthcare provider within thirty (30) days of the first date of incapacity absent extenuating circumstances beyond the employee's control, or in person treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;

   The first visit to the healthcare provider must occur within seven (7) days of the first date of incapacity.

2. any incapacity due to pregnancy or for prenatal care;

   An expectant mother is entitled to FMLA leave for incapacity due to pregnancy even if she does not receive treatment from a healthcare provider during the absence, and even if the absence does not last for more than three (3) consecutive, full calendar days.

3. any period of incapacity or treatment for such incapacity due to a chronic serious health condition;

4. a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;

5. any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis);

C. conditions for which cosmetic treatment are administered are not “serious health conditions” unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the employee shall provide the Director with thirty (30) days notice. If there is insufficient time to provide such notice because of unforeseeable events, the employee shall provide such notice as soon as possible and practical, generally

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not later than the next business day after the employee realizes the need for leave. Failure to follow the leave notice requirements may result in delay of obtaining the leave. Employees will still be required to comply with the absence reporting procedures at their buildings.

When planning medical treatment, the employee must consult with the Director and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of the Academy, subject to the approval of the healthcare provider.

The Board shall require the employee to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child, or qualifying exigency for a Service Member Family Leave (see A-1, B-1, and A-2 on page one).

The Board shall require the employee to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave (per the applicable collective bargaining agreement) for unpaid FMLA leave provided for the employee's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one and B-2 on page two).

If the employee has not earned or accrued adequate paid leave to encompass the entire twelve (12) or twenty-six (26) week period of FMLA leave, any additional weeks of leave to which the employee is entitled to shall be unpaid. Whenever an employee uses paid leave for a qualifying leave under this policy, such leave will count towards the maximum allowable leave, the paid leave, and FMLA/Service Member Family leave to which the employee is entitled and will run concurrently.

The Director may allow an employee to take FMLA leave intermittently or on a reduced schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). An employee may take an intermittent or reduced schedule FMLA leave when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

If the intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the Director may require the employee to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties.

Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

B. transfer temporarily to an available alternative position offered by the Director for which the instructional employee is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the employee's regular position.

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The Director will notify the employee when the Academy intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the Directo does not have sufficient information about the reason for an employee's use of paid leave, the Director may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Director learns that a paid leave is for an FMLA leave-qualifying reason, the Director will promptly notify the employee that the paid leave will count toward the employee's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child, or twenty-six (26) weeks of FMLA leave for Service Member Leave.

When FMLA leave is taken for the employee's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one), the employee must provide medical certification from the healthcare provider of the eligible employee or his/her immediate family member). When the employee requests qualifying Service Member Leave, s/he must provide certification of a qualifying exigency or of the service member's serious illness. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed.

The employee may either:

A. submit the completed medical certification to the Director; or

B. direct the healthcare provider to transfer the completed medical certification directly to the Director, which will generally require the employee to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the employee fails to provide medical certification, any leave taken by the employee will not qualify for FMLA Leave/Service Member Family Leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days notice has been provided, the employee must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Director within fifteen (15) calendar days after the employee requests FMLA leave unless it is not practicable under the circumstances to do so despite the employee's diligent and good faith efforts.

Any dispute over eligibility for FMLA leave shall be discussed between the employee and Director. The Academy shall be responsible for maintaining a record of those communications.

The Director reserves the right to obtain, at its expense, the opinion of a second healthcare provider and, in the event of conflict, the opinion of a third healthcare provider whose decision shall be binding and final. The employee may either:

A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the Director; or

B. direct the second or third healthcare provider to transfer his/her opinion

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directly to the Director, which will generally require the employee to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the employee fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

An employee who takes leave for his/her own serious health condition, must provide the Director with a statement from his/her healthcare provider that s/he is able to resume work.

Upon return from any FMLA leave, the Board will restore the employee to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the employee's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the employee had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the employee must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Director to minimize disruption to the students' program.

The employee shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

If the employee fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of a serious health condition of the employee or of the employee's immediate family member, or for circumstances beyond the control of the employee, the employee shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

A employee who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The Director shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

In any areas where discretion is allowed in the implementation of this policy or its guidelines for implementation, such discretion shall be exercised in a non-discriminatory manner. Similarly situated persons shall be treated similarly.

The Director shall provide a copy of the policy to all employee, and retain a record of how and when the policy was distributed. A notice of Rights and Obligations shall also be provided each time an employee requests FMLA leave or the Academy has sufficient information to believe that the employee may qualify for FMLA leave.

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The approval, denial and administration of leave under this policy will be governed by the Family Medical Leave Act of 1993, as amended, and its published regulations, as applied and interpreted by the Director.

Adopted 4/24/14
Revised 1/25/16

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ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amendedThe Handicappers' Civil Rights Act, M.C.L.A. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L.A. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

General Policy Statement

It is the policy of the Board of Directors to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all Academy operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on Academy property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the Academy community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "Academy community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint

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alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

A. teasing;

B. threats;

C. intimidation;

D. stalking;

E. cyberstalking;

F. cyberbullying;

G. physical violence;

H. theft;

I. sexual, religious, or racial harassment;

J. public humiliation; or

K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or Academy employee that:

A. places a student or Academy employee in reasonable fear of harm to his/her person or damage to his/her property;

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B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or

C. has the effect of substantially disrupting the orderly operation of the Academy.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.

B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

B. Unwanted physical and/or sexual contact.

C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.

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F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

J. Inappropriate boundary invasions by an Academy employee or other adult member of the Academy community into a student's personal space and personal life.

K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational

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performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

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

Members of the Academy community or third parties who believe they have been unlawfully harassed by another member of the Academy community or a third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Director 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 Director will report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Director shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Director informed of the status of the 1662 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the Academy. They are hereinafter referred to as the "Compliance Officers".

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Director/Lead Teacher
225 9th Street
Manistee, MI 49660
(231) 723-4981

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks, as well as on the Academy's web site.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the Academy community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the Academy community or a visitor to the Academy, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the Academy community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Director or will oversee the preparation of such recommendations by a designee. All members of the Academy community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure (See Form 1662 F1)

Any employee or other member of the Academy community or third party (e.g., visitor to the Academy) who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

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The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the Academy community, or third party who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Employees, other members of the Academy community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving an Academy employee, any other adult member of the Academy community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to one of the Compliance Officers; and/or (3) to the Director.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The Academy's informal complaint procedure is designed to provide employees, other members of the Academy community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

A. Advising the individual about how to communicate the unwelcome nature of

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the behavior to the alleged harasser.

B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.

C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes she/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Director, or other Academy employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Director, or other Academy employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or

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schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Director.

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.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant Administrative Guidelines, including the Board's Anti-Harassment Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

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

A. interviews with the Complainant;

B. interviews with the Respondent;

C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Director that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

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

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

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A Complainant or Respondent who is dissatisfied with the final decision of the Director may appeal through a signed written statement to the Educational Service Provider within five (5) business days of his/her receipt of the date of the Director's final decision.

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

The Educational Service Provider's reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the Academy community or third party alleging the unlawful harassment/retaliation pursues the complaint. The Educational Service Provider's also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The Academy will employ all reasonable efforts to protect the rights of the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the Academy community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

Sanctions and Monitoring

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

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

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Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any Academy teacher or Academy employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the Academy 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 Director.

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 Director or designee shall provide appropriate information to all members of the Academy community related to the implementation of this policy shall provide training for Academy students and staff where appropriate.

All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

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 Academy personnel related to the investigation and/or the Academy’s response to the alleged violation of this policy;

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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 interim measures offered and/or provided to complainants and/or the alleged perpetrators, 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 Academy to conduct the investigation, and any documents used by the Academy 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 and/or Employee Handbooks or Codes of Conduct);

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 Academy 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 Academy 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.

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.

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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 Academy's records retention schedule.

Adopted 4/24/14
Revised 2/25/19

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2000 **PROGRAM**

2105	Mission of the School	BP
2110	Statement of Philosophy	BP
2111	Value Statements for Students and Staff	
2112	**Parent and Family Engagement**	**L****
2120	School Improvement	
2131	Educational Outcomes for Students	
2132	Educational Process Goals	
2210	**Curriculum Development**	**L**
2220	Adoption of Courses of Study	BP
2221	Mandatory Courses	BP
2231	Curriculum	BP
2240	Controversial Issues	BP
2250	Innovative Programs	BP
2260	**Nondiscrimination and Access to Equal Educational Opportunity**	**L**
2260.01	**Section 504/ADA Prohibition Against Discrimination Based on Disability**	**L**
2261	**Title I Services**	**L****
2261.01	**Parent and Family Member Participation in the Title I Programs**	**L****
2261.03	**Academy and School Report Card**	**L**
2270	Religion in the Curriculum	BP
2271	**Post-Secondary (Dual) Enrollment Options**	**L**
2370	Educational Options	BP
2370.01	**Online/Blended Learning Program**	**L**
2410	**Prohibition of Referral or Assistance**	**L**
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	BP
2413	Critical Health Problems	BP
2414	Reproductive Health and Family Planning	BP
2418	**Sex Education**	**L**
2430	Academy-Sponsored Clubs and Activities	BP
2431	**Interscholastic Athletics**	**L**
2461	Recording of Academy Meetings Involving Students and/or Parents	BP
2623	**Student Assessment**	**L**
2628	State Aid Incentives	BP
2700	**P.A. 25 Annual Report**	**L****

**Legally required for schools receiving funding under ESEA.

Revised 10/19/06; 2/21/07; 10/18/07; 4/17/08; 1/22/09; 9/17/09; 8/5/10; 3/24/11; 4/19/12; 2/21/13; 11/24/14; 6/22/15; 9/26/16; 3/20/17; 10/23/17; 1/22/18; 2/25/19; 5/20/19

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MISSION OF THE SCHOOL

CASMAN ALTERNATIVE ACADEMY WILL PROVIDE INNOVATIVE AND

RESPONSIBLE EDUCATION FOR OUR STUDENTS BASED UPON THEIR

NEEDS

AND CIRCUMSTANCES.

Explanation of Key Words and Phrases

The following explanations are provided in order to facilitate a common understanding of the Mission Statement:

. . . innovative and responsible education

The program will encompass those classroom, co-curricular, and extra-curricular activities specially designed for students whose needs are met through:

Vocational and/or academic education by use of core curriculum, the Community As School program, Ventures Educational System, Academic Service Learning and Career Pathways

Innovative: to introduce something new, be creative

Responsible: Legally and ethically accountable for the welfare or care of others; capable of being trusted or depended upon

. . . students

Students are those who are enrolled in a regular program offered by the School.

. . . based upon their needs and circumstances

Such needs consist of the education that each person must have to function as a responsible, productive member of society and to make it possible for the person to realize personal goals.

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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 him or 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. If our society, as originally conceived, is to survive and function effectively, its young people need to 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 of alternatives that are and continue to be available to them.

The enculturation process in our society focuses on preparing the young to meet certain expectations and to avail themselves of opportunities to attain personal goals within that society. The School's program should reflect the formal aspect of the enculturation process, and, therefore, needs to focus on both the areas of societal expectations and personal opportunity available in our society.

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.

Today there is ample evidence that many students are not learning how to make effective, rational, responsible, or ethical choices or decisions in regard to how they treat their minds and bodies, how they plan their futures, how they cope with frustration, or how they solve personal, social, and economic problems.

The Board and staff believe 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 processes to achieving the other educational goals associated with the School's mission.

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BELIEF STATEMENTS FOR STUDENTS AND STAFF

The Board adopts the following belief statements as guides to support the purpose for our existence and strongly encourages all members of the staff to do likewise, as a means of setting an example for School students.

Statement of Beliefs for Board Members and Educators

A. All students can learn if their basic needs are met

B. CASMAN has a responsibility to its students in getting their basic needs met.

C. Nurturance, discipline, and high expectations are necessary components in a positive learning environment.

D. Life experiences, good or bad, can become positive learning opportunities.

E. Learning can only take place when student and staff feel safe.

F. Preparing youth for adulthood consists of teaching the values of promptness, hard work, respect for others, and community service as well as academic achievement.

G. Different learning styles should be celebrated.

H. Students are part of diverse family systems and appropriate parental partnerships can facilitate learning.

I. Respect by students for themselves, their peers, staff, and the physical facility is essential to the education process.

J. Students should leave CASMAN with a positive dream for the future and the tools to get there.

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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 Academy 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 Academy. 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. <u>Relationships with Families</u>

1. cultivating school environments that are welcoming, supportive, and student-centered;

2. providing professional development for school staff that helps build partnerships between families and schools; [1,2]

3. providing family activities that relate to various cultures, languages, practices, and customs, and bridge economic and cultural barriers; [1,2]

4. providing coordination, technical support and other support to assist schools in planning and implementing family engagement activities. [2]

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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]

2. supporting other needs, such as transportation and child care, to enable families to participate in school-sponsored family engagement events. [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. 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 Academy-wide parent and family engagement policy and plan, and distributing the policy and plan to families. [1,2]

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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 Academy initiatives and community-based programs that encourage and support families' participation in their children's education, growth, and development. [1,2]

Implementation

The Director will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the Academy's continuous improvement, and individual school improvement plans. The Academy'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 Academy plan. This policy will be updated periodically to meet the changing needs of parents, families, and the schools.

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

Adopted 09/15/05
Revised 4/17/08; 3/24/11; 2/25/19

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SCHOOL IMPROVEMENT

Reference: MCL 380.1204(a), 380.1277

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 an effective School as defined by State Guidelines.

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

The Director 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 both building level and School level goals for students can be identified and correlated, and then achieved through effective planning, problem-solving, and assessment. The team is to include professional and support staff, students, parents, and representatives of the community.

B. A School-wide, School-improvement plan which provides for building-level decision-making. The School's 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 matters as determined by the Director.

C. Periodic review and approval by the Director and the Board of the School's modification and improvement of its program based on the School's assessment of student accomplishment of performance objectives and program goals.

D. Collaboration at both the building and School levels with parents, relevant institutions and groups, especially those in the community, who can support and facilitate School improvement in the School.

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

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

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EDUCATIONAL OUTCOMES FOR STUDENTS

Reference: ©1992, NEOLA, Inc. and The Institute for Curriculum and Instruction

Since the mission of the Academy 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.

During and upon completion of the educational program of the Academy, an educated student should achieve the following learning outcomes at desired levels of quality.

Communication Skills

The student demonstrates that s/he:

A. is independently efficient in solving life problems which require the use of both oral and written language;

B. can logically examine and subsequently use information from various appropriate resources;

C. understands and responds appropriately to the communication of others and to their feelings and attitudes;

D. is capable of selecting, adopting, and using the most appropriate language forms to achieve his/her communication purpose.

General Education

The student demonstrates that s/he:

A. has sufficient fundamental knowledge and skills in traditional subjects (i.e. math, English, science, social studies) to enable him/her to meet his/her responsibilities as a participating member of society;

B. can establish and pursue educational, vocational, and/or avocational goals of his/her own;

C. seeks to learn continuously using appropriate informational resources.

Pride and Ethics

The student demonstrates that s/he has pride in his/her work, based on a realistic assessment of his/her abilities and accomplishments and displays responsible, ethical, and moral behavior consistent with societal standards and reflecting a commitment to use his/her capabilities to achieve and maintain a purposeful and productive life.

Interaction and Cooperation

The student demonstrates that s/he interacts effectively with individuals, treating their ideas and ideals with thoughtfulness and respect and is willing to cooperate with others to accomplish endeavors beneficial to society.

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Citizenship

The student demonstrates that s/he understands and is committed to the ideas and ideals upon which our democratic society was founded and considers it a responsibility and a privilege to participate, in appropriate ways, in democratic processes at local, state, and national levels.

Arts and Culture

The student demonstrates that s/he appreciates and supports artistic endeavors and natural beauty and is cultivating his/her own creative self-expression and talents in one or more art forms.

Social Change

The student demonstrates that s/he understands the nature of societal change and adjusts to change by evaluating current social conditions and events; assessing alternative courses of action in terms of feasibility and potential consequences; selecting or recommending those actions which permit him/her and others to function appropriately in society.

Health

The student demonstrates that s/he understands and cares about his/her and other people's physical and mental well-being through selected involvement in personal and public programs which promote acceptable levels of health and safety.

Resource Management

The student demonstrates that s/he effectively manages money, property, and resources to meet his/her needs so as to contribute positively to meeting the economic and environmental needs of society.

Career Planning

The student demonstrates that s/he effectively uses a variety of personal and public resources to further his/her knowledge of career opportunities and is committed to developing the knowledge, attitudes, and skills needed to qualify for and perform effectively in his/her chosen employment.

Leisure Time

The student demonstrates that s/he uses leisure time constructively to fully realize his/her physical, intellectual, and/or creative potentials.

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

The Director is charged with the responsibility for providing, through the Academy'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.

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

Adopted 09/15/05

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EDUCATIONAL PROCESS GOALS

In order to achieve educational outcome goals, the Board of Directors will establish policies which will authorize and encourage:

A. instruction which bears a meaningful relationship to the present and future needs and/or interests of students;

B. specialized and individualized kinds of educational experiences to meet the needs of each student;

C. opportunities for professional staff members and students to make recommendations concerning the content and operation of School programs;

D. an environment in which any interaction among individual students and groups of students helps them in learning how and when competition and cooperation are appropriate and productive in accomplishing goals;

E. efficient and effective use of educational resources;

F. continued professional growth of staff members;

G. constructive cooperation with parents and community groups.

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CURRICULUM DEVELOPMENT

Reference: MCL 380.1282, **380.1166a**

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

The Academy curriculum shall enable a student across all academic and nonacademic content areas 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 the curriculum of this Academy:

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

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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 Academy'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 Academy'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, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society,

As educational leader of the Academy, the Director shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

The Director shall make progress reports to the Board periodically.

The Director 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 Academy's educational goals and alignment with Michigan Curriculum Frameworks.

The Director 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.

Unless the Board disapproves, the Director shall not initiate any new program without approval of the Board.

The Board encourages, where it is feasible and in the best interests of the Academy, participation in programs of educational research.

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

Adopted 09/15/05
Revised 5/20/19

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ADOPTION OF COURSES OF STUDY

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 Academy. In furtherance of this goal and pursuant to law, the Board shall periodically adopt courses of study.

No course of study shall be taught in this Academy unless it has been adopted by the Board. The Board shall determine which units of the instructional program constitute courses of study and are thereby subject to the adoption procedures of the Board.

The Director shall recommend to the Board such courses of study as are deemed to be in the best interests of the students. The Director'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 justification in terms of the goals of this Academy, especially when it is proposed to take the place of an existing course of study

D. the resources that its implementation will require, including instructional materials, equipment, specially-trained personnel, etc.

E. the plan for its continuous assessment which includes criteria and standards

The Director 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 Director's administrative Guidelines.

Since one of the Academy'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

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directed. The Director's Guidelines should include recommendations to staff on how to instruct students in these important work ethics and how to include this education in the grades that students receive.

The Director shall develop administrative Guidelines which provide for the development of lesson 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 Director shall ensure that the appropriate amount of instruction time is allocated to each course of study that comprises the program of the Academy. The allocation of time is to be determined by the Director 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 Academy's educational outcomes.

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

The Director shall maintain a current list of all courses of study offered by this Academy and shall provide each member of the Board with a current list of all courses of study. The list shall include the data on each furnished with the recommendation for its adoption.

Revised

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MANDATORY COURSES

Reference: MCL 380.1166, 1168, 1169, 1170

In compliance with the Michigan School Code, the Board of Directors directs the Director 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

B. the principal modes by which communicable disease are 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

D. age and grade appropriate instruction in grades 8 through 12 about genocide, including, but not limited to, the Holocaust and the Armenian Genocide.

The Director shall prepare appropriate Guidelines relative to the planning, teaching, and evaluation of these courses.

Adopted 10/23/17

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CURRICULUM

Reference : MCL 380.1204(a) 380.1278

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

Should the curriculum vary from the Michigan Curriculum Framework, the description of the curriculum is to be accompanied by an explanation of the Academy'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 Director's guidelines shall provide for an explanation of the means by which the 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 curriculum. Such guidelines should ensure that instruction in each area of the 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.

Adopted 09/15/05

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CONTROVERSIAL ISSUES

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

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/or is 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 is related to the instructional goals of the course of study and level of maturity of the students, does not tend to indoctrinate or persuade students to a particular point of view, and 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 Academy unless prior approval has been given by the Director.

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 Director.

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 files a complaint in accordance with Board policy 9130 regarding either content or activities that conflict with his/her religious beliefs or value system, the Academy will honor a written request for his/her child to be excused from particular classes 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 Director shall develop administrative Guidelines for dealing with controversial issues.

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INNOVATIVE PROGRAMS

Reference: MCL 380.1282

The Board of Directors wishes to promote the continued improvement of the instructional and curricular program of the Academy through all appropriate means. The Board will encourage members of the Academy staff and of the student body who wish to pursue a promising program for School improvement.

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 Academy's objectives and long range plans. Programs designed for disabled students must comply with Federal and State Guidelines.

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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 2000~~d~~ 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 transgender 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 will not permit discrimination of the employment practices of its Educational Service Provider as they relate to students, and will not tolerate harassment of any kind.

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

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

A. Curriculum Content

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

B. Staff Training

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

C. Student Access

review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated

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on the basis of any legally protected interest 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 District Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

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

D. Academy Support

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

E. Student Evaluation

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

Academy Compliance Officers

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

Director
225 9th Street
Manistee, MI 49660
(231) 723-4981

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

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

The COs are responsible for coordinating the Academy's efforts to comply with applicable Federal and State laws and regulations, including the Academy's duty to address in a prompt

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and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

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

In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in Academy programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the Academy will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (also see Policy 2225).

Reports and Complaints of Unlawful Discrimination and Retaliation

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

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

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

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the Academy community or a visitor to the Academy, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or

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the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Director or oversee the preparation of such recommendations by a designee. All members of the Academy community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

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

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

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

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

Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the parties (the alleged target of the discrimination and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Students who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution

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through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a Academy employee or any other adult member of the Academy community against a student will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Director or other Academy-level employee; and/or (3) directly to one of the COs.

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

The Academy's informal complaint procedure is designed to provide students who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

A. Advising the student about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.

B. Distributing a copy of Policy 2260 – Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.

C. If both parties agree, the CO may arrange and facilitate a meeting between the student claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

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Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant") may file a formal complaint, either orally or in writing, with a teacher, Principal, or other employee at the student's school, the CO, Director, or another employee who works at another school or at the Academy level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a teacher, Principal, or other employee at the student's school, Director, or other employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person alleged to have engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the Director.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent") that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Nondiscrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

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

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A. interviews with the Complainant;

B. interviews with the Respondent;

C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Director that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used.

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

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

If the Director determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

The decision of the Director shall be final.

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

The Complainant may be represented, at his/her own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

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Privacy/Confidentiality

The Academy will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

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

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 Director shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

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

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

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

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

Materials approved by the State Department of Education describing the benefits of instruction in Braille reading and writing shall be provided to each blind student's individualized planning committee. The Academy 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

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 Academy personnel related to the investigation and/or the Academy'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;

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J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, 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 Academy to conduct the investigation, and any documents used by the Academy 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 and/or Employee Handbooks or Codes of Conduct);

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 Academy 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 Academy 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.

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 Academy's records retention schedule.

Revised 2/21/07; 4/17/08; 1/22/09; 8/5/10; 3/24/11; 2/21/13; 11/24/14; 2/25/19

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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"), 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 will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the Academy.

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

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

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

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

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

A. who is of an age during which nondisabled persons are provided educational services;

B. who is of any age during which it is mandatory under Michigan law to provide educational services to disabled persons; or

C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEA).

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With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

Compliance Officer(s)

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

[NOTE: Academies may want to consider appointing both a male and a female Academy Compliance Officer in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) Academy Compliance Officers, there should always be a Compliance Officer available to investigate a claim that pertains to the other Compliance Officer.]

Director
225 9th Street
Manistee, MI 49660
(231) 723-4981

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

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

The Compliance Officer 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 will also oversee the training of employees in the Academy so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines 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 Academy's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

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

Education

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

An appropriate education, may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under the IDEA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the Academy with persons who are not disabled to the maximum extent appropriate. Generally, the Academy will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of supplementary aids and services cannot be achieved satisfactorily. If the Academy places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

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

Notice

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

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

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

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

Internal Complaint Procedures

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

Step 1 Investigation by the Compliance Officer: A student or parent may initiate an investigation by filing a written internal complaint with the Compliance Officer. The complaint should fully describe the circumstances giving rise to the dispute and how the child is adversely affected. The complaint must be filed as soon as possible, but not longer than thirty (30) calendar days after disclosure of the facts giving rise to the complaint. The Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Compliance Officer shall permit the complainant to present witnesses and other evidence in support of the complaint. The investigation shall be completed within fifteen (15) school days of the written complaint being filed. The Compliance Officer will notify the complainant in writing of his/her decision.

Step 2 If the complaint is not resolved satisfactorily at Step 1, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

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

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OCR Complaint

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

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: http://www.ed.gov/ocr

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Adopted 8/5/10
Revised 3/24/11; 4/19/12; 11/24/14; 6/22/15

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TITLE I SERVICES

Reference: 20 USC 6301 et seq.
34 C.F.R. 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 Director shall prepare and present to the State Department of Education a plan for the delivery of services that 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 Academy will periodically review and revise the plan, as necessary.

Assessment

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

Scope

The Academy shall determine if the funds will be used to upgrade the educational program of the entire Academy in Title I Academies 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 the entire Academy and/or the 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, School Leaders, paraprofessionals, specialized instructional support personnel, administrators and other appropriate academy 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 Academy 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 academy on the same basis, regardless of whether an academy receives Title I funding. The Director 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 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 Academy.

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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.

To achieve comparability of services, the Director shall assign teachers, administrators, and auxiliary personnel and provide curriculum materials and instructional supplies in such a manner as to ensure equivalence throughout the Academy.

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 public school funds;

C. foster cooperative training with institutions of higher learning and other educational organizations, including other schools;

D. include in the staff development curriculum the following strategies:

1. creating and using performance-based student assessments;

2. using technology in teaching and learning;

3. working effectively with parents;

4. understanding early childhood education;

5. meeting children's special needs by using differentiated instruction;

6. fostering gender-equitable education.

Adopted 2/25/19

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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 Director 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 Academy's expectation and objectives for meaningful parent and family engagement, and describe how the Academy will:

A. involve parents and family members in the development of the Academy'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 academy 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:

1. 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 academy personnel and teachers; and

3. strategies to support successful academy and family interactions.

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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 Academy'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 academy 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 academy 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

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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 Academy and academy personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other Directors, 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 academy.

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 Director must also assure that each Title I participating academy develops a specific written plan, with parental involvement and agreement, which includes provisions regarding the following:

A. Each Director 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 academy'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 academy parent and family engagement policy, and the joint development of the academywide program plan, if appropriate.

D. Parents of participating students must be provided with:

1. timely information about the Title I program and the academy's parent and family engagement policy;

2. a description and explanation of the curriculum in use at the academy, the forms of academic assessment used to measure student progress, and the achievement levels expected;

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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 academy must submit any parents' comments when it presents the plan to the Director.

F. As a component of the academy-level parent and family engagement policy, the Director for each academy shall coordinate the development of a academy-parent compact jointly with parents of children served under Title I which outlines how the academy staff, the parents, and the students will share responsibility for improved student academic achievement and the means by which the academy and parents will build and develop a partnership to help students achieve the State's high standards. The compact must:

1. describe the academy'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 academy'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. Academy-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 academy, parents and the community for improving student academic achievement, the Director and building principals must include provisions in the Academy 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

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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, Directors (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 academy 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 Academy's capacity for parent involvement, the Director 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 Academy 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 academy related meetings and training sessions, including transportation and child care costs;

D. train parents to enhance the involvement of other parents;

E. arrange academy 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 academy, in order to maximize parental involvement and participation;

F. adopt and implement model approaches to improving parental involvement;

G. establish an Academy parent advisory council to provide advice on all matters related to parental involvement in Title I programs;

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H. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

Adopted 2/25/19

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ACADEMY 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 Academy that receives Title I, Part A funds must prepare and publicly disseminate a report card on the performance and operations of the Academy. 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 Academy 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 Academy 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 Academy compares to State as a whole and, for each school in the Academy, how that school compares to the Academy 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.

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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. An Academy 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 Academy compares to State as a whole and, for each school in the Academy, how that school compares to the Academy 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

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J. information on educator qualifications;

K. information on per-pupil expenditures (i.e., actual personnel and actual non-personnel; for the Academy 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 Academy 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 Academy 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 Academy's annual report card information must be made publicly available through such means as posting on the Academy'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 Academy annually.

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

Adopted 4/17/08
Revised 2/25/19

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RELIGION IN THE CURRICULUM

Reference: MCL 380.1282
US Constitutional Amendment 1

The Board of Directors believes that 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 Academy 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 Academy. The Board directs that professional staff members employing 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 Academy's students, not for its conformity to religious principles. Students should receive unbiased instruction in the Academy, 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.

The Director shall prepare administrative Guidelines which ensure that students are not influenced to accept a particular religious belief or point of view.

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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 the Director's guidelines to enroll in eligible postsecondary courses while in attendance in the Academy. The Director 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 Academy'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 the awarding of 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 Academy shall either pay the bill or the prorated percentage of the State portion of the foundation allowance for that student, whichever is lower.

If charges exceed such payment, the Academy shall make an additional payment to the institution from the General Fund, (if funds are available, if the student is receiving high school credit for the course). Such an additional payment may include charges for tuition, mandatory course fees, and any late fees caused by the Academy's failure to make the required payment on time. The student and his/her parents will be responsible for the student's transportation costs, parking fees, or any activity fees. The student and his/her parents are responsible for the remaining charges.

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 Academy for such charges incurred by the Academy 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 Director is to submit annually to the Intermediate School District the following information:

A. the amount of money paid to postsecondary institutions for this program

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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 Academy's enrollment represented by eligible students both in the aggregate and by grade level

D. the total number of postsecondary courses for which the Academy 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

Adopted 12/15/05
Revised 1/22/09; 2/21/13; 2/25/19

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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 Academy.

An optional plan to meet the recognized educational needs of a student shall be approved by the Director. The Director 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 Academy's graduation requirements.

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

Adopted 1/22/09

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ON-LINE/BLENDED LEARNING PROGRAM

Reference: M.C.L. 388.1621
Michigan Department of Education Guidance on Best Practices as Defined in M.C.L. 388.1622f

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

A. Definitions

1. On-Line 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 Academy shall offer a program for students in grades 7-12.

C. Student Eligibility

1. Students eligible for the Academy on-line/blended learning program must meet at least one of the following conditions:

   a. The student has spent the prior school year in attendance at a public school in this State and was enrolled and reported by a public school district.

   b. The student is a dependent child of a member of the United States Armed Forces who was transferred within the last twelve (12) months to Michigan from another state or foreign country pursuant to the parent's permanent change of station orders.

2. Only students enrolled in grades 6 to 12 are eligible to enroll in an On-Line Learning course. Students in grades K-5 are only eligible to participate in Blended Learning Courses.

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D. Course Availability and Access

1. The Academy 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 Academy will provide at least one of the following:

    a. On-Line 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 Academy shall enroll an eligible student in up to two (2) on-line 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).

3. The Academy will provide two or fewer courses per semester in Grades K-5 and one or more courses per semester in Grades 6-12. If students are taking more than two courses per semester, the guidance found in the Pupil Accounting Manual 5-O-B shall be followed and seat time waivers obtained.

4. An eligible student may enroll in an on-line course published in the Academy on-line course syllabus, as described in section 8 below, or the statewide catalog of on-line courses maintained by the Michigan virtual university.

5. The Academy may deny a student enrollment in an on-line course if any of the following apply, as determined by the Academy:

    a. The student has previously gained the credits provided from the completion of the on-line course.

    b. The on-line course is not capable of generating academic credit.

    c. The on-line course is inconsistent with the remaining graduation requirements or career interests of the student.

    d. The student does not possess the prerequisite knowledge and skills to be successful in the on-line course or has demonstrated failure in previous on-line coursework in the same subject.

    e. The on-line course is of insufficient quality or rigor. If the Academy denies a student enrollment for this reason, the Academy shall make a reasonable effort to assist the student to find an alternative course in the same or a similar subject that is of acceptable rigor and quality.

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f. If a student is denied enrollment in an on-line course by the Academy, the student may appeal the denial by submitting a letter to the Director. The appeal must include the reason provided by the Academy for not enrolling the student and the reason why the student is claiming that the enrollment should be approved.

The Director shall respond to the appeal within five (5) days after it is received. If the Director determines that the denial of enrollment does not meet one (1) or more of the reasons specified in subsection 4(E)i.-vi., the Academy shall allow the student to enroll in the on-line course.

g. An on-line learning student shall have the same rights and access to technology in his or her Academy's facilities as all other students enrolled in that Academy.

h. If a student successfully completes an on-line course, as determined by the Academy, the Academy 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 on-line course title as it appears in the on-line course syllabus.

i. The enrollment of a student in one (1) or more on-line courses shall not result in a student being counted as more than 1.0 full-time equivalent students under this act.

E. Nonresident Applications

1. The Academy shall determine whether or not it has capacity to accept applications for enrollment from nonresident applications in on-line courses and may use that limit as the reason for refusal to enroll an applicant.

2. If the number of nonresident applicants eligible for acceptance in an on-line course does not exceed the capacity of the Academy to provide the on-line course, the Academy shall accept for enrollment all of the nonresident applicants eligible for acceptance.

3. If the number of nonresident applicants exceeds the Academy's capacity to provide the on-line course, the Academy shall use a random draw system.

F. Requirements Specific to On-Line Learning Courses

To offer an on-line course, the Academy 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 on-line course catalog.

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2. Provide on its publicly accessible website a link to the course syllabi for all of the on-line courses offered by the Academy, as described in section 8, and a link to the statewide catalog of on-line courses maintained by the Michigan virtual university.

3. Offer the on-line course on an open entry and exit method, or aligned to a semester, trimester, or accelerated academic term format.

G. On-Line Course Syllabus

The Academy must publish an on-line course syllabus for each on-line course offered. The on-line course syllabus must include:

1. State academic standards addressed in an on-line course.

2. On-line course content outline.

3. On-line course required assessments.

4. On-line course pre-requisites.

5. Expectations for actual teacher contact time with the on-line learning student and other student-to-teacher communications.

6. Academic support available to the on-line learning student.

7. On-line course learning outcomes and objectives.

8. Name of the institution or organization providing the on-line instructor.

9. Number of eligible nonresident students that will be accepted by the Academy in the on-line course.

10. Results of the on-line course quality review using the guidelines and model review process published by the Michigan virtual university.

The Academy 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.

Adopted 11/24/14

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PROHIBITION OF REFERRAL OR ASSISTANCE

Reference: M.C.L. 388.1766

In accordance with Michigan statute, any officer, agent, or employee of the Board of Directors is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion.

Whenever it becomes necessary to discipline a member of the staff for violation of this policy, the Educational Service Provider shall utilize related procedures described in the Staff Discipline Policy 1439 and Policy 3139 or the current negotiated agreement, if applicable.

Using due-process procedures, the Educational Service Provider shall conduct an investigation, as appropriate to the situation, including providing the employee with reasonable notice and the opportunity to respond.

If it is determined that an employee of the Educational Service Provider has violated this policy, the Educational Service Provider shall apply a financial penalty against such individual that is equivalent to not less than three percent (3%) of that individual's annual compensation.

The Academy shall refund to the State School Aid fund an amount of money equal to the amount of the penalty or fine.

Adopted 1/22/18

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GUIDANCE AND COUNSELING

Reference: MCL 380.1233A, 380.1172

The Board of Directors requires that a planned program of guidance and counseling be an integral part of the educational program of the School. Such a program should:

1. assist students in achieving their optimum growth;

2. enable students to draw the greatest benefit from the offerings of the instructional program of the School;

3. assist students in career awareness and planning and in the selection of appropriate post secondary educational opportunities;

4. help integrate all of the student's experience so that s/he can better relate School activity to life outside the School;

5. help students learn to make their own decisions and solve problems independently.

PROGRAM

The Director is directed to implement the counseling and guidance program which carries out these purposes and:

1. involves appropriate staff members at every level;

2. honors the individuality of each student;

3. is integrated with the total educational program;

4. is coordinated with available resources of the community;

5. cooperates with parents and recognizes their concern and ideas for the development of their children;

6. provides means for such sharing of information among such appropriate staff members as may be in the best interests of the student;

7. provides that an appropriate amount of time and effort shall be given to providing guidance and counseling services to those students who do not intend to enroll in an institution of higher education after graduating from high school or who require or desire employment in connection with their continued education;

8. establishes a referral system which utilizes all the aid the School and community offer, guards the privacy of the student, and monitors the effectiveness of such referrals.

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HOMEBOUND INSTRUCTION PROGRAM

Reference: MCL 388.1606, 388.1709

Pursuant to requirements of the State Department of Education, the Academy shall provide 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 physician licensed to practice in this State, parent, student, or other care giver. A physician must:

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 Director.

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

The Academy 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.T., 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 Academy reserves the right to withhold homebound instruction when:

A. the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher;

B. a parent or other adult in authority is not at home with the student during the hours of instruction;

C. the condition of the student is such as to preclude his/her benefit from such instruction.

The Director shall develop administrative guidelines for implementing the policy.

Adopted: NEOLA
Revised: 12/15/05

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CRITICAL HEALTH PROBLEMS

Reference: MCL 388.381 et seq., 380.1170, 380.1506/1507
AC Rule 388.271 et seq.

The Board of Directors, in compliance with State law, has adopted a comprehensive program of health education which will prepare students to maintain good health and enable them to adapt to changing health problems of our society.

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 Director shall prepare administrative guidelines that will ensure:

[ ] 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;

[ ] periodic evaluation of student understanding;

[ ] 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 Director may use whatever School and outside resources, including Department of Education and ISD guidelines and consultants, s/he deems appropriate.

Adopted: NEOLA
Revised: 12/15/05

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REPRODUCTIVE HEALTH AND FAMILY PLANNING

Reference: MCL 380.1169, 380.1507, 388.1766
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 an Academy or on Academy property a family planning drug or device. Additionally, any officer, agent, or employee of the Board is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion. Violation of these prohibitions may lead to disciplinary action, including, but not limited to any financial penalties required by the State of Michigan.

Each person who teaches K to 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.

The Academy shall notify the parents, in advance of the instruction and about the content of the instruction, give the parents an opportunity, prior to instruction, to review the materials to be used (other than tests), as well as the opportunity to observe the instruction, and advise the parents of their 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.

Adopted 09/15/05
Revised 1/22/18; 5/20/19

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SEX EDUCATION

References: M.C.L 380.1507. 380.1169. 388.1766

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 his or her 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 Academy shall provide the instruction by teachers qualified to teach health education. 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 Academy'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 an Academy. At least (one-half) 1/2 of the members of the sex education advisory board shall be parents who have a child attending an Academy, and a majority of these parent members shall be individuals who are not employed by an Academy. The sex education advisory board shall include students of the Academy, 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 Academy'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 Academy.

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 Academy 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 an Academy or on Academy property a family planning drug or device. Additionally, any officer, agent, or employee of the Board is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion.

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.

Adopted 1/22/18

ACADEMY SPONSORED CLUBS AND ACTIVITIES

Reference: MCL 380.1282
P.L. 98-377

The Board of Directors believes that the goals and objectives of this Academy 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 Academy's curriculum 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 Academy'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 Director.

Such activities, along with extra-curricular activities (not directly related to the curriculum), may be conducted on or off Academy premises by clubs, associations, and organizations of students sponsored by the Board and directed by a staff advisor.

The Board shall allow non-Academy sponsored, student clubs and activities during non-instructional time, in accordance with the provisions in Policy 5730 -- Equal Access For Non-Academy Sponsored, Student Clubs and Activities.

Non-curricular student activities that are initiated by parents or other members of the community may be allowed under the provisions of Policy 7510 - Use of Academy Facilities. The Board, however will not:

A. assume any responsibility for the planning, conducting, or evaluating of such activities;

B. provide any funds or other resources;

C. allow any member of the Academy's staff to assist in the planning, conducting, or evaluating of such an activity during the hours s/he is functioning as a member of the staff.

No non-Academy sponsored organization may use the name of the Academy or any other name which would associate an activity with the Academy.

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Students shall be fully informed of the curricular-related activities available to them and of the eligibility standards established for participation in these activities. Academy-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 academy-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 Director 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.

Adopted 09/15/05

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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 Academy 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 Academy 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 Academy.

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 Director 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 will be distributed to parents.

The Director 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.

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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 Academy has a girl's team in an interscholastic athletic activity, a female shall be permitted to complete for a position on any other team for that activity.

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 Academy'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 school athletic activities when possible, 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 Director 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 Director is authorized to implement suitable disciplinary procedures against those who violate this Code of Conduct.

Adopted 2/21/07
Revised 10/18/07

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RECORDING OF ACADEMY MEETINGS INVOLVING STUDENTS AND/OR PARENTS

Recording of IEP Team and 504 Meetings

In order to facilitate parents' ability to fully participate in the IEP and/or 504 process, parents of students with disabilities are ordinarily permitted to audio record IEP Team meetings and 504 Team meetings in accordance with the following procedures:

A. Parents wishing to audio record an IEP Team meeting or 504 Team meeting must utilize their own recording device and provide notice to the Academy prior to the date of the scheduled IEP Team or 504 Team meeting.

B. If parent(s) elects to audio record an IEP Team meeting, the Academy will also record the meeting.

Recording of Other Academy Meetings Involving Students and/or Parents (e.g., Parent-Teacher Conferences)

Parents are permitted to audio record meetings with the Academy provided they notify the Academy prior to the date of the scheduled meeting of their intent to record the meeting. If a parent provides the requisite notice and is permitted to audio record the meeting, s/he must use his/her own recording device and the Academy will similarly record the meeting.

Video recording any Academy meeting is strictly prohibited, with the exception of meetings open to the public under the Open Meetings Act.

Parents and students are expressly prohibited from using covert means to listen-in or make a recording (audio or video) of any meeting or activity at school. This includes placing recording devices, or other devices with one- or two-way audio communication technology (i.e., technology that allows a person off-site to listen to live conversations and sounds taking place in the location where the device is located), within a student's book bag, on the student's person or otherwise in an area capable of listening in or recording without express written consent of the Director. Any requests to place a recording device or other device with one- or two-way audio communication technology within a student’s book bag or on a student’s person shall be submitted, in writing, to the Director. The Academy representative shall notify the parent(s), in writing, whether such request is denied or granted within five (5) days.

If the Academy audio records any meeting, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

Adopted 10/23/17

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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 Academy goals.

Each student's proficiencies and needs will be assessed by staff members upon his/her entrance into the Academy 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 standardized 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 Director shall develop and present to the Board annually a program of testing and assessment that includes:

A. the Michigan Education Assessment Program and the Michigan Merit Examination (or other readiness assessment program approved by the State Superintendent) administered each year in accordance with the schedule established by statute and the State Department of Education;

   The purpose of the Michigan Education Assessment Program and the Michigan Merit Examination (MME) is to assess student performance in mathematics, science, social studies, reading, and English language arts for the purpose of improving academic achievement and establishing a Statewide standard of competency. The MME will include the American College Test (ACT) provided at Academy expense for all students in Grade 11. ACT scores are used during the college admission process to assess high school students' general educational development and their ability to complete college-level work.

B. criteria-based written and oral examinations which include use of alternative questions, demonstrations, writing exercises, individual and group projects, performances, portfolios, and samples of best work.

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 his/her family;

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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 schools and of the special tests that are to be administered to their children;

C. students who have not attained satisfactory scores on the seventh 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 Academy -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 Academy 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 11, the Academy shall administer the complete Michigan Merit Examination to the student in grade 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

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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

Adopted 10/23/07
Revised 9/17/09; 8/5/10; 9/26/16; 10/23/17

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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 Academy, shall review annually the State School Aid Act to determine any programs or incentives that offer additional revenues.

The Director shall examine the requirements for each of the programs or incentives to determine which are feasible for this Academy 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.

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 a pupil in a priority or priority successor school; 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 Academy shall implement multi-tiered systems of support, as required, in order to access such funding.

Annually, the Director shall allocate such funding to appropriate programs and services based on Academy priorities. Section 31a funds may be used to provide an anti-bullying or crisis intervention program.

Adopted 3/20/17

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P.A. 25 ANNUAL REPORT

Reference: MCL 380.1204a(1)

The Academy 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 Academy 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 Academy 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 Academy'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 Academy Improvement, or another specialized accreditation authority approved by the US Department of Education (PA 25).

B. Academy 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 Academy has a high school (dual enrollment) (PA 25).

D. The status of the core curriculum and the School Improvement Plan (PA 25).

Staff

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).

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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 Academy's parent and family engagement policy.

The Academy may include additional data if it chooses.

Adopted 10/19/06
Revised 2/25/19

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3000 **STAFF**

3000	Educational Service Provider Statement	
3121	**Criminal History Record Check**	**L**
3220	Teacher Evaluation	BP
3419.03	**Patient Protection and Affordable Care Act**	**L**

Adopted 9/19/13
Revised 11/24/14; 3/20/17; 1/22/18

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3000 STAFF

All staff of the CASMAN Alternative Academy are employees of AccessPoint, the employer of record, as per the contractual agreement between the CASMAN Alternative Academy Board of Directors and AccessPoint. All employees, therefore, are subject to all personnel policies and regulations established by AccessPoint.

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

Adopted 9/19/13
Revised11/24/14

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CRIMINAL HISTORY RECORD CHECK

Reference: MCL 380.1230, et. seq., 380.1535, 380.1535a, 380.1809, 28.722

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

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

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

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

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the Board 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 school, public school academy or non-public school in the State, the Board may use a report received from the State Police by such school to confirm the individual has no criminal history. Absent such confirmation, a criminal history record check shall be performed.

[1] Individuals who submit and receive such criminal history record checks on behalf of the Academy must be direct employees of the Academy 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.

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Individuals working in multiple Schools/Academies or districts may authorize the release of a prior criminal history records check with another Academy or district 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, 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 Board in lieu of submitting to a new criminal background check. If this method is used, the Board 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, Intermediate School District, public school academy or non-public school within the State.

All CHRI received from the State Police, or produced by the State Police and received by the Academy from another proper source, will be maintained pursuant to Policy 8321.

When the Board receives a report that shows an individual has been convicted of a listed offense under State statutes or any felony, the Board 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 Board 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 MCL 28.722. The Board 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 Board provides written approval.

The Board 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 Board with regard to such conviction. Such report shall be filed within sixty (60) days of receipt of the original report of the conviction.

All those employed by the Board, either directly or under contract to regularly and continuously work in the schools prior to January 1, 2006, must undergo a criminal history records check, regardless of whether they have previously had such a check prior to 2006. The Director shall determine a schedule that assures that all such required checks are completed prior to July 1, 2008. Alternatively, substitute teachers within this category may authorize release to the Board of a valid criminal history check conducted by another school after January 1, 2006.

The Director may confirm with the Department of Education from results it maintains that the current regular substitute teacher does not have a criminal history.

The Director 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 Board shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

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An applicant must submit, at no expense to the Board, a set of fingerprints, prepared by an entity approved by the Michigan State Police, as part of his/her employment application or as required by State law for continued employment.

Any employee on staff must submit, at no expense to the Board, a set of fingerprints, prepared by an entity approved by the Michigan State Police, as part of his/her employment application 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 CHRI by the Director or the Board. 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 Board 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 Freedom of Information Act request.

CHRI 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, Intermediate School District, public school academy or non-public school when the individual is an applicant for employment at such school and there has been no separation from service, as defined in this policy and by statute.

Adopted 1/22/18
Revised 9/24/18

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TEACHER EVALUATION

Reference: MCL 380.1249 (as amended)

The Board of Directors is responsible for the employment and discharge of all personnel. To carry out this responsibility, it shall establish and implement a rigorous, transparent, and fair performance evaluation system that does all of the following:

A. Evaluates the employee's job performance at least annually in a year-end evaluation, while providing timely and constructive feedback. Teachers rated highly effective on 3 consecutive year-end evaluations may be evaluated every other year, at the Board's discretion.

B. Establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth. The yearend evaluation of student growth shall be based on the most recent 3 consecutive school years of student growth data, or all available student growth data if less than 3 years is available.

C. Evaluates an employee's job performance, using rating categories of highly effective, effective, minimally effective and ineffective, which take into account data on student growth as a significant factor in the evaluation in accordance with State law student growth and assessment data. For the 2016 - 2017 and 2017 - 2018 school years twenty five (25) percent of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018 - 2019 school year, forty (40) percent of the annual year-end evaluation shall be based on student growth and assessment data.

   For these purposes, student growth shall be measured by the following:

   1. Beginning with the 2016 - 2017 school year, the portion of a teacher's annual year-end evaluation that is not based on student growth and assessment data shall be based primarily on a teacher's performance as measured by the Board as described below.

   2. Beginning with the 2018 - 2019 school year, for core content areas in grades and subjects in which state assessments are administered, fifty (50) percent of student growth must be measured using the state assessments, and the portion of student growth not measured using state assessments must be measured using multiple research-based growth measures or alternative assessments that are rigorous. Student growth also may be measured by student learning objectives or nationally normed or locally adopted assessments that are aligned to state standards, or based on achievement of individualized education program goals.

   3. The portion of a teacher's evaluation that is not measured using student growth and assessment data or using the evaluation tool developed or adopted by the Educational Service Provider shall incorporate criteria enumerated in section M.C.L. 380.1248(1)(b)(i) to (iii) that are not otherwise evaluated under the tool.

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4. If there are student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent three (3) consecutive-school-year period. If there are not student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.

D. uses the evaluations, at a minimum, to inform decisions regarding all of the following:

1. the effectiveness of employees, so that they are given ample opportunities for improvement

2. promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development

3. removing ineffective employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

E. provides a mid-year progress report for every certificated teacher who has received a rating of minimally effective or ineffective on the last most recent annual year-end evaluation

This mid-year report shall not replace the annual year-end evaluation. The mid-year report shall:

1. be based, at least in part, on student achievement;

2. be aligned with the teacher's individualized development plan;

3. include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.

F. includes classroom observations in accordance with the following:

1. must include review of the lesson plan, State curriculum standards being taught and student engagement in the lesson

2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) yearend evaluations
3. observations need not be for an entire class period

4. at least one (1) observation must be unscheduled;

5. the school administrator responsible for the teacher’s performance evaluation shall conduct at least one (1) of the observations;

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Other observations may be conducted by other observers who are trained in the use of the evaluation tool as described below. These other observers may be teacher leaders.

6. the Board shall ensure that, within thirty (30) days after each observation, the teacher is provided with feedback from the observation.

G. For the purposes of conducting annual year-end evaluations under the performance evaluation system, the Board will adopt and implement one (1) or more of the evaluation tools for teachers that are included on the list established and maintained by the Michigan Department of Education ("MDE").

H. The Board will post on its public website all of the following information about the measures it uses for its performance evaluation system for teachers:

1. The research base for the evaluation framework, instrument, and process or, if the Board adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.

2. The identity and qualifications of the author or authors or, if the Board adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.

3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the Board adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.

4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.

5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.

6. A description of the plan for providing evaluators and observers with training.

I. The Board will provide training to teachers on the evaluation tool(s) used by the Board in its performance evaluation system and how each evaluation tool is used. This training may be provided by the Board or by a consortium consisting of 2 or more public school academies.

The Board will ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the Board, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The Board may provide the

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training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. A teacher rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment as a teacher with the Board. In such an instance, all relevant evaluation documents may be used in the proceedings.

Beginning with the 2018 - 2019 school year, the Board shall not assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations. If the Board is unable to comply with this and plans to assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations, the Board will notify the student's parent or legal guardian in writing not later than July 15 immediately preceding the beginning of the school year for which the student is assigned to the teacher, that the Board is unable to comply and that the student has been assigned to be taught in the same subject area for a second consecutive year by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations. The notification shall include an explanation of why the Board is unable to comply.

Adopted 3/20/17

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PATIENT PROTECTION AND AFFORDABLE CARE ACT

Reference: 29 U.S.C. 218B
26 U.S.C. 4980H

The Board of Directors acknowledges that the Patient Protection and Affordable Care Act ("ACA") imposes certain obligations upon the Academy. Such obligations may include the following:

A. The Academy shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee's employment start date. Sample form notices are available from the U.S. Department of Labor at:

http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html

B. Employees of the Academy have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the Academy enrolls in the Health Insurance Marketplace and receives a subsidy, then the Academy may be liable for a penalty.

In event that the Academy concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the Academy shall incur the potential penalty.

Adopted 3/20/17

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5000 **STUDENTS**

5111	**Admission of Students**	**L**
5111.01	**Homeless Students**	**L**
5111.02	**Educational Opportunity for Military Children**	**L**
5111.03	**Children and Youth in Foster Care**	**L**
5111.02A	Capping the Number of Enrolled Students on Campus	BP
5114	**Foreign and Foreign-Exchange Students**	**L**
5136	Personal Communication Devices	BP
5200	Attendance	BP
5215	Missing and Absent Children	BP
5230	Late Arrival and Early Dismissal	BP
5320	Immunization	BP
5330	**Use of Medications**	**L**
5330.01	**Epinephrine Auto-Injectors**	**L**
5340.01	**Concussions and Athletic Activities**	**L**
5460	**Graduation Requirements**	**L**
5463	Credits from Nonpublic Schools	BP
5510	Students-Sex Offender Registry; Criminal Convictions	
5512	Use of Tobacco by Students	BP
5516	**Student Hazing**	**L**
5517	**Anti-Harassment**	**L**
5517.01	**Bullying**	**L**
5517.02	**Sexual Violence**	**L**
5530	**Drug Prevention**	**L**
5532	**Performance-Enhancing Drugs/Compounds**	**L**
5540	**Interrogation of Students**	**L**
5610	**Emergency Removal, Suspension & Expulsion of Students**	**L**
5611	**Due Process rights**	
5630.01	**Student Seclusion and Restraint**	**L**
5722	School-Sponsored Publications and Productions	BP
5771	Search and Seizure	BP
5772	**Possession of Weapons**	**L**
5830	Student Fundraising	BP

Revised 10/19/06; 2/21/07; 10/18/07; 4/17/08; 7/30/08; 1/22/09; 9/17/09; 3/18/10; 8/5/10; 3/24/11; 4/19/12; 2/21/13; 9/19/13; 4/24/14; 11/24/14; 6/22/15; 1/25/16; 9/26/16; 3/20/17; 8/28/17; 10/23/17; 1/22/18; 9/24/18; 10/22/18; 2/25/19; 5/20/19

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ADMISSION OF STUDENTS

Reference: MCL 380.502
20 USC 9532

The Board of Directors will allow students who reside in Michigan, regardless of their citizenship or immigration status to enroll in the Academy in accordance with limits established by the Board. 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 Academy's web site. Because space is limited, each student must enroll each year. Preferences will be in writing and given to:

A. pupils who were enrolled in the Academy in the immediately preceding school year;

B. siblings of enrolled students;

C. children of a person who is employed by or at the Academy or who is on the Board of Directors of the Academy.

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 Director shall develop administrative guidelines for the proper implementation of this policy. Any such denial shall be reported to the Board at its next regular meeting.

Adopted 09/15/05
Revised 10/18/07; 9/26/16; 9/24/18

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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 Academy. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The Academy shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The Academy 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 housing[1], 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 guardian.

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[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).

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Services to Homeless Children and Youth

The Academy will provide services to homeless students that are comparable to other students in the Academy, 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;

4. 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 current policy Director. 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 Academy must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The Academy 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 Academy 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

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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 Academy 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 Academy also considers the school placement of siblings when making this determination.

If the Academy 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 Academy 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 Academy 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 residency, 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 Academy. 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 Academy 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 Academy should consider giving homeless children and youth's priority if there is a waitlist for these schools, programs, and activities.

Transportation

The Academy provides homeless students with transportation services that are comparable to those available to non-homeless students. The Academy 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:

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A. If the homeless student moves but continues to live within the area covered by the Academy's charter, the Academy 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 Academy.

B. If the homeless student moves to an area outside of the Academy's charter, though continuing his/her education at the school of origin, the Academy 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 Academy 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 Academy 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 Academy will work with the State to resolve transportation disputes with other Academies. If the disputing Academy is in another State, the Academy 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 Academy must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the Academy 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, Academy and Board of Directors policies, the Academy will provide the parent, guardian or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the Academy or State, along with a written explanation of appeal rights.

The Academy'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 Academy must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The Academy will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

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The Academy 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 Academy will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to federal laws. The Academy 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 Academy. 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 Academy 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 Academy must also provide transportation services to the school of origin for a homeless child attending preschool. It is the Academy'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 Academy moves to another Academy 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 Academy shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the Academy 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 Academy 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).

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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.

Adopted 12/15/05
Revised 10/23/17; 1/22/18

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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 Director 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.

Adopted 3/24/11

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CAPPING NUMBER OF ENROLLED STUDENTS ON CAMPUS

CASMAN students, like most students, perform best when there is adequate learning space in the classrooms. Therefore, the Director has the authority to cap the number of students enrolled each semester based on available space while taking into consideration the individual needs of the students enrolled. This number shall not exceed one hundred (100) until which time it becomes apparent that a change is necessary. At that time the Board of Directors will have the sole authority to change the capped number. This cap pertains only to the number of students enrolled on campus and does not effect the enrollment in the CAS (school-to-work) program.

Adopted 09/15/05
Revised 3/24/11

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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 Academy will collaborate with the Michigan Department of Education (MDE), other Academy's, 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 Academy. To that end, students in foster care will not be stigmatized or segregated on the basis of their status. The Academy 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 Academy shall regularly review and revise its policies, including academy 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)).

Academy Stability

The Academy shall remove barriers to the enrollment and retention of children and youth in foster care in the Academy. Foster care students shall be enrolled immediately, even if they

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do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, academy records, and other documentation.

The Academy shall meet the Title I requirements for educational stability for children and youth in foster care, including those awaiting foster care placement. The Academy 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. Academy 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 academy of origin, unless it is determined that remaining in the academy 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 academy of origin, the child shall be immediately enrolled in the determined new academy even if the child is unable to produce records normally required for enrollment; and

C. the new (enrolling) academy shall immediately contact the academy 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)).

Academy of Origin

The Academy of origin is the academy in which a student is enrolled at the time of placement in foster care. If a student's foster care placement changes, the academy of origin would then be considered the academy in which the child is enrolled at the time of the placement change. A student in foster care shall remain in his/her academy 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 Academy 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 academy of origin until the end of the academy year.

Best Interest Determination

In making the best interest determination, the Academy will follow the guidelines established by MDE and the State or tribal custodial agencies. The Academy shall utilize the prescribed process in conjunction with local custodial agencies in making best interest determinations, and shall make such determination within five (5) academy days of the child's placement in foster care or change in child's living arrangement. Once a determination is made the Academy 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 Academy 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.

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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 Academy'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 Academy believes is in the best interest of the child.

To the extent feasible and appropriate, the child will remain in his/her academy 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) academy 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 academy 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 Director shall designate and make public a local point of contact who will perform the duties as assigned by the Director. 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 academy attendance of students in foster care.

Records

The Academy 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 Academy 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;

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D. programs for gifted and talented students;

E. academy nutrition programs; and

F. before - and after-academy programs.

Transportation Services

The Academy must ensure that transportation is provided for children in foster care consistent with the procedures developed by the Academy 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 academy 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 Academy'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 academy of origin, the Academy shall provide such transportation if 1) the local child welfare agency agrees to reimburse the Academy for the cost of such transportation; 2) the Academy agrees to pay for the cost; or 3) the Academy and the local child welfare agency agree to share the cost. (ESEA 1112(c)(5)(B)).

Additional costs incurred in providing transportation to the academy of origin should reflect the difference between what the Academy would otherwise spend to transport a student to his/her assigned academy and the cost of transporting the foster care student to the academy of origin. The Academy 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 Academy, county, or State boundary lines, coordination among multiple agencies may be necessary. The Academy will work with appropriate State and local agencies to address such placement and transportation issues that arise. The Academy shall provide or arrange for adequate and appropriate transportation to and from the academy 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 academy success of children and youth in foster care.

Adopted 10/23/17

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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 Academy.

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 Academy's authorizer, the Board authorizes the Academy to petition for approval to provide a Student and Exchange Visitor Program (SEVP). As an authorized SEVP provider, the Academy 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 Academy so they can attend the Academy 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 Academy are subject to State law and the Academy'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).

Adopted 6/22/15

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PERSONAL COMMUNICATION DEVICES

Students may use personal communication devices (PCDs) before and after school, during their lunch break, in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, during after school activities (e.g., extra-curricular activities) at school-related functions. Use of PCDs, except those approved by a teacher or administrator, at any other time is prohibited and they must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight.

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 phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), telephone paging devices (e.g., beepers or pagers), and/or other web-enabled devices of any type. Students may not use PCDs on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school.

Also, during after school activities, PCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored out of sight when directed by the administrator or sponsor.

Under certain circumstances, a student may keep his/her PCD "On" with prior approval from the building principal.

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using PCDs during the school day, including while off-campus on a field trip, to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use a PCD to violate the privacy rights of another person may have their PCD confiscated and held until a parent/guardian picks it up. If the violation involves potentially illegal activity the confiscated-PCD may be turned-over to law enforcement.

PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

Students shall have no expectation of confidentiality with respect to their use of PCDs on school premises/property.

Students may not use a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using PCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in

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disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a PCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using PCDs to receive such information.

Possession of a PCD by a student at school during school hours and/or during extra-curricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the PCD. The building principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the PCD may be turned-over to law enforcement. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian or turned-over to law enforcement. School officials will not search or otherwise tamper with PCDs in Academy custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 – Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student using a PCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property.

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.

Revised: 2/21/13

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ATTENDANCE

Reference: MCL 380.1561, 380.1561(3a-3c), 380.1586(3)

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 Academy students, except those exempted under Policy 5223 or by other provisions of State law, during the days and hours that the Academy is in session.

The Director 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 Board reserves the right to verify such statements and to investigate the cause of each:

A. single absence;

B. prolonged absence;

C. repeated unexplained absence and tardiness.

The Board may report to the Intermediate School, infractions of the law regarding the attendance of students below the age of sixteen (16). Repeated infractions of Board policy requiring the attendance of enrolled students may result in the suspension or expulsion of the student from the Academy program.

The Board considers the following factors to be reasonable excuses for time missed at the academy:

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 Director.

Attendance need not always be within the Academy 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.

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The Board shall consider each student assigned to a program of other guided learning experiences, authorized under Policy 2370, to be in regular attendance for the program provided that s/he reports daily to such staff member as s/he is assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the curriculum.

The Director shall develop administrative guidelines for the attendance of students which:

A. ensure an academy 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 Academy'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 Academy, 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.

Adopted 09/15/05

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MISSING AND ABSENT CHILDREN

Reference: MCL 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 Director is instructed to promulgate administrative guidelines to consider admittance of a student lacking records into the Academy 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.

Adopted; 12/15/05

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LATE ARRIVAL AND EARLY DISMISSAL

It is necessary that a student be in attendance throughout the school day to benefit fully from the educational program of the Academy.

However, the Board of Directors recognizes that compelling circumstances occasionally require that a student be late to school or dismissed before the end of the school day.

If one parent has been awarded custody of the student by the courts, the custodial parent shall provide the Academy with a copy of the custody order and inform the Academy in writing of any limitations in the rights of the non-custodial parent. Absent such notice, the Academy will presume that the student may be released into the care of either parent.

No student who has a medical disability that may be incapacitating will be released without a person to accompany him/her. No student shall be released to anyone who has not been authorized such custody in writing by the parents.

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

Adopted 10/22/18

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IMMUNIZATION

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

The Board believes immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the Board requires that all students be properly immunized at the time of registration or not later than the first day of school pursuant to the provisions of the Department of Health and Human Services (DHHS) regulations.

However, Students who do not meet the immunization requirements shall be admitted by the Director in accordance with Academy administrative procedures. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify the contraindication.

B. The parent(s)/guardian(s) hold religious or philosophical beliefs against receiving a vaccination. Any parent or guardian who wants to claim a nonmedical waiver must receive education regarding the benefits of vaccination and the risks of disease from a county health department before obtaining the certified nonmedical waiver form through the Local Health Department, and present same to the appropriate Academy personnel.

C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet.

If the Academy provides information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of pupils in at least grades 6, 9, and 12, then with that information the Board is required to include information about meningococcal meningitis and the vaccine for meningococcal meningitis as well as about the human papillomavirus and the vaccine for human papillomavirus. The information shall include at least the causes and symptoms of meningococcal meningitis, how it is spread, and the risks associated with human papillomavirus. In addition, the information shall include sources where parents and guardians may obtain additional information about both diseases and where they may obtain the associated vaccinations.

The Educational Service Provider shall develop administrative guidelines to ensure the proper implementation of this policy.

Adopted 2/21/07
Revised 1/22/09; 6/22/15

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USE OF MEDICATIONS

Reference: MCL 380.1178, 380.1178a, 380.1179
Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School, Policy on Management of Asthma in Schools

Neither the Board of Directors nor the Executive Director shall be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or the child is disabled and requires medication to benefit from his/her educational program.

For purposes of this policy, medication shall include all medicines including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, and/or remedies, and performance-enhancing drugs as defined in AG 2431C. Treatment refers both to the manner in which a medication is administered and to health-care procedures that require special training, such as catheterization.

Before any 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. These documents shall be kept on file in the administrative offices. No student is allowed to provide or sell any type of over-the-counter medication to another student. Violations of this rule will be considered violations of Policy 5530 - Drug Prevention and of the Student Discipline Code/Code of Conduct.

Medications will be administered by the Academy in accordance with the Executive Director's guidelines.

Only medication in its original container that is labeled with the date (if a prescription), the student's name, and exact dosage may be administered. Parents, or students authorized in writing by their physician and parents, may administer medication or treatment.

Staff members are to administer medication or treatment only in the presence of another adult, except in the case of an emergency that threatens the life or health of the student. Staff licensed as professional registered nurses are exempt from this requirement.

All staff authorized to administer medication or treatment will receive training on appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with knowledge of the Academy's policy and procedures and knowledge of the administration of medications or treatment. 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 Academy's office.

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

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Students who may require the administration of an emergency medication may have such medication in accord with the 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 academy, on academy-sponsored transportation, or at any academy-sponsored activity in accord with the Administrative 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 academy property or at an academy-sponsored event provided the student has submitted prior written approval of his/her parent/guardian to the School Leader or other chief administrator of the student's academy.

This policy and the Administrative Guidelines developed to establish appropriate procedures shall be implemented in such a manner to comply with Academy's obligations and the student's needs under any Individualized Education Plan, Section 504 Plan, or other legally required accommodation for individuals with disabilities.

The Executive Director shall prepare Administrative Guidelines to ensure the proper implementation of this policy.

Adopted NEOLA
Revised 10/19/06; 2/21/07; 2/25/19

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EPINEPHRINE AUTO-INJECTORS

Reference: M.C.L. 380.1178, 380.1179, 380.1179A
Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School

Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self-possess and self-administer the medication if they meet the conditions as stated in Policy 5330.

Commencing with the 2014-15 school year, the Academy shall have at least two (2) epinephrine auto-injectors (Epi-Pens) available at the school site. It shall be the responsibility of Administrative Assistant to be sure that the supply of Epi-Pens is maintained at the appropriate level and they have not expired. The Administrative Assistant shall also be responsible for coordinating the training of employees to administer Epi-Pen injections and to maintain the list of employees authorized to administer such injections.

Individuals Qualified to Administer

Only a licensed, registered professional nurse employed or contracted by the Academy or a school employee who has successfully passed the required training shall be allowed to possess and administer Epi-Pen injections to students. The persons authorized to use the Academy maintained Epi-Pens will be maintained in each school by the Principal, and shall be available on an electronically accessible site for employees' reference.

Each school shall have at least one person trained in the appropriate use and administration of an Epi-Pen injection. In each school with ten (10) or more combined instructional and administrative staff, at least two (2) employees at that site shall be appropriately trained in the use of an Epi-Pen.

Training of employees on the appropriate use and administration of an Epi-Pen injection shall be done in accordance with any guidelines provided by the Michigan Department of Education, and shall be conducted under the supervision of a licensed registered professional nurse. The training shall include an evaluation by the nurse of the employees' understanding of the protocols for administering an Epi-Pen injection.

Students to Whom Injections May Be Administered

A licensed, registered, professional nurse or trained and authorized employees under this policy may administer Epi-Pen injections to 1) any student who has a prescription on file with the Academy, in accordance with the directives in such prescription, and 2) any individual on school grounds who is believed to be having an anaphylactic reaction.

Reporting of Injections

Any person who administers an Epi-Pen injection to a student shall promptly notify the student's parent/guardian and 911, who shall be responsible for promptly notifying the student's parent/guardian that an injection has been administered.

All Epi-Pen injections by employees to students shall be reported in writing to Administrative Assistant. 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).

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The Administrative Assistant shall at least annually report to the Department of Education, in the form and manner determined by the Department, information on the number of injections provided to students, the number of injections with Academy Epi-Pens and the number of incidents where students were not know to be subject to severe allergic reactions.

Adopted 11/24/14

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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.

Adopted 9/19/13

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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 Academy 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 Academy 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 Academy will grant that request. The Academy 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 Academy’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.

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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 Academy on one or more assessments developed or selected by the Academy 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 toward high school graduation for any student who successfully completes, prior to entering high school, a State-mandated curriculum requirement, provided s/he completes the same content requirements as the high school subject area, and the student has demonstrated the same level of proficiency on the material as required of the high school students.

Such credit shall be counted toward any subject area requirement, any course sequence requirement or high school graduation 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.

A high school student shall be granted credit in any foreign language not offered by the Academy providing s/he meets the competency criteria established by the Director.

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.

A student engaging in an internship or work experience under M.C.L. 380.1279h must complete a reflection projection. The reflection project shall include:

A. A copy of the student's time card from the internship or work experience.

B. A resume that includes the internship or work experience.

C. A written summary of the internship or work experience.

D. Mutually agreed upon documentation.

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

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with appropriate oversight by the Academy 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 Director. 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.

Adopted 10/18/07
Revised 7/30/08; 1/22/09; 9/17/09; 3/24/11; 6/22/15; 2/25/19

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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 Academy 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 Academy or at a school approved by a State education agency shall be considered in class ranking and for entering on the transcript.

Adopted 10/19/06

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STUDENTS – SEX OFFENDER REGISTRY; CRIMINAL CONVICTIONS

Reference: MCL 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:

A. all extracurricular activities;

B. all in-school activities which deal with younger students, such as tutoring, classroom assistance, coaching, etc.;

C. 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 and/or political groups.

D. activities as designated in writing by the Director.

Any exceptions to the above exclusions must be approved by the Director.

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 and student. Exceptions may be revoked at any time, with cause.

The Director 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 building's principal with approval from the Director. 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/guardian and those staff with a need to know.

Such students shall only be on Academy premises as necessary for normal instructional purposes, or as permitted under any exceptions granted by the Academy. 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 Academy administration for possible limitation of school related activities consistent with the nature of the crime and the interest of the Academy in maintaining school safety.

Adopted 9/17/09
Revised 4/19/12; 11/24/14

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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 Academy.

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.

Adopted 3/24/11
Revised 4/19/12

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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 academy facilities, on academy property, and at any Academy-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.

NOTE: If the academy club or organization does not have an official and approved initiation procedure, and if no academy staff is involved in the activity, there is a significant likelihood that the activity may result in violation of this policy. Michigan law also makes hazing a crime, punishable by fine and/or imprisonment.

Administrators, faculty members, and other employees of the Academy 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 Director. 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 Director shall distribute this policy to all students and Academy employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in-service programs.

Adopted: 12/15/05

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ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 USC 2000d et seq.
20 U.S.C. 1400 ET SEQ., The Individuals with Disabilities Education improvement Act of 2004 (IDEIA)
20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
29 U.S.C. 6101, the Age Discrimination Act of 1975
42 U.S.C. 2000d et seq.
42 USC 2000e et seq.
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 USC 1983
42 USC 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 USC 1681 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC 794
The Americans with Disabilities Act of 1990, 42 USC 12101 et seq.
The Handicappers' Civil Rights Act, MCL 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

General Policy Statement

It is the policy of the Board of Directors to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all Academy operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on academy property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (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 Academy community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "Academy community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

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

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Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

B. Filing a malicious or knowingly false report or complaint of unlawful harassment.

C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

A. teasing;

B. threats;

C. intimidation;

D. stalking;

E. cyberstalking

F. cyberbullying;

G. physical violence;

H. theft;

I. sexual, religious, or racial harassment;

J. public humiliation; or

K. destruction of property.

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Harassment

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or Academy employee that:

A. places a student or Academy employee in reasonable fear of harm to his/her person or damage to his/her property;

B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or

C. has the effect of substantially disrupting the orderly operation of the Academy.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity;

B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual;

C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.

B. Unwanted physical and/or sexual contact.

C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.

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D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.

E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.

F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.

G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.

I. Inappropriate boundary invasions by a employee or other adult member of the Academy community into a student's personal space and personal life.

J. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

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.

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National Origin Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

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

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

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Director 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 Director will report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Director shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Director informed of the status of the 3362 investigation and provide him/her with a copy of the resulting written report.

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Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the Academy. They are hereinafter referred to as the "Compliance Officers".

Director/Lead Teacher
225 9th Street
Manistee, MI 49660
(231) 723-4981

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks, as well as on the Academy's website.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the Academy community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student, other member of the Academy community or third party in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the Academy community or a visitor to the Academy, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Director or will oversee the preparation of such recommendations by a designee. All members of the Academy community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Academy personnel who directly observe unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Academy employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Academy employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

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Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

Students who believe that they have been unlawfully harassed or retaliated may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving an Academy employee or any other adult member of the Academy community against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Director; and/or (3) directly to one of the Compliance Officers.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

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The Academy's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

A. Advising the student about how to communicate the unwelcome nature of the behavior to the alleged harasser.

B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.

C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the student claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, principal, or other Academy employee at the student's school, the Compliance Officer, Director, or another Academy employee who works at another school. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, Director, or other Academy employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Director.

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.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

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

A. interviews with the Complainant;

B. interviews with the Respondent;

C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Director that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the Director must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation.

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A copy of the Director's final decision will be delivered to both the Complainant and the Respondent.

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

A Complainant or Respondent who is dissatisfied with the final decision of the Director may appeal through a signed written statement to the Educational Service Provider within five (5) business days of his/her receipt of the Director's final decision.

In an attempt to resolve the complaint, the Educational Service Provider 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 Educational Service Provider's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Educational Service Provider 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 Educational Service Provider also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The Academy will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related Administrative Procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the Academy community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Director 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

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conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

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

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any Academy teacher or Academy employee who knows or suspects that a student under the age of eighteen (18) or that a person with a disability receiving services as a student from the Academy 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 Director.

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 Director, or designee shall provide appropriate information to all members of the Academy community related to the implementation of this policy and shall provide training for Academy students and staff where appropriate. All training, as well as information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

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;

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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 Academy personnel related to the investigation and/or the Academy'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 interim measures offered and/or provided to complainants and/or the alleged perpetrators, 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 Academy to conduct the investigation, and any documents used by the Academy 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 and/or Employee Handbooks or Codes of Conduct);

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 Academy 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

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Academy 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.

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 Academy's records retention schedule.

Adopted 09/15/05
Revised 10/18/07; 8/5/10; 4/24/14; 11/24/14; 2/25/19

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BULLYING

Reference: The Matt Epling Safe School Law, Public Act 241 of 2011, as amended by Public Act 478 of 2014 (MCL § 380.1310b).

The Board believes that a safe and nurturing educational environment in school is necessary for students to learn and achieve high academic standards. Therefore, it is the policy of the Academy to provide a safe and nurturing environment for all of its students. Appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of students, as well as administrators, faculty, staff, visitors, and volunteers.

BULLYING AND CYBERBULLYING ARE PROHIBITED

Bullying and cyberbullying of a student, whether by other students, staff, visitors, Board members, parents, guests, contractors, vendors and volunteers, is prohibited. All pupils are protected under this policy, and bullying and cyberbullying are prohibited without regard to its subject matter or motivating animus.

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.

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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 Director. Complaints against the Director 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 Director 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:

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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 Academy shall document any prohibited incident that is reported and shall document all verified incidents of bullying and the resulting consequences, including the required notification of parents or guardians and any discipline and referrals.

The Director is the school official responsible for ensuring that this policy is implemented.

CONFIDENTIALITY

The Academy will comply with all applicable laws regarding confidentiality of personally identifiable information within education records. In addition, the identity of an individual who reports an act of bullying or cyberbullying shall be and remain confidential. The Director, or the Director’s designee, shall ensure that the name of an individual who reports an act of bullying or cyberbullying is withheld from the alleged perpetrator and the perpetrator’s parent(s), legal guardian(s) and representative(s), and is redacted from any report of bullying or cyberbullying that is publically disclosed.

NOTIFICATION

This policy will be annually circulated to parents and students, and shall be posted on the Academy website.

REPORTING

As required by state statute, the Academy shall provide a report of all verified incidents of bullying and other required information to the Michigan Department of Education on an annual basis, according to the form and procedures established by the Department.

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As required by state statute, the Academy's procedures with respect to bullying are contained within this policy, and thus no administrative guidelines accompany this policy.

Adopted 09/15/05
Revised 10/18/07; 4/19/12; 4/24/14; 6/22/15; 10/23/17

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SEXUAL VIOLENCE

References
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
Dear Colleague Letter on Sexual Violence (Office for Civil Rights, 2011)
OCR's Revised Sexual Harassment Guidance (2001)

The Board of Directors does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its education programs and activities. The Board is committed to maintaining an education and work environment that is free from all forms of unlawful harassment, including sexual harassment.

Sexual harassment, including sexual violence, interferes with students' rights to receive an education free from discrimination, and, in the case of sexual violence, is a crime. Pursuant to its Title IX obligations, the Board is committed to eliminating sexual violence in all forms and will take appropriate action against any individual found responsible for violating this policy. To further its commitment against sexual violence, the Board provides reporting options, an investigative and disciplinary process, and other related services as appropriate.

This policy applies to all student complaints, whether filed by a student, his/her parent, an employee, or third party on the student's behalf. It applies to all Academy operations, programs, and activities, as well as to unlawful conduct occurring on academy property or during a Board-sponsored activity. All students, administrators, teachers, staff, and all other academy personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment.

Definitions

Sexual Harassment

As detailed further in Policy 5517, sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature. Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Examples 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 implying that a person's conditions of education may be adversely affected by not submitting to sexual advances;

D. unwelcome sexual verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; unwelcome sexually degrading language, jokes or innuendoes;

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unwelcome suggestive or insulting sounds or whistles; obscene telephone calls;

E. sexually suggestive objects, pictures, videotapes, audio recordings or literature;

F. unwelcome and inappropriate touching, patting, or pinching; obscene gestures;

G. a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;

H. speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;

I. inappropriate boundary invasions into a student's personal space and personal life; and

J. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Sexual Violence

Sexual violence, as used in this policy, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age, intellectual or other disability, or use of drugs or alcohol).

Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by academy employees, other students, or third parties. All such acts of sexual violence are forms of sexual harassment and, in turn, sex discrimination prohibited by Title IX.

Harassing conduct creates a hostile environment when it interferes with or limits a student's ability to participate in or benefit from the academy's program. A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. For example, a single instance of rape is sufficiently severe to create a hostile environment.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the Academy. They are hereinafter referred to as the "Compliance Officers."

Director
225 9th St.
Manistee, MI 49660
231-723-4981

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

The Compliance Officers are available during regular academy/work hours to discuss Title IX questions, sexual violence concerns, and to assist students, other members of the Academy

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community, and third parties. Compliance Officers shall accept sexual violence complaints directly from any members of the Academy community or a visitor to the Academy, as well as those initially filed within an academy building administrator. Upon receiving a complaint, the Compliance Officer or designee will discuss confidentiality issues with the complainant (and his/her parent, if the complainant is a minor), and open an investigation as described below.

Complaint Procedures

Reporting

Students and Board employees are required, and parents, community members, and third parties are encouraged, to report sexual violence promptly to a teacher, administrator, supervisor, or other academy official. Reports can be made orally or in writing, and should be as specific as possible. The person making the report shall identify the alleged victim, perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s). The Academy, however, will investigate and address all reports to the extent possible.

A student has a right to file criminal and/or Title IX complaints simultaneously. A student does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to sexual violence or any other Title IX concerns may also be filed with the U.S. Department of Education's Office for Civil Rights.

Any teacher, administrator, supervisor, or other academy employee or official who receives such a complaint shall file it with the Academy's Compliance Officer within two (2) school days, and shall comply with his/her mandatory reporting responsibilities. The Compliance Officer will oversee the Academy's investigation and response to any Title IX-related complaints, but s/he may delegate the investigative process to another individual ("Designee"). The Board reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy.

Confidentiality

The Academy respects students' privacy and will only disclose information regarding alleged sexual violence to individuals who are responsible for handling the academy's response, the student's parents (if the student is a minor or is considered a dependent under Section 152 of the Internal Revenue Code), or as otherwise required by law. During the course of a formal investigation, the Compliance Officer/designee will instruct all interviewees about the importance of maintaining confidentiality. Interviewees will be directed not to disclose any information that s/he learns or that s/he provides during the course of the investigation to third parties.

Students or their parents sometimes ask that the students' names not be disclosed to the alleged perpetrators or that no investigation or disciplinary action be pursued to address the alleged sexual violence. Upon such a request, the Compliance Officer/designee will inform the student and his/her parent that honoring the request may limit the Academy's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. The official will also explain that Title IX includes protections against retaliation, and that academy officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

Should the student or his/her parents continue to request complete confidentiality, the Compliance Officer/designee will balance the student's privacy request with the Academy's

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obligation to provide a safe and non-discriminatory environment for all students. Should the official determine that the Academy can honor the student's or parent's request and remain in compliance with its Federal and State obligations, the Academy may limit its investigation and/or formal action against the alleged perpetrator. The Academy will, however, take other action to address the sexual violence. This may include increasing monitoring and security, offering schedule changes, and conducting climate surveys.

If the Compliance Officer/designee determines that the Academy must disclose the student's identity to an alleged perpetrator, s/he will inform the student and his/her parents prior to disclosure. The Academy will then afford interim protection measures to the student as appropriate.

Investigation

The Academy is committed to investigating all sexual violence complaints in an adequate, reliable, impartial, and prompt manner. The investigation will seek to determine whether the conduct occurred, and if so, what actions the academy will take to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects.

The investigation may include:

A. interviewing the complainant, perpetrator, and any witnesses;

B. reviewing law enforcement investigation documents;

C. reviewing student and personnel files;

D. gathering and examining other relevant documents or evidence; and

E. providing a disciplinary hearing as needed.

The Academy affords both parties a balanced and fair process. Specifically, the complainant has the same rights throughout the proceeding as the alleged perpetrator. Both parties, for example, will have an equal opportunity to present relevant witnesses and other evidence at a disciplinary hearing. Likewise, the Academy's appeal process is available to both parties. The Academy, however, does not require complainants to be present for the hearing or appeal. Further, the Academy will not permit parties to personally question or cross-examine each other directly.

In resolving a complaint, the Academy uses a preponderance of the evidence standard, determining whether it is more likely than not that sexual violence occurred.

Timeline

The Compliance Officer/designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days after receipt of a report of sexual violence to advise s/he/them of the Board's intent to investigate the alleged misconduct. The Compliance Officer/designee will also inform the alleged perpetrator of the opportunity to submit a written response to the complaint within five (5) business days. The Academy's investigation, including a disciplinary hearing process (but not appeal), may take up to sixty (60) calendar days to complete. This timeframe may be extended on a case-by-case basis, depending on the complexity and severity of the matter, criminal investigation

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requirements, and academy breaks. During this period, the Academy will provide the complainant with periodic updates on the status of the investigation.

Interim Measures

During the investigation, the Academy will take interim steps to facilitate the complainant's equal access to its education programs. These steps may include, but are not limited to: 1) notifying the complainant of his/her options to avoid contact with the alleged perpetrator; 2) allowing the complainant to change his/her academic, extracurricular, transportation, dining, and working situation as appropriate; and 3) informing complainant of other available resources, such as counseling, legal assistance, and victim advocacy. Specific interim measures will be considered and offered on a case-by-case basis.

Notice

Upon completing its investigation, the Academy will notify both parties in writing about the outcome of the complaint and any appeal. Specifically, the Academy will notify the complainant: 1) as to whether the investigation substantiated the allegations; 2) of individual remedies offered to the complainant; 3) of sanctions imposed on the perpetrator that directly relate to the complainant; and 4) other steps the Academy has taken to eliminate the hostile environment and prevent recurrence. The alleged perpetrator will be notified of the investigation's result and disciplinary consequence to him/her, if any. The Academy will not notify the alleged perpetrator about the individual remedies afforded to the complainant. All aforementioned notifications will comply with Federal and State privacy laws, including the Family Education Rights and Privacy Act (FERPA).

Remedies

The Academy will provide a prompt and equitable resolution. If the investigation substantiates the complaint, the Academy will take steps to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects. In addition to imposing disciplinary consequences on the perpetrator, the Academy will consider the following individual and global remedies, on a case-by-case basis:

A. providing medical, counseling, and academic support services to the complainant and/or perpetrator;

B. re-arranging schedules at the complainant's request;

C. affording the complainant extra time to complete or retake classes without academic penalty;

D. reviewing any disciplinary proceedings against the complainant;

E. training or retraining employees;

F. developing materials on sexual violence;

G. conducting sexual violence prevention programs; and

H. conducting climate checks.

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The Academy will not offer mediation in cases involving sexual violence. Disciplinary consequences against offenders may include suspension, expulsion, termination, and any other sanctions the Board deems appropriate. Any discipline meted out to offenders will comply with special education and Section 504 laws and regulations.

Appeals Process

Both complainants and perpetrators may appeal the outcome of the investigation. Any appeal opportunities afforded to the alleged perpetrator are also afforded to the complainant. Any party wishing to appeal the outcome of the investigation must submit a written appeal to the Board within ten (10) school days after receipt of the written notice of the outcome of the investigation. The Board shall, within twenty (20) work days, conduct a hearing concerning the appeal. The Board shall provide a written decision to the appealing individual within ten (10) work days following completion of the hearing.

Retaliation

Federal law strictly prohibits retaliation against a complainant or witness. The Academy will inform complainant of this prohibition and direct him/her to report retaliation, whether by students or academy officials, to the Compliance Officer. Upon learning of retaliation, academy officials will take strong responsive action as appropriate.

Training

All staff will be trained so they know to report harassment to appropriate academy officials. This training will include practical information about how to identify and report sexual harassment, including sexual violence. The training will be provided to any employees likely to witness or receive complaints involving sexual harassment and/or sexual violence, including teachers, academy law enforcement unit employees or academy resource officers, academy administrators, academy counselors, and health personnel. Further, academy administrators responsible for investigating allegations of sexual harassment and sexual violence will be trained how to conduct such investigations and respond properly to such charges.

Retention of Investigatory Records and Materials

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 Academy personnel related to the investigation and/or the Academy's response to the alleged violation of this policy;

D. written witness statements;

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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 interim measures offered and/or provided to complainants and/or the alleged perpetrators, 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 Academy to conduct the investigation, and any documents used by the Academy 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 and/or Employee Handbooks or Codes of Conduct);

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 Academy 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 Academy 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.

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.

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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 Academy's records retention schedule.

Adopted 2/25/19

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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.

The Board of Directors recognizes the misuse of drugs is a serious problem with legal, physical, and social implications for the entire Academy community.

As an educational institution in this community, the Academy shall strive to prevent drug abuse and help drug abusers by educational means, 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 that 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 Academy property, within the Drug-Free School Zone, or at any Academy-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 Executive Director shall take the necessary steps to report for prosecution any individual eighteen (18) years of age or older who knowingly delivers or distributes to another person any controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone

The Executive Director shall prepare administrative guidelines for the identification and regulation of drug use in the Academy. Such guidelines shall do the following:

A. emphasize the prevention of drug use;

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B. provide for a comprehensive, age-appropriate, developmentally based drug and alcohol education and prevention program that does the following:

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 and attitudes 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, 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 are wrong and harmful;

D. provide standards of conduct that are applicable to all students that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students on Academy premises or as a part of any Academy activity;

E. clearly state that disciplinary sanctions, up to, and including, expulsion and referral for prosecution, will be imposed on students who violate the Academy standards of conduct and include a description of those sanctions.

1. 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 as well as rehabilitation and reentry programs available to students; also 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 biannual review of the Academy's program to determine its effectiveness and implement changes, as needed, and to ensure disciplinary sanctions are consistently enforced;

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J. establish means for dealing with students suspected of using drugs or of possessing or distributing drugs in school and ensure that the Academy's policy and administrative guidelines on Search and Seizure (Policy 5771) and Suspension and Expulsion (Policy 5610) are complied with fully.

The Educational Service Provider shall establish administrative guidelines necessary to implement this policy.

Adopted 2/21/07

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PERFORMANCE-ENHANCING DRUGS/COMPOUNDS

Reference: MCL 333.26301 et seq., 380.1318

The Board of Directors recognizes the use of dietary supplements, containing performance-enhancing compounds and/or performance-enhancing drugs, poses a serious health risk to students.

Accordingly, no staff member, volunteer, or contractor shall knowingly sell, market, distribute, or promote the use of any dietary supplement, containing a performance-enhancing compound or a performance-enhancing drug (e.g., anabolic steroids), to a student with whom the staff member, volunteer, or contractor has contact as part of his/her duties. Furthermore, the staff member, volunteer, or contractor shall not endorse or suggest the ingestion, intranasal application, or inhalation of such a dietary supplement by a student with whom he/she has contact as part of his/her duties.

Use of a performance-enhancing substance regardless of source by a student is a violation that will affect a pupil's athletic eligibility and extra-curricular participation, as determined by the Board. A list of performance-enhancing substances developed by the State Department of Community Health shall be updated annually and included in AG 2431. This notice and list shall also be published in the Parent/Student Handbook provided annually.

Adopted 2/21/07

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INTERROGATION OF STUDENTS

Reference: MCL 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 Academy environment but also recognizes its responsibility to cooperate with law enforcement and the State's child protection agency.

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 academy property at the request of the Director if the alleged violation of law took place on academy property or in emergency situations.

When police or other authorities arrive at the academy and wish to interview a student or investigate an alleged violation of law, they must contact the Executive Director indicating the nature of their investigation and their desire to question a student or students.

The Director 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 Director 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 Executive Director shall attempt to contact the parent prior to questioning and shall request to remain in the room during the questioning.

If the student is the subject of a child abuse/neglect investigation, the Executive Director shall attempt to contact the parent prior to questioning, and s/he or the Academy's social worker 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 Executive Director 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 Executive Director will record the name of the investigator, the public agency involved and the destination of the student if possible.

No academy 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.

Adopted 09/15/05
Revised 2/21/07; 2/25/19

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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 Academy 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 academy'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 Director 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 Director 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 Director 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 Director will still consider these factors in making the determination.

Restorative Practices

The Director shall consider using restorative practices as an alternative to or in addition to suspension or expulsion. If the Academy 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 academy community caused by the student's misconduct.

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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 Director 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 academy 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 Academy, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without 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 Director 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 Academy program. The Director may suspend a student for a period not to exceed 10 school days.

For purposes of this policy, unless otherwise defined in Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the Academy. Students who are expelled may petition for reinstatement as provided below.

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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 Director. 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 Director 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 Director may recommend to the Board a long-term suspension or that a student be expelled. The Board will act upon the recommendation in the hearing.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed.

The Director shall develop procedures to implement this policy that shall include the following:

A. strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the Academy's core curriculum;

B. standards of behavior for all students in accordance with Academy Board policy on student discipline;

C. procedures that ensure due process; and

D. provision for make-up work at home, when appropriate.

Persistent Disobedience or Gross Misconduct/CSC Against Another Academy 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 Academy regardless of the location of the conduct. A student may not be expelled or excluded from the regular academy program based on pregnancy status.

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

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Physical and Verbal Assault

Unless a different determination is made after consideration of the factors identified above, the Academy shall permanently expel a student in grade six or above if that student commits physical assault at the Academy against a staff member, a volunteer, or a contractor.

Unless a different determination is made after consideration of the factors identified above, the Academy 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 Academy 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 Academy 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 Academy against a Academy employee, volunteer, or contractor or makes a bomb threat or similar threat directed at an academy building, property, or at an academy-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 Academy" means in a classroom, elsewhere on academy premises, on an academy bus or other academy-related vehicle, or at an academy-sponsored activity or event whether or not it is held on academy 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 Academy shall expel any student who possesses a dangerous weapon, other than a firearm, in the Academy's weapon-free school zone (except as noted below), commits either arson or criminal sexual conduct in an academy building or on academy property, including academy buses and other Academy transportation, or pleads to, is convicted of or is adjudicated of criminal sexual conduct against another student enrolled in the Academy.

In compliance with State and Federal law, the Academy shall expel any student who possesses a firearm in the Academy'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.

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The Academy 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 Director or the police.

There is a rebuttable presumption that expulsion for possessing the weapon is not justified if the Director 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 Director 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 Director shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with Federal law, the Director shall also refer any student (regardless of age) expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the Academy. In addition, the Director shall send a copy of this policy to the State Department of Education and shall include a description of the circumstances surrounding the expulsion of the student for possessing a firearm or weapon in the Academy's weapon-free school zone, together with the name of the Academy, the number of students so expelled, and the types of firearms or weapons brought into the weapon-free school zone.

A student expelled under this policy for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may apply for reinstatement in accordance with the following guidelines:

A. If the student is in grade five (5) or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.

B. If the student is in grade five (5) or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, 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.

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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 Director.

E. Within ten (10) school days after receiving the petition, the Board shall appoint a committee consisting of two (2) Board members, an academy administrator, a teacher, and an academy-parent representative. During this time period, the Director 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 academy staff;

2. extent to which reinstatement would create a risk of academy or individual liability for the Board or academy staff;

3. age and maturity of the student;

4. student's academy 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;

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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 academy requests admission to this Academy, in making its decision, the Board shall follow the same procedure it has established in paragraphs A-F, above, for the reinstatement of a student.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition in accordance with the procedures set forth above or upon any standards and with any procedures it determines appropriate under the circumstances.

The Director 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 Director for offenses found in the Student Code of Conduct.

The Director 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 Academy'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

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occur as soon as reasonably possible. The Director 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 Director 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 academy.

The Director shall develop procedures to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

Corporal Punishment

While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or Academy through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

A. restrain or remove a student who refuses to comply with a request to behave or report to the office;

B. quell a disturbance threatening physical injury to self or others;

C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or

D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the Academy contracts for services.

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The Director shall provide guidelines, including a list of alternatives to corporal punishment.

Removal, Suspension, and Expulsion of Students with Disabilities

The Academy shall abide by Federal and State laws in matters relating to discipline, suspension, and expulsion of disabled students.

Adopted 4/17/08
Revised 7/30/08; 1/22/09; 9/19/13; 10/23/17; 2/25/19

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DUE PROCESS RIGHTS

The Board of Directors recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Academy's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following guidelines:

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 Director 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 Director 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 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, 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).

The Director shall establish procedures so that all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

Adopted 2/25/19

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STUDENT SECLUSION AND RESTRAINT

This policy is intended to provide the framework for organizational supports that result in effective interventions based on team-based leadership, data-based decision-making, continuous monitoring of student behavior, regular universal screening and effective on-going professional development. The Academy 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 academy 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 Academy will utilize Positive Behavioral Interventions and Supports (PBIS) to enhance academic and social behavior outcomes for all students. PBIS implemented by the Academy 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 academy personnel

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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 academy personnel training in PBIS

10. when contraindicated based on (as documented in a record or records made available to the academy) 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 academy 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:

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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 academy 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 academy personnel training in PBIS

10. when contraindicated based on (as documented in a record or records made available to the academy) 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: academy 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

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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

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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 academy 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:

1. 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.

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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:

      1) severity of behavior;

      2) chronological and developmental age;

      3) physical size;

      4) gender;

      5) physical condition;

      6) medical condition;

      7) psychiatric condition; and

      8) personal history, including any history of physical or sexual abuse or other trauma.

3. academy personnel shall call key identified personnel for help from within the academy building either immediately at the onset of an emergency situation or, if it is reasonable under the particular circumstances for academy 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

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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 academy 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, academy 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:

1) the parent or guardian

2) the student (if appropriate)

3) people who are responsible for implementation of the PBIS plan

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4) 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:

1) a teacher;

2) an individual knowledgeable about legally permissibly use of seclusion/restraint; and

3) 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. provide the parent or guardian with all of the following, in writing and orally:

1) A detailed explanation of the PBIS strategies that will reduce the risk of the student's behavior creating an emergency situation.

2) An explanation of what constitutes an emergency, including examples of situations that would fall within and outside of the definition.

3) A detailed explanation of the intervention procedures to be followed in an emergency situation, including the potential use of emergency seclusion/restraint.

4) A description of possible discomforts or risks.

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5) A detailed explanation of the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses.

6) Answers to any questions.

A student who is the subject of an EIP should be told or shown the circumstances under which emergency intervention could be used.

D. Data Collection and Reporting

1. The building administrator shall develop a system of data collection, collect the data and forward all incident reports and data regarding the use of seclusion/restraint to the Director.

The data must:

a. be analyzed to determine the efficacy of the academy's academy-wide system of behavioral support;

b. be analyzed in the context of suspension, expulsion, and dropout data;

c. be analyzed for the purposes of continuous improvement of training and technical assistance toward the reduction or elimination of seclusion/restraint;

d. be analyzed on a schedule determined by the Michigan Department of Education (MDE);`

e. be reported to the MDE, if and as required;

f. include a list of appropriately trained, identified personnel and their levels of:

1) education;

2) training; and

3) knowledge.

NOTE: The Academy must report to the MDE on the use of seclusion and restraint periodically. MDE will develop guidelines that outline the process for reporting redacted, aggregated data regarding the emergency use of seclusion and restraint.

Training Framework

A comprehensive training framework will be implemented which includes the following:

A. awareness training for all academy personnel who have regular contact with students; and

B. comprehensive training for key identified personnel.

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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

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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

"Academy 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.

"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

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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 academy 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.

"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

Adopted 10/18/07
Revised 8/28/17; 2/25/19

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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. Academy 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. Academy 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 Director.

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Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.

Advertising is not permitted in school-sponsored student publications/productions without prior consent of the Academy's Administration.

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 nonschool organizations or institutions when such solicitations have not been approved by the Board.

Adopted 3/18/10

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SEARCH AND SEIZURE

Reference: MCL 380.1306
US Constitution, 4th Amendment

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

Academy Property

The Board acknowledges the need for in-school storage of students' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy to prevent examination by a Academy official. The Board directs the School Leader to conduct a routine inspection, at least annually, of all such storage places. In the course of any search, student's privacy rights will be respected regarding any items that are not against Board policy.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the School Leader has reasonable suspicion that illegal drugs or devices may be present in the Academy. This means of detection shall be used only to determine the presence of drugs in locker areas and other places in the where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or other certified organizations and is not to be used to search students, unless either a warrant or parental permission has been obtained prior to the search.

Student Person and Possessions

The Board recognizes that the privacy of a student and his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

Reasonable suspicion that a communication device has been used to violate Academy policies or Administrative Procedures shall be subject to disciplinary action and may result in the communication device being confiscated.

Administrators are authorized to arrange for a breath-test instrument, according to the School Leader's Administrative Procedures, for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

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Except as provided below, a request for the search of a student or a student's possessions will be directed to the School Leader. He/she shall attempt to obtain the freely-offered consent of the student to the inspection; however, provided there is reasonable suspicion, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the School Leader in the presence of the student and another staff member. A search, prompted by the reasonable belief that health and safety are immediately threatened, will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances, when the health or safety of the student or of others is immediately threatened.

The School Leader shall be responsible for the prompt recording, in writing, of each student search, including the following information: reasons for the search; information received that established the need for the search; the name of informant, if any; the persons present when the search was conducted; any substances or objects found and the disposition made of them; and any subsequent action taken. The School Leader shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The School Leader shall prepare Administrative Procedures to implement this policy.

Adopted 2/25/19

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POSSESSION OF WEAPONS

Reference: MCL 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 under the control and supervision of the Academy for the purpose of school activities approved and authorized by the Academy, including, but not limited to, property leased, owned, or contracted for by the Academy, 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 gas-powered 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 Educational Service Provider 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 Academy student and staff handbooks. Publication is not a precondition to enforcement of this policy.

Adopted 1/25/16

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STUDENT FUNDRAISING

Reference: MCL 380.1272b
7 CFR Parts 210 and 220
42 USC 1779

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

For purposes of this policy *student fundraising* shall include the solicitation and collection of money from students for any purpose and the collection of money in exchange for tickets, papers, or any other goods or services for approved student activities. "Student fundraising also includes giving away goods or services, but suggesting a monetary donation.

The Board will permit student fundraising by students in the Academy, on school property, or at any school sponsored event only when the profit is to be used for school purposes or for an activity connected with the Academy.

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

Use of the name, logo, or any assets of the Academy, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Director.

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 Director.

All crowdfunding activities are subject to AG 6605.

Fundraising by students on behalf of those school-related organizations and Academy support organizations (with funds not managed by the Academy) may be permitted on or off school grounds by the Director. All fundraising by Academy-related organizations and Academy support organizations shall be done in accordance with Policy 9211 and Policy 9700.

The Director 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, without placing undue pressure on students;

C. limit the kind and amount of advertising for solicitation;

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D. require that the Director 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 fundraising events.

Advisors for approved Academy 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 Academy 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 Academy 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 Academy organization receives such compensation, albeit unsolicited, from a vendor, the individual shall notify the Director, in writing, that s/he received such compensation and shall thereafter properly transmit said compensation to the Director at his/her earliest opportunity.

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

Adopted 1/25/16
Revised 3/20/17

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6000 FINANCES

6110	**Grant Funds**	**L**
6111	Internal Controls	BP
6120	Safe Deposit Box	BP
6144	**Investments**	**L**
6152	Student Fees, Fines, and Supplies	BP
6320	**Purchasing**	**L**
6321	**New School Construction, Renovation**	**L**
6325	**Procurement – Federal Grants/Funds**	**L****
6420	**Conflict of Interest—Legal Counsel, Advisors, or Consultants**	**L**
6423	Use of Credit/Debit Cards	BP
6520	Payroll Deductions	BP
6550	**Travel Payment & Reimbursement**	**L**
6605	Crowdfunding	BP
6680	Recognition	BP
6700	**Fair Labor Standards Act (FLSA)**	**L**
6850	**Public Disclosure and Reporting**	**L**

**Legally required for schools receiving funding under ESEA.

Adopted 09/15/05
Revised 12/15/05; 2/21/07; 10/18/07; 4/17/08; 7/30/08; 9/17/09; 3/18/10; 8/5/10; 3/24/11; 2/21/13; 4/24/14; 1/25/16; 9/26/16; 3/20/17; 2/25/19; 5/20/19

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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 Academy. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the Academy 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 Academy. The Board shall approve each such proposal prior to its submission, and 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 Academy shall be used to develop or distribute materials, or operated programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual, to distribute or to aid in the distribution by any organization of legally obscene materials to minors on Academy grounds, to provide sex education or HIV-prevention education unless that instruction is age appropriate and includes the health benefits of abstinence, or to operate a program of contraceptive distribution.

Grant Proposal Development

A. All grant proposals must support at least one (1) Academy goal or priority.

B. 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.

C. 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 Academy 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.

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C. The Educational Service Provider is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statues, regulations, and program objectives, and the terms and conditions of the grant award.

D. The Academy, 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 Academy 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 Academy'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.

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 Academy policies and administrative procedures/guidelines.

At a minimum, the Academy shall provide for the following:

A. Identification, in Academy 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 Academy 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 Academy 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 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 Academy must adequately safeguard all assets and assure that they are used solely for authorized purposes.

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Further, the Academy must:

1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the Academy 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 Academy'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 Academy.

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Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the Academy 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 Academy is otherwise directed by the Federal awarding agency or pass-through entity.

Adopted 12/15/05
Revised 2/21/07; 2/21/13; 1/25/16; 9/26/16

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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 Academy 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 Academy considers sensitive information consistent with applicable Federal, state, local, and tribal laws and Academy policies regarding privacy and obligations of confidentiality.

Adopted 1/25/16
Revised 9/26/16

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SAFE DEPOSIT BOX

The Board of Directors may maintain at least one (1) safe deposit box at a bank selected by the Board. The Board authorizes the following people to sign the signature card for access to each safe deposit box:

A. The Board Treasurer,

B. The Director.

Adopted: 12/15/05

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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 Academy's policy is to use investments to maximize the returns on the Academy's excess cash balances, while reasonably controlling the risk of loss and maintaining an acceptable level of liquidity in those investments to meet the Academy's operating needs.

To this end, the Academy 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 Academy. 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 Education authorizes the Director to make investments of available monies from the several funds of the Academy 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)

    2. 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 U.S.C. 1752, for the account of the school district.

    3. the financial institution acts as custodian for the Academy is insured by an agency of the United States

    4. the financial institution acts as custodian for the Academy with respect to each certificate of deposit

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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 Academy 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. securities issued or guaranteed by agencies or instrumentalities of the United States government;

F. United States government or Federal agency obligation repurchase agreements;

G. bankers' acceptances issued by a bank that is a member of the Federal deposit insurance corporation;

H. mutual funds composed entirely of investment vehicles that are legal for direct investment by a school district;

I. 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 district.

When there is a possibility that interest changes could adversely affect the fair value of an Academy'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 other types of authorized securities may be made with the provision that no more than fifty percent (50%) of the total current investment portfolio consists of one type of security.

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)

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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 (NASD)

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 Director is authorized to contract with a depository for the operation of a cash management system under the following conditions:

A. the contract is in writing

B. the contract provides for the investment of funds by the depository with the written approval of the Director.

C. the investments are made in accordance with State law with maturities not to exceed two (2) years

D. the contract is awarded using the Academy's bidding procedure

All investments must mature or be redeemable within five (5) years of the date of purchase.

An obligation purchased in accordance with Section 380.1223(2), when received by the Director, shall be deposited with the bank or trust company having the deposit of the money of the particular fund from which the obligation was purchased.

Money in the several funds of the Academy shall not be commingled for the purpose of making an investment authorized by Section 380.1223. The Board, however, may establish and maintain one common debt retirement fund for bond issues of like character.

Earnings on an investment shall become a part of the fund from which the investment was made.

Funds of the Board may be withdrawn from approved public depositories or negotiable instruments owned by the Board and sold before maturity at the sole discretion of the Director acting within the law.

The Director may request, no more often than four (4) times per year, that each public depository report the amount of monies deposited by him/her and the total value of the pool of securities pledged to secure the monies of this Academy held by the depository.

The Director shall include in the monthly report to the Board all cash in all accounts on deposit as well as the investment assets of the Board. This report shall disclose credit risk, concentration of credit risk, investment risk and foreign currency risks to Board investments in accordance with Generally Accepted Accounting Principles.

The Board also requires the Director to report to the Board monthly:

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A. the types and amounts of each investment and the interest earned on each;

B. the transactions occurring since the last report.

The Board may adopt a resolution at its annual organizational meeting, authorizing electronic fund transfers and the Treasurer or the Electronic Transfer Officer (ETO) as authorized agent(s) to complete such transactions on behalf of the Board. The Automatic Clearing House (ACH) authorizing resolution shall include all of the following:

A. That an officer or employee designated by the Treasurer or ETO is responsible for the local unit's ACH agreements, including payment approval, accounting, reporting, and generally for overseeing compliance with the ACH policy.

B. That the officer or employee responsible for disbursement of funds shall submit to the local unit documentation detailing the goods or services purchased, the cost of the goods or services, the date of the payment, and the department levels serviced by payment. This report can be contained in the electronic general ledger software system of the local unit or in a separate report to the governing body of the local unit.

C. A system of internal accounting controls to monitor the use of ACH transactions made by the local unit.

D. The approval of ACH invoices before payment.

E. Any other matters the Treasurer or ETO considers necessary.

(NOTE: Investment professionals utilized by the Academy should be advised of and consulted on this policy.)

Adopted 9/17/09

Revised 8/5/10

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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 Academy any funds expended by the Academy 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 Academy 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 Director (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 Academy property, equipment, or supplies are damaged, lost, or taken by a student, whether in a regular course or extra-curricular offering, a fine will be assessed. The fine will be reasonable, seeking only to compensate the Academy for the expense or loss incurred.

The late return of borrowed books or materials from the Academy 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 Director 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 Director to take the student and/or his/her parents to Small Claims Court for collection.

Supplies

The Academy 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.

Adopted 09/15/05
Revised 4/17/08

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PURCHASING

Reference: MCL 380.1267, 380.1274 et seq.

Procurement of all supplies, materials, equipment, and services paid for from Academy 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, Policy 3110, and Policy 4110 (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 Academy of the legal amount for purchases which require a formal bidding process of a single item.

It is the policy of the Board that the Educational Service Provider adhere to the following:

A. Seek informal price quotations on purchases in excess of the amount allowed by State statute for a single item, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the Academy.

B. When the purchase of, and contract for, single items of supplies, materials, or equipment is in excess of the amount allowed by State statute the Educational Service Provider shall whenever possible, require three (3) competitive price quotations.

Purchases in a single transaction that are in excess of the dollar amount permitted by State statute shall require competitive bids and, whenever possible, have at least three (3) such bids for substantiation of purchase and shall require approval of the Board prior ŧ 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 MCL 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 Director 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;

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C. suitability to the requirements of the school;

D. delivery terms;

E. past performance of vendor.

In addition to the factors above, the Board may consider and provide a preference to bidders:

A. which use a Michigan-based business as the primary contractor.

B. which use one (1) or more Michigan-based business as subcontractors.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under MCL 18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

1. have filed a Michigan business tax return showing an allocation of income tax base to Michigan

2. have filed a Michigan income tax return showing income generated in or attributed to Michigan

3. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

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.

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The Board should be advised, for prior approval, of all purchases of equipment, materials, and services when the purchase

A. was not contemplated during the budgeting process;

B. exceeds the line item.

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 his/her judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order;

D. upon the placement of a purchase order, the Educational Service Provider shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

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

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

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Procurement – Federal Grants

The Educational Service Provider shall maintain a procurement and contract administration system in accordance with the United States Department of Education requirements (34 CFR 80.36) for the administration and management of Federal grants and federally-funded programs. The Academy 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).

Adopted 3/18/10
Revised 2/21/13; 1/25/16

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NEW ACADEMY CONSTRUCTION, RENOVATION

References: MCL 380.1267
M.C.L. 380.1264

Before commencing construction of any new academy building or the major renovation of an existing academy building, the Board shall consult on the plans for construction or major renovation regarding academy safety issues with the law enforcement agency that is the first responder for the academy building at issue. For purposes of this paragraph, academy 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 academy building, or addition to or repair or renovation of an existing academy building, except repair in emergency situations, the Board of Directors, shall obtain competitive bids on all the material and labor required for the complete construction of a proposed new building or addition to or repair or renovation of an existing academy building which exceeds the State statutory limit.

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 an academy organization and designated by the department of management and budget for this purpose.

B. If the department of management and budget designates an academy 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 academy 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 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 Director of the Academy. A

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Board shall not accept a bid that does not include this sworn and notarized disclosure statement.

D. The Board shall require each bidder for a contract under this policy, to file with the Board security in an amount not less than 1/20 of the amount of the bid conditioned to secure the Academy from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance, if the bid is accepted by the Board.

E. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids as described in subsection 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.

The Board may consider and provide a preference to bidders:

1. which use a Michigan-based business as the primary contractor.

2. which use one (1) or more Michigan-based business(es) as subcontractors.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under MCL18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

a. have filed a Michigan business tax return showing an allocation of income tax base to Michigan

b. have filed a Michigan income tax return showing income generated in or attributed to Michigan

c. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

G. The competitive bid threshold amount specified in this policy ($24,459 for 2019) is adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price

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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.

Adopted 12/15/05
Revised 3/18/10; 2/25/19; 5/20/19

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PROCUREMENT – FEDERAL GRANTS/FUNDS

Reference: 2 C.F.R. 200.317 - .326

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or Academy 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 Director shall maintain 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 Academy shall maintain a contract administration 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 the Academy's documented general purchasing Policy 6320 and AG 6320.

All Academy employees, whether employed by the Board or by an Educational Service Provider, all officers of the Academy, and all agents of the Academy 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 Academy 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 Academy may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

<u>Competition</u>

All procurement transactions paid for from Federal funds or Academy 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 Academy 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;

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C. noncompetitive contracts to consultants that are on retainer contracts;

D. organizational conflicts of interest;

E 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

F. any arbitrary action in the procurement process.

Further, the Academy 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 Academy 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 Academy 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 Academy allows vendors to apply for consideration to be placed on the list continuously.

Solicitation Language

The Academy shall 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 Academy will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The Academy shall utilize the following methods of procurement:

A. 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 extent practicable, the Academy shall distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if Director considers the price to be reasonable. The Academy maintains evidence of this reasonableness in the records of all

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purchases made by this method.

B. Small Purchases

Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of $24,459. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

C. 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 an academy 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:

1. a complete, adequate, and realistic specification or purchase description is available;

2. two (2) or more responsible bidders are willing and able to compete effectively for the business; and

3. 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:

1. 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.

2. 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.

3. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.

4. 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.

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5. The Board reserves the right to reject any or all bids for sound documented reason.

D. Competitive Proposals

Procurement by competitive proposal, normally conducted with more than one source submitting an offer, is 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:

1. 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.

2. Proposals shall be solicited from an adequate number of sources.

3. The Academy shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.

4. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Academy 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.

E. Noncompetitive Proposals

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:

1. the item is available only from a single source

2. the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation

3. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Academy

4. after solicitation of a number of sources, competition is determined to be inadequate

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Contract/Price Analysis

The Academy 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 Academy shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the Academy 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 Academy 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. Time and materials type contract means a contract whose cost to the Academy 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 Academy sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Academy 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 Academy 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 Academy and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Academy 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 Director shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The Academy 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 Academy 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)

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Debarment is an action taken by the Director 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 Academy shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over $25,000, the Academy 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 Academy 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 Director within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Director 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 Academy maintains 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).

Adopted 2/25/19
Revised 5/20/19

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CONFLICT OF INTEREST - LEGAL COUNSEL, ADVISORS, OR CONSULTANTS

Reference: M.C.L. 380.1203

A person serving as the legal counsel to the Academy or otherwise acting as an advisor or consultant to the Board of Directors, who believes or has reason to believe that the s/he has a conflict of interest with regard to a contract or other financial transaction that requires the approval of the Board shall disclose the conflict of interest to the Board before the vote on the contract or other financial transaction.

Such a person is presumed to have conflict of interest if the person or his/her family member has financial interest, or a competing financial interest in the contract or other financial transaction under consideration by the Board.

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

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

See Bylaw 0144.3

Adopted 4/24/14

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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 Academy Credit cards. The authorization, handling and use of credit cards has been established to provide a convenient and efficient means to purchase goods and services from vendors. Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or Academy-related activities and that only those types of expenses that are for the benefit of the Academy and serve a valid and proper public purpose shall be paid for by credit card. However, under no circumstances shall credit cards be used for personal purchases or the purchase of alcoholic beverages regardless of whether the purchase of such beverages is made in connection with a meal.

The Director 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. Inappropriate or illegal use of the credit card and/or failure to strictly comply with the limitations and requirements set forth in the administrative guidelines may result in a loss of credit card privileges, disciplinary action, up to and including termination, personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase, and/or possible referral to law enforcement authorities for prosecution.

The Director shall annually submit for Board approval the position titles authorized to use Academy credit card(s) in conduct of Academy business.

The Director shall be responsible for giving direction to and supervising such employees' use of Academy credit card(s).

Adopted 09/15/05

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PAYROLL DEDUCTIONS

Reference: MCL 380.1224, 408.477
Michigan OAG 7187 (2006)

The Board of Directors authorizes, in accordance with the provisions of law or upon proper authorization on the appropriate form that deductions may be made from an employee's paycheck for the following purposes:

A. Federal and State income tax;

B. Social Security;

C. municipal income tax;

D. Public School Employees Retirement System;

E. direct deposit in a chartered credit union and/or bank;

F. contributions to charitable corporations, not-for-profit, and community fund organizations;

G. payment of group insurance premiums for a plan in which at least ten percent (10%) of the Academy employees participate;

H. payment for benefits of part-time employees who elect to participate in benefits provided to full-time staff; or

I. Court ordered judgments.

Deductions are not allowed for dues or service fees for a labor organization or for contributions to political action committees. [Note: The prohibition on deduction of union dues or services fees is effective as of March 16, 2012, unless a collective bargaining agreement was in effect as of that date, then it becomes effective with the date of expiration, renewal or extension of that bargaining agreement.]

To the extent permitted by law and in accordance with procedures set forth below, the Board of Directors declares its willingness to enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the Board's agreement to use a corresponding amount to purchase an annuity for such employee (or group of employees desiring the same annuity company) from any company authorized to transact the business as specified in law in accordance with Section 403(b) of the Internal Revenue Code, and in accordance with the Academy's Administrative Guidelines. However, it shall be clearly understood that the Board's only function shall be the deduction and remittance of employee funds.

In any case where the employee designates the agent, broker or company through whom the board shall arrange for the placement or purchase of the tax-sheltered annuity, the agent, broker or company must execute a reasonable service agreement, an information sharing agreement, and/or other similar agreements as determined at the discretion of the Academy. The service agreement shall include a provision that protects, indemnifies, and holds the Academy harmless from any liability attendant to procuring the annuity in accordance with provisions of the Internal Revenue Code and other applicable Federal or State law.

The board may limit the number of participating providers and select approved providers.

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Said agreement shall comply with all of the provisions of law and may be terminated as said law provides upon notice in writing by either party. Employees shall notify the Director's Office in writing if they wish to participate in such a program.

The Educational Service Provider shall be responsible for all payroll functions.

Adopted 10/18/07
Revised 7/30/08; 4/24/14

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TRAVEL PAYMENT & 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 Academy'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 Academy's travel policy.

All costs incurred with Federal funds must meet the Academy's cost allowability standards.

To the extent that the Academy'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.

Adopted 1/25/16
Revised 9/26/16

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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 Academy – be it a specific classroom, grade level, department, school, or curricular or extracurricular activity.

"Crowdfunding" is defined as the solicitation of resources from individuals and/or organizations to support identified activities or projects that enhance the educational program or a specific cause approved by the Academy. The solicitation is typically from a large number of individuals/organizations utilizing internet-based technologies.

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 Director.

All approved crowdfunding activities shall protect the privacy of students, children, and young adults in accordance with Academy policies and administrative guidelines and applicable State and Federal law, including FERPA and IDEIA.

Materials, supplies, equipment, and other proceeds of the crowdfunding activity shall become property of the Academy. Cash or equivalent payment to Academy personnel is prohibited. All fiscal transactions shall comply with appropriate Academy policies.

All crowdfunding activities are subject to AG 6605.

Adopted 3/20/17
Revised 5/20/19

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RECOGNITION

Reference: MCL 380.634

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 Director, consider, as appropriate, the presentation of token gifts to such individuals and groups who have rendered service to the Academy for a period of time. The use of public funds for the purchase of a plaque, medal, trophy, or other award for the recognition of any employee, volunteer, or student may not exceed $50.00 per recipient.

Public funds under the control of the Academy may NOT be used to purchase alcoholic beverages, jewelry, gifts, fees for golf, or any item whose purchase or possession is illegal. Any such expenditure violates this policy.

Beginning January 1, 2005, the monetary amount for recognition awards will be adjusted annually by the State. On or before December 15th of each year, the State will, upon request, provide the adjusted limit or, if the index is unavailable, the State will provide a reasonable approximation.

The Board authorizes expenses incurred as listed above only when they 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.

Adopted 09/15/05

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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 will pay at least the minimum wage required by the FLSA to all covered, non-exempt employees. 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
.
Non-exempt employees who work more than forty (40) hours in a given work week will receive overtime pay in accordance with the FLSA for all hours worked in excess of forty (40).

Non-exempt employees who work overtime without prior approval from the Director or a supervisor may be subject to disciplinary action up to and including termination.

The work week is established as 7:30am Monday to 3:00pm Friday.

To the extent that an employee's individual contract or collective bargaining agreement provides for greater benefits than mandated by the FLSA, the contract or bargaining agreement will be honored.

Notwithstanding the fact that exempt Academy employees continue to meet the salary basis requirements and are not disqualified from exemption even if the employee's pay is reduced or the employee is placed on a leave without pay for absences for personal reasons or because of illness or injury of less than one (1) work-day because accrued leave is not used for specific reasons, the Board reserves the right to make deductions from the pay of otherwise exempt employees under the following circumstances:

A. the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability

B. the employee is absent from work for one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness

C. to offset amounts employees receive as jury or witness fees, or for military pay

D. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions

E. For penalties imposed in good faith for infractions of safety rules of major significance.

The Board shall also not be required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family & Medical Leave Act.

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The Board recognizes that with limited legally permissible exceptions, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that an improper deduction has been made to his/her salary, the employee should immediately report this information to the Director. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made, and the Board will make a good faith commitment to avoid any recurrence of the error.

Information regarding the Fair Labor Standards Act may be found on the U.S. Department of Labor's website <www.dol.gov>.

This policy is intended to comply with and explain the employees' rights under the Fair Labor Standards Act. To the extent there is any conflict, or the policy exceeds the statutory requirements, the statute and its implementing regulations prevail.

The Board directs the Director or his/her designee to distribute this policy to all employees upon initial hire and on an annual basis.

The Director is directed to prepare administrative guidelines to implement this policy.

Adopted: 12/15/05

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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 thirty fifteen (15) after the Board of Directors adopts its annual operating budget for the following school fiscal year, or adopts a subsequent revision to that budget, the Academy shall make all of the following available through a link on its Web site home page in a form and manner prescribed by the State Department of Education ("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 Academy expenditures for the most recent fiscal year for which they are available, expressed in the following two (2) pie charts:

1. a chart of personnel expenditures, broken into the following subcategories:

a. salaries and wages

b. employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits

c. retirement benefit costs

d. all other personnel costs

2. a chart of all Academy expenditures, broken into the following subcategories:

a. instruction

b. support services

c. business and administration

d. operations and maintenance

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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 Academy's written policy governing procurement of supplies, materials and equipment

   c. the Academy's written policy establishing specific categories of reimbursable expenses for a Board member

   d. the Academy'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 Academy that were reimbursed by the Academy for the most recent Academy 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 Academy as Academy 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 Academy and the details of each instance of such travel, including the identification of each individual on the trip, the destination and the purpose

   As used in this subdivision, "lobbying" means that term as defined in Section 5 of 1978 PA 472, MCL 4.415.

The Board shall have an audit of the Academy's financial and pupil accounting records conducted at least annually at the expense of the Academy. The Board shall retain these records for the current fiscal year and from at least the three (3) immediately preceding fiscal years.

The Academy's annual financial audit shall include an analysis of the financial and student accounting data used as the basis for distribution of State school aid. The student accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the Department.

Not later than November 1st of each year, the Academy shall file its annual financial audit report with all appropriate agencies.

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The annual financial audit reports and student accounting procedures reports shall be available to the public in compliance with the Freedom of Information Act.

By November 15th of each year, the Academy shall submit to the Center for Educational Performance Information (CEPI), in a manner prescribed by the CEPI, annual comprehensive financial data consistent with accounting manuals and charts of accounts approved and published by the Department. This submission shall contain the Academy's web address where the required financial data is posted. The Academy shall also include a link on its websites to the website where the Department posts this financial information.

By September 30th of each year, the Academy shall file with the Department the special education actual cost report on a form and in a manner as prescribed by the State Department of Education.

The Academy shall provide to the Department an annual progress report on the implementation of school improvement plans, curriculum, and accreditation as required by "Public Act 25 of 1990."

The Academy shall comply with the reporting requirements under State and Federal law, including reports to 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 Academy 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.

Adopted 3/24/11
Revised 1/25/16

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7000 **PROPERTY**

7217	**Weapons**	**L**
7310	**Disposition of Surplus Property**	**L**
7430	Safety Standards	BP
7434	**Use of Tobacco on Academy Premises**	**L**
7440	Facility Security	BP
7450	**Property Inventory**	**L**
7510A	Use of Academy's Facilities	
7510B	Supervision of Rented Facilities	
7530.01	Staff Use of Wireless Communication Devices	BP
7530.02	Staff Use of Personal Communication Devices	BP
7540	Technology	BP
7540.01	Technology Privacy	BP
7540.02	Web Accessibility, Content, Apps and Services	BP
7540.03	Student Education Technology Acceptable Use and Safety	BP
7540.04	Staff Technology Acceptable Use and Safety	BP
7540.05	Electronic Mail	BP
7540.06	Academy-Issued Student E-mail Account	BP
7540.07	**Personal Internet Account Privacy—Students**	**L**
7540.08	**Personal Internet Account Privacy—Staff**	**L**
7542	Access to District Technology Resources and/or Information Resources from Personal Communication Devices	BP
7543	Utilization of the Academy's Website and Remote Access to the Academy's Network	BP
7544	Use of Social Media	BP
7545	Electronic Communications	BP

Revised: 10/19/06; 4/17/08; 9/17/09; 3/18/10; 3/24/11; 4/19/12; 2/21/13; 9/19/13; 11/24/14; 9/26/16; 3/20/17; 10/23/17; 1/22/18; 9/24/18

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WEAPONS

Reference: 18 USC. 922
MCL. 28.425o
20 USC 4141(g)

The Board of Directors prohibits visitors from possessing, storing, making, or using a weapon in any setting under the control and/or supervision of the Academy for the purpose of Academy activities (approved and authorized by the Academy), including, but not limited to, activities or events held on/in property leased, owned, or contracted by the Academy, activities or events sponsored by the Academy, and activities or events involving the use of an Academy vehicle without the permission of the Director.

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

The term weapon means any object capable of inflicting serious bodily harm or property damage, endangering the health and safety of persons. Such weapons include, but are not limited to the following: firearms; guns of any type (including air and gas-powered guns, loaded or unloaded); knives; razors; clubs; electric weapons; metallic knuckles; martial arts weapons; ammunition; and explosives.

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

Exceptions to this policy include

A. weapons under the control of law enforcement personnel;

B. items approved by a Director as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved. Working firearms and ammunition shall never be approved;

C. theatrical props used in appropriate settings;

D. starter pistols used in appropriate sporting events.

E. firearms that are lawfully stored inside a locked vehicle in Academy parking areas, if the Academy adopts appropriate safeguards to ensure student safety. (This exception does not include student vehicles.)

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

A. A parent or legal guardian of a student of the Academy may carry a concealed weapon while in a vehicle on school property, if s/he is dropping the student off at the school or picking up the child from the school.

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B. A county corrections officer, a member of a Sheriff's posse, a police or sheriffs reserve or auxiliary officer, or a State Department of Corrections parole or corrections officer, a private investigator, a Michigan State Police motor carrier officer or Capitol security officer, a State court judge, a security officer required by the employer to carry a concealed weapon while on the premises.

C. A retired police or law enforcement officer or a retired State court judge.

The Director shall take the necessary steps to inform appropriate law enforcement agencies of a violation of the Weapon-Free School Zone.

Adopted NEOLA
Revised 10/19/06; 9/17/09

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DISPOSITION OF SURPLUS PROPERTY

Reference: 2 CFR 200.312, 200.313

The Board of Directors requires the Director to review the property of the Academy periodically to dispose of that material and equipment no longer usable in accordance with the terms of this policy.

Instructional Material

The Academy shall review instructional materials (e.g., 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. materials or equipment worn beyond salvage.

Equipment

The Academy 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 are no longer readily available

B. repair records indicate the equipment has no usable life remaining

C. obsolete equipment no longer makes a contribution to the educational program

D. equipment has some potential for sale at an auction

E. equipment poses a safety or environmental hazard

Disposition

The Director is authorized to dispose of obsolete instructional and other property through sale to the highest bidder, donation to appropriate parties, or proper waste removal. 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 Academy 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.

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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 Academy 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 Academy 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 Academy may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the Academy shall be entitled to compensation for its attributable percentage of the current fair market value of the property.

Adopted 9/26/16

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SAFETY STANDARDS

Reference: MCL 380.1288,
AC Rule 29.1 et seq., 340.1301 et seq.

The Board of Directors believes that the employees and students of this Academy, 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 Director shall be responsible for the maintenance of standards in the facilities to prevent accidents and to minimize their consequences. S/He shall conduct periodic audits of health and safety conditions within the facilities of the Academy in accordance with the Federal OSHA standards adopted by the State, and take appropriate action on any violations thereof to the Director.

At the beginning of each school year and as frequently thereafter as deemed necessary by the Director, the Academy's playground is to be checked for safety by the Director. Record of each inspection is to be on file in the Academy office.

The Director shall ascertain that the employees and students of this Academy 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 Director shall report the results thereof to the Board at the meeting following the receipt of the State report.

Adopted: NEOLA
Revised: 12/15/05

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USE OF TOBACCO ON ACADEMY PREMISES

Reference: MCL 380.1170
20 USC 6081 et seq
U.S.D.O.E. Memorandum, 1995
MDE Board Policy on 24/7 Tobacco-Free Schools

The Board of Directors recognizes that the use of tobacco presents a health hazard that can have serious consequences for both 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 products on Academy premises (owned or leased), in school vehicles, at all school sponsored events and in all school buildings owned and/or operated by the Academy.

For purposes of this policy,

A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.

B. "use of a tobacco product" means any of the following:

1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device

2. the inhaling or chewing of a tobacco product

3. the placing of a tobacco product within a person's mouth

4. and/or the smoking of electronic, “vapor,” or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

Tobacco companies/products may not sponsor any Academy activity or project.

Adopted NEOLA
Revised 10/19/06; 3/24/11; 4/19/12

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FACILITY SECURITY

Buildings constitute the greatest financial investment of the Academy. It is in the best interest of the Board of Directors to protect the Academy'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 Director shall develop and supervise a program for the security of the Academy'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 Academy 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 Director shall report to the Board, no later than the next Board meeting, any significant incident involving vandalism, theft, personal safety or other security risk and the measures being taken to address the situation.

Adopted 3/18/10

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PROPERTY INVENTORY

As steward of this Academy's property, the Board of Directors recognizes that efficient management and full replacement upon loss require accurate inventory and properly maintained property records.

The Board shall conduct and maintain a continuous inventory of all Academy-owned equipment and supplies in accordance with all applicable law.

The duty of the Director shall be to ensure that inventories are recorded systematically and accurately and that property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Equipment acquired under a Federal award will vest upon acquisition to the Academy, 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.

Adopted 9/26/16

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USE OF THE ACADEMY'S FACILITIES

Applications

Any organization or individual desiring to use the Academy's facilities shall complete an application and submit it to the Director for approval.

A. Completed applications for facility use, when charges are involved, must be accompanied by a deposit in the amount of $25.00.

B. Charges for the Academy's personnel shall be based on the appropriate rate of pay for persons in the respective job classification (custodian, cook, etc.) whenever extra pay for the Academy's employees is required as a result of the use.

C The Academy reserves the right to demand sufficient time for full investigation, notice, and arrangements of all requests for the use of the Academy's facilities and reserves first claim to the use of its own property. Cancellations may be issued by the Director with or without due notice. All approvals are to be granted with this understanding. The $25.00 deposit is refundable when 24 hour notice is given to cancel the requested use. Otherwise, those requesting the use will be responsible for payment for all costs incurred, including the cost per hour charged for the use of the facility.

D. In no case will those who have been granted permits assign, transfer, sublet, or charge a fee to others for the use of the Academy's property.

Ineligible Users

Groups or persons will not be granted permits when the request is for activities in conflict or competition with the Academy's programs or not authorized by Board policy.

Regulations

A. Users must take reasonable steps to ensure orderly behavior and will be responsible for paying for all damage associated with their use of the facility or equipment.

B. The Academy reserves the right to request payment of estimated fees in advance.

C. Use of tobacco is prohibited. All users are responsible for complying with this regulation.

D. Alcoholic beverages and controlled substances will not be permitted on the Academy's property at any time.

E. Decorations must be fireproof and shall be erected and taken down in a manner not destructive to the Academy's property. Decorations are subject to the approval of the Director. The use of open flames, such as candles, is permitted only with written permission from the fire marshal.

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F. The user shall be fully responsible for all loss or damage to the Academy's property, including property of students and employees.

G. Requests for Academy-owned equipment are not included in the direct or indirect costs and shall be charged based on request and type of equipment.

H. The use of any materials on floors or other parts of the building is strictly prohibited without specific approval in writing from the Director.

I. Use of stages, furniture, and equipment must be arranged in advance. Set-up and clean-up may be performed by members of the group using the facility, provided the responsible persons are listed on the application. Additional custodial services required for work not done satisfactorily will be paid for by the using group. Arrangements must be made with the Director for use of any special or extra equipment. Extra compensation paid employees for moving, operating, or supervising special or extra equipment will be charged to the using group.

J. Use during summer vacation, on holidays, or during other vacation periods shall not conflict with building cleaning and renovating programs and will depend on the availability of building service personnel for supervision.

K. No unauthorized methods of obtaining funds, including any form of gambling, is permitted in the Academy or on the Academy's grounds.

L. A custodian shall be on duty whenever a facility is being used except as exempted by the Director. The custodian will render custodial assistance in handling furniture and equipment and will be responsible for seeing that the facility or facilities are left in good order after the activity is over. The custodian's overtime, including clean-up time, will be charged at the appropriate hourly rate. Food-service personnel shall be required, in addition, when kitchen facilities are requested.

M. Responsibility for enforcement of rules and regulations concerning use of the Academy's facilities rests with the user group, and any infractions of the above regulations may be grounds for refusing to grant subsequent requests for the use of these facilities.

N. Corridors, exits, and stairways must be free of obstructions at all times. Exits are to be lighted when facilities are in use. Members of the audience or spectators must never stand or sit so they block exits, stairways, or aisles.

O. The Academy will not be responsible for any loss of valuables or personal property.

P. Flyers, booklets, or other printed or audio-visual materials may not be distributed unless they relate directly to the activity for which the Academy's facility is being used.

Adopted 4/17/08

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SUPERVISION OF RENTED FACILITIES

Each group requesting the use of the Academy's facilities must use the services of an Academy custodian and must pay for such services.

Each group requesting the use of the Academy's facilities must indicate an individual, satisfactory to the administrator in charge of the building, who will serve in a supervisory capacity during the use of the facilities.

If the supervisor, as designated above, is not satisfactory to the administrator in charge, the administrator shall appoint a supervisor and the pay shall be charged to the sponsoring group.

Supervisors are responsible for the enforcement of all rules and procedures regarding the use of the Academy's facilities.

The custodian on duty is directed not to open the facility until the supervisor for the sponsoring group is on duty.

Adopted 4/17/08

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STAFF USE OF WIRELESS COMMUNICATION DEVICES

The Board of Education will provide wireless communication devices ("WCD") (i.e. cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs) BlackBerries/Smartphones, WiFi-enabled or broadcast access devices, etc.) to employees who by the nature of their job have a routine and continuing business need for the use of such devices for official Board business. WCDs are provided as a tool to conduct Board business and to enhance business efficiencies. WCDs are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means to conduct Board business (i.e. because some wireless services plan are billed on a time-used basis, Board-owned WCDs should not be used if a less costly alternative method of communication is safe, convenient and readily available)

The Director is authorized to designate those staff members who will be issued a Board-owned WCD and provided with a wireless service plan.

The Director or his/her designee is responsible for verifying:

A. the need for each Board-owned WCD and wireless service plan is clearly justified for Board business purposes;

B. alternative solutions for work production and communication are considered;

C. employees provided with wireless service plans are notified of the purpose and limitations of usage;

D. wireless service plan invoices outlining the details of usage are received and reviewed for conformance with this policy;

E. employees reimburse the Board for non-business use; and

F. A Board-owned WCD is returned and the corresponding wireless service plan is terminated when it is no longer justified by business requirements, the employee leaves the Board's employment, and/or when the employee has demonstrated a disregard for the limitation of this policy.

In deciding which staff members should receive a Board-owned WCD, the Director will consider whether their jobs:

A. require them to spend a considerable amount of time outside of their assigned office or work area during normal working hours and have regular access to telephone and/or Internet connections while outside their office or assigned work area;

B. require them to be accessible outside of scheduled or normal working hours or to be contracted and respond in the event of an emergency; or

C. consistently require timely and business critical two (2) way communication for which there is not reasonable alternative technology. (This is not intended to include occasional, incidental access or purely voluntary access such as checking e-mail from home).

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D. safety requirements indicate having a WCD is an integral part of meeting the requirements of the employee's job description;

E. the employee's job requirements include critical Academy-wide decision-making.

WCDs enable individuals to be reached whenever a situation arises necessitating immediate contact, regardless of the person's location at that time. Therefore, a Board-owned WCD shall be issued to the Director.

Since the staff members listed above are expected to be readily accessible day and night, seven (7) days a week during the course of their employment, the Board considers WCDs to be essential equipment for the performance of their duties, and determines that the provision of WCD to the above-mentioned staff members serves a valid public purpose.

Accordingly, the individual employment contracts of the Director shall affirm that the staff member shall be provided with a WCD, describe the permissible and impermissible uses of that device, and describe the staff member's financial obligations, if any, for the service.

Board-owned WCDs and/or their related wireless service plan are to be used only to place calls, access the Internet, or receive/send e-mails, instant messages or text messages for Academy-related business.

Furthermore, Board-owned WCDs are not to be used to place calls or send/receive e-mails, instant messages or text messages of a personal nature, or access the Internet for personal business.

Wireless service plans are expected to be set at the minimum level that fulfills the business need for the position in question. The wireless service plan that is selected for an employee should be the one that provides a combination of services including number of minutes, coverage, and local call zone most nearly matching the employee's recurring business needs as well as whether or not the service plan includes text messaging, instant message and/or e-mail capability, and ability to access the Internet. If the wireless plan is based on minutes used for calls made or includes a charge regarding e-mail or instant messages, the smallest plan available to accommodate the particular business need shall be utilized.

The Board shall approve the Director's recommendation regarding the type and level of wireless service appropriate for each staff member listed above. In all cases, the Director shall take the steps necessary to secure the most economical and responsible service available.

Thereafter, an annual review of the service plans available shall be made to determine if the Academy's wireless service plans are the most economical and responsible available. Additionally, at least once annually, the Director shall review the employee's actual usage (i.e. type and level of service) with the employee and, if warranted, authorize the acquisition of a different WCD and/or selection of a different on wireless service plan that more nearly matches the employee's recurring business needs. Any such change in provider and/or necessary adjustments to individual staff member's devices and/or service plans shall be presented to the Board for consideration and approval.

Possessing a Board-owned WCD is a privilege and all employees are expected to use them appropriately and responsibly. Employees are responsible for managing the cost

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effectiveness of WCD use by utilizing assigned landline and/or designated computers as available and appropriate. Employees should know that using a WCD to place calls outside the immediate area might result in roaming charges, in addition to long distance and regular charges, and that the Board is charged for both outgoing and incoming calls.

In order to continue to be eligible to receive a Board-owned WCD, staff members are required to answer all calls on his/her WCD and promptly respond to any messages.

Safe Use of Wireless Communication Devices

Employee safety is a priority of the Board, and responsible use of WCDs includes safe use.

Using a WCD while operating a vehicle is strongly discouraged. Employees should plan accordingly so that calls are placed, text messages, instant messages or e-mails sent/read, and/or the Internet browsed either prior to traveling or while on rest breaks. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving.

Duty to Maintain Confidentiality of Student Personally Identifiable Information; Public and Student Record Requirements

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their Board-owned WCDs.

Wireless communications, including calls, text messages, instant messages, and e-mails sent from WCDs may not be secure. Therefore, employees should use discretion in relaying confidential information, particularly as it relates to students.

Additionally, wireless communications, including text messages, instant messages and e-mails sent and/or received by a public employee or school official using their Board-owned WCD may constitute public records if the content of the message concerns school business, or an education record if the content includes personally identifiable information about a student. Wireless communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy – 8310 Public Records. Wireless communications that are student records are confidential and must be maintained pursuant to Policy 8330 – Student Records. Finally wireless communications and other electronically stored information (ESI) stored on the staff member's Board-owned WCD may be subject to a Litigation Hold pursuant to Policy 8315 – Information Management. Staff are required to comply with Academy requests to produce copies of wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold.

Except in emergency situations, employees are prohibited from using WCDs to capture, record or transmit the words (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal or Director.

Using WCDs or any other device to capture, record or transmit the words (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, must not occur in any areas where the individual may

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have a reasonable expectation of privacy, such as locker rooms, restrooms, private conversations not conducted in public areas. Unless specifically authorized by the Director to capture, record or transmit in these areas.

At no time may any WCD be utilized by an employee in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

Employee's Responsibilities

Employees are responsible for the safekeeping, care and custody of the WCDs assigned to them. Further, employees are responsible for the cost of misuse, intentional damage or reckless loss of the WCDs provided to them. The Academy does not provide or purchase insurance to allow for loss or damage to its WCDs.

Reasonable precautions should be taken to prevent unauthorized use/access to, or loss, damage, theft and/or vandalism to said devices. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the WCD for return or inspection. Employees unable to present the device in good working condition within the time period requested (e.g. twenty-four (24) hours) might be expected to bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

Each employee issued a Board-owned WCD is required to keep a log documenting the calls made, e-mails, instant messages or text messages sent/receive, or Internet sites accessed with a notation of the purpose of each action.

Each employee issued a Board-owned WCD will receive a detailed monthly statement for all charges. The employee must review the monthly statement for billing accuracy, then sign and date it verifying the employee's review and attesting that there are no charges for personal calls, text messages, instant messages or e-mails. A copy of the signed and dated statement is to be submitted to the Director within 7 days of receipt of it by the employee. In the event that a personal call is inadvertently made or received, or a text message, instant message or e-mail of a personal nature is sent or received on the employee's Board-owned WCD, the employee shall be billed for the actual cost of the personal calls made or received, or the text messages, instant messages or e-mails sent or received. In addition, the employee shall also be charge a portion of the monthly service fee. If the employee's service plan is all-inclusive and charges are not assessed for individual calls, text messages, instant messages or e-mails, then the employee will be charged a pro-rated share of the monthly charge. Employees may be required to sign an authorization to deduct any such amount owed will be deducted from the employee's paycheck in the following pay cycle. If the employee does not repay the Academy before that time.

Any employee who regularly places or receives personal calls, or uses his/her Board-owned WCD to send/receive personal e-mails, text messages, or instant messages, shall be subject to disciplinary action.

Use of a Board-owned WCD by an employee to access a personal e-mail account or connect to the Internet for personal business is limited to urgent or emergency situations.

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WCDs may not be transferred to any other employee without prior notification and approval of the Director. Employees provided with a WCD understand that the WCD is owned by the Board. Any alteration or switching of WCDs must be approved in advance by the Director.

Cellular telephone numbers provided by the Board, via contract with a wireless service provider/vendor, are considered business numbers of the Academy which shall remain and belong to the Board for its use, unless otherwise changed by the service provider/vendor or as mandated by the Federal Communications Commission. Employees are not allowed to transfer/port a previous personal cellular telephone number to a Board-owned WCD.

The Board reserves the right to audit all Board-owned WCDs, which will include but not be limited to, a review of the detailed monthly statement upon submission after the requisite review by the employee. The detailed monthly service statements for all Board-owned WCDs as well as invoices and payment documents related to these accounts are public records and, as such, may be subject to disclosure and review.

Privacy Issues

The use of WCDs that contain built-in cameras (i.e. devices that take still or motion pictures, whether in a digital or other format) is prohibited in locker rooms, classrooms, bathrooms and/or swimming pool.

Use of Board-owned WCDs for Personal Calls

The Board recognizes that in rare circumstances it may be necessary for an employee to use a Board-owned WCD for personal business. The Board generally prohibits such conduct as emphasized by this policy, but realizes there may be limited situations when such use is justified. Employees are advised not to take advantage of this provision and that repeated use of a Board-owned WCD for personal business will result in disciplinary action.

If unforeseen circumstances develop where employees must use their Board-issued WCD for personal reasons (i.e. to let family know that the employee will be home late, etc.) it is up to the Director or his/her designee to determine whether the employee should reimburse the Board.

Use of a Personal WCD While at Work

During work hours, personal communications made or received, regardless of whether on a WCD, regular telephone, or network computer, can interfere with employee productivity and/or distract others. Employees are expected to use discretion in using personal WCDs while at work. Employees are asked to limit personal communication to breaks and lunch period and to inform friends and family members of the Board's policy in this regard.

Potential Disciplinary Action/Cancellation of Board-Owned WCD

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of the WCD in any manner contrary to local, State or Federal laws will constitute misuse, and will result the Board immediately canceling the employee's privilege to use a Board-owned WCD and return of the device as well as possible disciplinary action.

Adopted 9/17/09

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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.

Approved: 2/21/13

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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 Academy operations.

Students' use of the Academy 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 Director shall develop and implement a written Academy Technology Plan (ATP). One (1) of the primary purposes of the ATP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and/or efficient and effective Academy operations. The Board will financially support, as the budget permits, the ATP, including recommendations to provide new and developing technology for students and staff.

The ATP shall set forth procedures for the proper acquisition of technology. The ATP shall also provide guidance to staff and students about making safe, appropriate and ethical use of Academy 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 Director, in conjunction with the Technology Director, shall review the ATP and report any changes, amendments, or revisions to the Board.

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 Academy 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 Academy'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, which is defined in Bylaw 0100, 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.

The Board prohibits students from using Academy Technology Resources to access and/or use social media for other than instructional purposes.

Staff may use Academy-approved social media platforms/sites in accordance with Policy 7544 and, pursuant to Policy 7540.02, may use web content, apps, and services for one-way communication with the Academy's constituents Authorized staff may use Academy Technology Resources to access and use Academy-approved social media platforms/sites to increase awareness of Academy programs and activities, as well as to promote achievements of staff and students, provided the Educational Service Provider approves, in advance, such access and use. Use of Academy-approved social media platforms/sites for business-related purposes is subject to Michigan's public records laws and, as set forth in Policy 7544, staff

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members are responsible for archiving their social media and complying with the Academy's record retention schedule. See Policy 8310 – Public Records.

Staff must comply with Policy 7540.04 and Policy 7530.02 when using Academy Technology Resources or personally-owned WCDs to access and/or use social media for personal purposes.

Adopted 4/19/12
Revised 3/20/17; 9/24/18

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TECHNOLOGY PRIVACY

The Board of Directors recognizes the right to privacy of staff members in their personal lives. This policy serves to inform staff members of the Board's position regarding staff members' privacy in the educational workplace setting. The policy also serves to protect the Board's interests.

All Academy Technology Resources (as defined in Bylaw 0100) are the Board's property and are intended to be used primarily 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 within, 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. A staff member's refusal to permit such access may be grounds for discipline up to, and including, discharge.

Academy Technology Resources are to be used only for the Academy's business and educational purposes.

Personal messages via Board-owned technology should be limited in accordance with the Educational Service Provider's guidelines. Staff members are encouraged to keep their personal records and personal business at home. Because Academy 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.

Academy Technology Resources must be used properly. Review of computer files, electronic mail, and voice mail will be conducted only 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 be limited to those who have a specific need to know that information. The discovered contents 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. The administrators and supervisory staff members authorized by the Educational Service Provider have the authority to search and access information electronically.

All Academy Technology Resources and Academy Information Resources are the property of the Board. Staff members shall not copy, delete, or remove any information/ data contained on the Board-owned computers or servers without the express permission of the Director. Further, staff members shall not communicate any such information to unauthorized individuals. In addition, staff members may not copy software from or onto any Academy Technology Resources and may not bring software from outside sources for use on Academy Technology Resources without the prior approval of the Educational Service Provider. Such pre-approval shall include a review of any copyright infringements or virus problems associated with such outside software.

Adopted 3/20/17

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WEB ACCESSIBILITY, CONTENT, APPS AND SERVICES

A. Creation of Content for Web Pages/Sites, Apps and Services

The Board of Directors authorizes staff members and students to create content, apps and services (see Bylaw 0100 Definitions) that will be hosted by the Board on its servers or Academy-affiliated servers and/or published on the Internet.

The content, apps and services must comply with applicable State and Federal laws (e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), Student Online Personal Protection Act (SOPPA) and Children's Online Privacy Protection Act (COPPA)), and reflect the professional image/brand of the Academy, its employees, and students. Content, apps and services must be consistent with the Board's Mission Statement and staff-created web content, services and apps are subject to prior review and approval of the Director before being published on the Internet and/or used with students.

Student-created content, apps and services are subject to Policy 5722 - School-Sponsored Student Publications and Productions.

B. Purpose of Content of Academy Web Pages/Sites, Apps and Services

The purpose of content, apps and services hosted by the Board on its servers or Academy-affiliated servers is to educate, inform, and communicate. The following criteria shall be used to guide the development of such content, apps and services:

1. Educate

   Content 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.

2. Inform

   Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

3. Communicate

   Content may communicate information about the plans, policies and operations of the Academy to members of the public and other persons who may be affected by Academy matters.

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

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

Under no circumstances is Academy-created content, apps and services, 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 web content contained on the Academy's website may:

1. include statements or other items that support or oppose a candidate for public office, 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; or

3. communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

4. Under no circumstances is staff member-created content, apps and services, including personal web pages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Board-specified website, app or service (e.g., PowerSchool [Progressbook]) for the purpose of conveying information to students and/or parents.

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

6. If a staff member creates content, apps and services, related to his/her class, it must be hosted on the Board's server or an Academy-affiliated server.

7. Unless the content, apps and services contains student personally-identifiable information, Board websites, apps and web services 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 Board's website(s), apps and web services.

Web content, apps and web services should reflect an understanding that both internal and external audiences will be viewing the information.

School web pages/sites, apps and web services must be located on Board-owned or Academy-affiliated servers.

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The Educational Service Provider shall prepare administrative guidelines defining the rules and standards applicable to the use of the Board's website and the creation of web content, apps and web services by staff and students.

The Board retains all proprietary rights related to the design of web content, apps and web services that are hosted on Board-owned or Academy-affiliated servers, absent written agreement to the contrary.

Students who want their class work to be displayed on the Board's website must have written parent permission and expressly license its display without cost to the Board.

Prior written parent permission is necessary for a student to be identified by name on the Board's website.

C. Website Accessibility

The Academy is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the Academy's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The Academy is further committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any Academy programs, services, and activities delivered online, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the Academy's programs, services, and activities delivered online.

The Academy adopts this policy to fulfill this commitment and affirm its intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794, 34 C.F.R. Part 104, and Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. Section 12131 and 28 C.F.R. Part 35 in all respects.

1. Technical Standards

The Academy will adhere to the technical standards of compliance identified at www.casman.manistee.org. The Academy measures the accessibility of online content and functionality according to the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) 2.0 Level AA, and the Web Accessibility Initiative - Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content.

2. Web Accessibility Coordinator

The Board designates its Technology Director as the Academy's

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Web Accessibility Coordinator(s). That individual(s) is responsible for coordinating and implementing this policy.

See Board Policy 2260.01 for the Section 504/ADA Compliance Coordinator(s)' contact information.

3. Third Party Content

Links included on the Board's website(s) or web services and apps that pertain to its programs, benefits and/or services must also meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, SOPPA and COPPA). While the Academy strives to provide access through its website to online content provided or developed by third parties (including vendors, video-sharing websites, and other sources of online content) that is in an accessible format, that is not always feasible. The Academy's administrators and staff, however, are aware of this requirement with respect to the selection of online content provided to students. The Academy's Web Accessibility Coordinator or his/her designees will vet online content available on its website that is related to the Academy's programs, benefits and/or services for compliance with this criteria for all new content placed on the Academy's website after adoption of this policy.

Nothing in the preceding paragraph, however, shall prevent the Academy from including links on the Board's website(s) to:

a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites), or

b. websites, services and/or apps that are developed and hosted by outside vendors or organizations that are not part of the Academy's program, benefits, or services.

The Board recognizes that such third party websites may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

4. Regular Audits

The Academy, under the direction of the Web Accessibility Coordinator(s) or his/her/their designees, will, at regular intervals, audit the Academy's online content and measure this content against the technical standards adopted above.

If problems are identified through the audit, such problems will be documented, evaluated, and, if necessary, remediated within a reasonable period of time.

5. Reporting Concerns or Possible Violations

If any student, prospective student, employee, guest, or visitor

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believes that the Academy has violated the technical standards in its online content, s/he may contact the Web Accessibility Coordinator with any accessibility concerns. S/he may also file a formal complaint utilizing the procedures set out in Board Policies 2260 and 2260.01 relating to Section 504 and Title II.

D. Instructional Use of Apps and Web Services

The Board authorizes the use of apps and web services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

A teacher who elects to supplement and enhance student learning through the use of apps and/or web services is responsible for verifying/certifying to the Director that the app and/or web service has a FERPA-compliant privacy policy, and it complies with all requirements of the Children's Online Privacy Protection Act (COPPA), Student Online Personal Protection Act (SOPPA) and the Children's Internet Protection Act (CIPA).

[END OF OPTION #2]

The Board further requires the use of a Board-issued e-mail address in the login process.

E. Training

The Academy will provide periodic training for its employees who are responsible for creating or distributing information with online content so that these employees are aware of this Policy and understand their roles and responsibilities with respect to web design, documents and multimedia content.

F. One-Way Communication Using Academy Web Content, Apps and Services

The Academy is authorized to use web pages/sites, apps and services to promote school activities and inform stakeholders and the general public about Academy news and operations.

Such communications constitute public records that will be archived.

When the Board or Director designates communications distributed via Academy web pages/sites, apps and web services to be one-way communication, public comments are not solicited or desired, and the web site, app or web service is to be considered a nonpublic forum.

If the Academy uses an apps and web service that does not allow the Academy to block or deactivate public comments (e.g., Facebook, which does not allow comments to be turned-off, or Twitter, which does not permit users to disable private messages or mentions/replies), the Academy's use of that apps and web service will be subject to Policy 7544 – Use of Social Media, unless the Academy is able to automatically withhold all public comments.

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If unsolicited public comments can be automatically withheld, the Academy will retain the comments in accordance with its adopted record retention schedule (see AG 8310A – Public Records, and AG 8310E – Record Retention and Disposal), but it will not review or consider those comments.

Adopted 11/24/14
Revised 3/20/17; 10/23/17; 9/24/18

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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 USC 1460
18 USC 2246
18 USC 2256
20 USC 6777, 9134 (2003)
20 USC 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)
47 USC 254(h), (1), Communications Act of 1934, as amended (2003)
47 CFR 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 Resources (as defined by Bylaw 0100) to support the educational and professional needs of its students and staff. With respect to students, Academy 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 limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The Academy'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 tis limited educational purpose.

The Board regulates the use of Academy Technology Resources by principles consistent with applicable local, State, and Federal laws, the Academy'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 Academy Technology Resources and students' personal communication devices when they are connected to the Academy computer network, Internet connection, and/or online educational services/apps, or when used while the student is on Board-owned property or a Board-sponsored activity (see Policy 5136).

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 Academy 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 Academy's computer network and/or Internet connection).

First, the Board may not be able to technologically limit access through the 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 guidelines 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),

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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 the Director, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Academy also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on students to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the Director. The technology protection measures may not be disabled at any time that students may be using Academy Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Director and/or Information Technology Director 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.

Parents are advised that a determined user may be able to gain access to services and/or resources on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents 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 Educational Service Provider or Director is directed to prepare guidelines which address students' safety and security while using e-mail, chat rooms and other forms of direct electronic communications, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors online.

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

A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;

B. the dangers inherent with the online disclosure of personally identifiable information;

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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 instruction for their students and the Educational Service Provider to implement procedures regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor and the Educational Service Provider will implement monitoring procedures for the online activities while students are at school.

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

The Director is 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 Academy 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 Academy 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 guidelines.

Students will be assigned a school email account that they are required to utilize for all Academy-related electronic communications, including those to staff members and individuals and/or organizations outside the Academy with whom they are communicating for Academy-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their Academy-assigned email 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.

Students are responsible for good behavior when using Academy Technology Resources – i.e., behavior comparable to that expected of students when they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The Board does not approve any use of its Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Students may only use Academy 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.

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 Academy Technology Resources that are not authorized by this policy and its accompanying procedures.

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The Board designates the Educational Service Provider, Director and Principal as the persons responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to students' use of Academy Technology Resources.

Adopted 3/18/10
Revised 4/19/12; 11/24/14; 1/22/18

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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 CFR 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 Academy'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 Academy Technology and Information Resources by principles consistent with applicable local, State, and Federal laws, and the Academy's educational mission. This policy and its related administrative guidelines, Policy 7544 and AG 7544 and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the Academy's Technology and Information Resources and staff's personal communication devices when they are connected to the Academy'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 Academy'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 Academy's computer network and/or Internet connection).

Staff are expected to utilize Academy 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

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users in the Academy with computers and users worldwide. Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, Academy 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.

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 guidelines 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 Educational Service Provider, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board 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 Director. The technology protection measures may not be disabled at any time that students may be using the Academy 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 Director and/or the Information Technology Director 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 Director or the Information Technology Director may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

The Educational Service Provider or Director 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.

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

A. the safety and security of students while using e-mail, chat rooms, social media and other forms of direct electronic communications;

B. the inherent danger of students disclosing personally identifiable information online;

C. the consequences of unauthorized access (e.g., "hacking", “harvesting”, “digital piracy”, “data mining”, etc.), cyberbullying and other unlawful or inappropriate activities by students or staff online; and

D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

Furthermore, the Board directs staff members to provide instruction for their students and the Educational Service Provider to cause to provide instruction for students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor and the Educational Service Provider will implement monitoring procedures for the online activities while students are at school.

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

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

The Educational Service Provider or Director is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that guidance will be provided and instruction offered to students in the appropriate use of the Academy 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 Academy 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 e-mail address that they are required to utilize for all school-related electronic communications, including those to students, parents and other constituents, fellow staff members, and vendors or individuals seeking to do business with the Academy.

With prior approval from the Educational Service Provider or the Information Technology Director staff may direct students who have been issued Academy-assigned email accounts to use those accounts when signing up/registering for access to various online educational services including mobile applications/apps that will be utilized by the students for educational purposes under the teacher’s supervision.

The Board expects all Academy personnel to be responsible for good behavior when using Academy Technology and Information Resources – i.e., behavior comparable to that expected when in classrooms, school hallways, and other school premises and school

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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 and Policy 7544 and its accompanying procedure.

Staff members may only use Academy Technology Resources to access or use social media if it is done for educational or business-related purposes.

Staff members use of Academy Technology Resources to access or use social media is to be consistent with Policy 7544 and its accompanying procedure.

An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the Academy's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

General Academy 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 Academy Technology and Information Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Director as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of Academy Technology and Information Resources.

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

Adopted 3/18/10
Revised 4/19/12; 11/24/14; 1/22/18; 9/24/18

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ACADEMY-ISSUED STAFF E-MAIL ACCOUNT

Staff

The Board of Directors is committed to the effective use of electronic mail ("e-mail") by all Academy 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 Academy's e-mail system must be used by employees for any official Academy e-mail communications. Personal e-mail accounts on providers other than the Academy's e-mail system may be blocked at any time if concerns for network security, SPAM, or virus protection arise. Furthermore, Academy staff are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the Academy's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

Academy staff may join list servs or other e-mail services (e.g. RSS feeds) that pertain to their responsibilities in the Academy, 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 with his/her building principal or the Academy's Technology Coordinator or IT Staff. The Academy's Technology Coordinator or IT Staff 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 Academy's Technology Coordinator or IT Staff.

Public Records

The Academy complies with all Federal and State laws pertaining to electronic mail. Accordingly, e-mails written by or sent to Academy staff and Board members may be public records if their content concerns Academy 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 Academy staff and Board members by means of their private e-mail account may be public records if the content of the e-mails concerns Academy business,

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or education records if their content includes personally identifiable information about a student. Consequently, staff shall comply with an Academy 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 Academy.

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 Academy 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 Academy's e-mail service are automatically retained for thirty (30)] days on the server. This retention is for disaster recovery and not to provide for future retrieval. The Academy 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.

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 Academy's e-mail system shall acknowledge their review of, and intent to comply with, the Academy's policy on acceptable use and safety by signing and submitting Form 7540.04 F1 annually.

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Furthermore, staff and Board members using the Academy's e-mail system shall satisfactorily complete training, pursuant to Policy 7540.04, regarding the proper use and retention of e-mail annually.

Adopted 9/17/10
Revised 1/22/18

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ACADEMY-ISSUED STUDENT E-MAIL ACCOUNT

Students assigned an academy e-mail account are required to utilize it for all academy-related electronic communications, including those to staff members and individuals and/or organizations outside the Academy with whom they are communicating for academy-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their academy-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 Academy'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 Academy'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.

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 become excessive 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 Academy's Technology Director. The Technology Director 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.

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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

Furthermore, students using the Academy's e-mail system shall satisfactorily complete training, pursuant to Policy 7540.03.

Adopted 1/22/18

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PERSONAL INTERNET ACCOUNT PRIVACY - STUDENTS

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

The Academy will not:

A. request a student or prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the student's or prospective student's personal internet account.

B. expel, discipline, fail to admit, or otherwise penalize a student or prospective student for failure to grant access to, allow observation of, or disclose information that allows access to or observation of the student's or prospective student's personal internet account.

The following definitions shall be used for this policy:

A. "Access information" means user name, password, login information, or other security information that protects access to a personal internet account.

B. "Personal internet account" means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications, or stored data.

C. The Academy may:

1. request or require a student to disclose access information to gain access to or operate any of the following:

a. An electronic communications device paid for in whole or in part by the Academy.

b. An account or service provided by the Academy that is either obtained by virtue of the student's admission to the educational institution or used by the student for educational purposes.

2. view, access or utilize information about a student or applicant that can be obtained without any required access information or that is available in the public domain.

Adopted 9/19/13

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PERSONAL INTERNET ACCOUNT PRIVACY – STAFF

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

The Academy will not:

A. request an employee or an applicant for employment to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.

B. discharge, discipline, fail to hire, or otherwise penalize an employee or applicant for employment for failure to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.

The following definitions shall be used for this policy:

A. "Access information" means user name, password, login information, or other security information that protects access to a personal internet account.

B. "Personal internet account" means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications, or stored data.

C. The Academy may:

1. request or require an employee to disclose access information to the Academy to gain access to or operate any of the following:

   a. An electronic communications device paid for in whole or in part by the employer.

   b. An account or service provided by the employer, obtained by virtue of the employee's employment relationship with the employer, or used for the Academy's business purposes.

2. discipline or discharge an employee for transferring the proprietary or confidential information or financial data to an employee's personal internet account without the Academy's authorization.

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3. conduct an investigation or require an employee to cooperate in an investigation in any of the following circumstances:

   a. If there is specific information about activity on the employee's personal internet account, for the purpose of ensuring compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct.

   b. If the Academy has specific information about an unauthorized transfer of the Academy's proprietary information, confidential information, or financial data to an employee's personal internet account.

4. restrict or prohibit an employee's access to certain websites while using an electronic communications device paid for in whole or in part by the Academy or while using the Academy's network or resources, in accordance with State and Federal law.

5. monitor, review, or access electronic data stored on an electronic communications device paid for in whole or in part by the employer, or traveling through or stored on an Academy's network, in accordance with State and Federal law.

6. screen employees or applicants prior to hiring or to monitor or retain employee communications that is established under Federal law or by a self-regulatory organization, as defined in section 3(a)(26) of the securities and exchange act of 1934, 15 USC 78c(a)(26).

7. view, access or utilize information about an employee or applicant that can be obtained without any required access information or that is available in the public domain.

Adopted 9/19/13

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ACCESS TO ACADEMY TECHNOLOGY RESOURCES AND/OR INFORMATION RESOURCES FROM PERSONAL COMMUNICATION DEVICES

For purposes of this policy, "personal communication device" (PCD) includes computers, tablets (e.g., iPad-like devices), electronic readers ("e-readers"; e.g., Kindle-like devices), cell phones, smartphones (e.g., iPhones, Android devices, Windows Mobile devices, etc.), and/or other web-enabled devices of any type.

The Board of Directors prohibits individuals from using their PCDs to access Academy Technology and/or Information Resources (as defined in Bylaw 0100) while on-site at an Academy facility.

Exceptions to this policy must be approved in advance, in writing, by the Educational Service Provider.

Adopted 4/17/08
Revised 3/18/10; 2/21/13; 9/24/18

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UTILIZATION OF THE ACADEMY'S WEBSITE AND REMOTE ACCESS TO THE ACADEMY'S NETWORK

Parents, students, staff/employees and community members are encouraged to access the Academy's website (www.casman.org).

The following resources are available on the Academy's website:

A. the Academy's calendar

B. (grade book program)

C. (required State report) Annual Report

D. Board agendas and minutes

E. budget

Parents, students, staff/employees and community members should check the Academy'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, the user should contact the applicable school or department for access.

Access to the Academy Network through Server

Board members, Academy employees, and students/parents of the Academy are permitted to use their personally-owned or Academy-owned computer or workstation and/or web-enabled devices of any type to remotely (i.e. away from Academy property and facilities) access the Academy's server and thereby connect to the Academy's network. This policy is limited to remote access connections that are used to do work on behalf of or for the benefit of the Academy, including, but not limited to, reading or sending e-mail and reviewing Academy-provided intranet web resources and completing assigned coursework.

Each individual granted remote access privileges pursuant to this policy must adhere to the following standards and regulations:

A. his/her computer/device is encouraged to have active on it an anti-virus program with the latest updates from the manufacturer

B. the individual may only access the network using his/her assigned user name and password

The individual is prohibited from allowing other persons, including friends and family members, to use his/her user name and password to login into the network. The user may not go beyond his/her authorized access.

C. his/her device may not be connected to any other network at the same time s/he is connected to the Network, with the exception of personal networks that are under the complete control of the user

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D. use of the network, whether connected directly or remotely, is contingent upon the individual abiding by the terms and conditions of the Board's Technology Acceptable Use and Safety policies and guidelines.

Any user who violates this policy may be denied remote access and connection privileges.

Adopted 3/18/10
Revised 9/24/18

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USE OF SOCIAL MEDIA

Reference: 20 U.S.C. 1232g
34 C.F.R. Part 99
Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (2008)
Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001)

Technology is a powerful tool to enhance education, communication, and learning.

The Board of Directors authorizes the use of social media to promote community involvement and facilitate effective communication with students, parents/guardians, staff, and the general public. Social media is defined in Bylaw 0100.

The Director is charged with designating the Academy-approved social media platforms/sites.

It is critical that students be taught how to use social media platforms safely and responsibly. Social media (as defined in Bylaw 0100) are a powerful and pervasive technology that affords students and employees the opportunity to communicate for school and work purposes, and to collaborate in the delivery of a comprehensive education. Federal law mandates that the Academy provide for the education of students regarding appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and regarding cyberbullying awareness and response. See School Board Policy 7540.03 – Student Technology Acceptable Use and Safety.

The Academy recognizes that employees may use social media for personal, as well as professional reasons. The Academy neither encourages nor discourages employees' use of social media for personal purposes. The Academy regulates employees' use of social media for purposes related to their Academy assignment to the same extent as it regulates any other form of employee communication in that regard.

The Academy uses approved social media platforms/sites as interactive forms of communication and accepts public comments. The Academy-approved social media platforms/sites are considered limited public forums. As such, the Academy will monitor posted comments to verify they are on-topic, consistent with the posted rules for use of the forum, and in compliance with the platform/site's applicable terms of service. The Board's review of posted comments will be conducted in a viewpoint neutral manner, and consistent with State and Federal law. Employees' personal posts on the public platforms/sites are limited/restricted to matters of general public interest that are not related to the employee's specific employment and wholly unrelated to the employee's job responsibilities (i.e., matters where it is clear the individual is posting not in an official capacity, but simply as a member of the public). Employees in administrative positions are ordinarily not permitted to post personal comments on matters of general public interest because to do so could be misconstrued as Board-sponsored speech.

Each Academy-approved social media account/site must contain a statement that specifies its purpose(s) and limits those who access the social media account/site to use of the account/site only for that/those purpose(s), and in accordance with any specified procedures, and applicable terms of service. Users are personally responsible for the content of their posts.

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Social Media for Instructional and School-Sponsored Activities

Staff (including Academy-approved volunteers) may, with prior approval/authorization from the Director, use social media platforms/sites for classroom instruction or school-sponsored activities. When a staff member uses an Academy-approved social media platform/site for an educational purpose, it will be considered an educational activity and will not be considered a limited public forum. Students' use of Academy-approved social media platforms/sites must be consistent with the Student Code of Conduct, Policy 5722 -School-Sponsored Student Publications and Productions/AG 5722 – School-Student Publications and Productions, Policy 7540.03/AG 7540.03 – Student Technology Acceptable Use and Safety, the instructor's directions/procedures, and the platform/site's applicable terms of service. Students are prohibited from posting or releasing personally identifiable information about students, employees, and volunteers through Academy-approved social media without appropriate consent.

Expected Standards of Conduct on Academy-Approved Social Media

Employees who access Academy-approved social media platforms are expected to conduct themselves in a respectful, courteous, and professional manner. Students, parents, and members of the general public who access Academy-approved social media platforms are similarly expected to conduct themselves in a respectful, courteous, and civil manner.

Academy-approved social media sites shall not contain content that is obscene; is vulgar and lewd such that it undermines the school's basic educational mission; is libelous or defamatory; constitutes hate speech; promotes illegal drug use; is aimed at inciting an individual to engage in unlawful acts or to cause a substantial disruption or material interference with Academy operations; or interferes with the rights of others. The Academy may exercise editorial control over the style and content of student speech on Academy-approved social media, if reasonably related to legitimate pedagogical concerns. Staff or students who post prohibited content shall be subject to appropriate disciplinary action.

The Academy is committed to protecting the privacy rights of students, parents/guardians, staff, volunteers, Board members, and other individuals on Academy-approved social media sites. Academy employees are prohibited from posting or releasing confidential information about students, employees, volunteers, or Academy operations through social media, without appropriate consent (i.e., express written consent from the parent of a student, the affected employee or volunteer, or the Director concerning Academy operations).

Retention of Public/Student Records

Academy communications that occur through the use of Academy-approved social media platforms/sites – including staff members' use of social media with school-sponsored activities, and comments, replies, and messages received from the general public – may constitute public records or student records, and all such communications will be maintained (i.e., electronically archived) in accordance with the Board's adopted record retention schedule and all applicable State statutes. Records that are not part of the performance of an official function do not become public records by mere retention by the Academy under this policy. (See AG 8310A – Requests for Public Records)

If a staff member uses Academy-approved social media platforms/sites in the classroom for educational purposes (i.e., classroom instruction), the staff member must consult with the Principal concerning whether such use may result in the creation of public and/or education records that must be maintained (i.e., electronically archived) for a specific period of time.

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Employees' Use of Academy Technology Resources to Access Social Media for Personal Use

Employees are permitted to use Academy Technology Resources (as defined in Bylaw 0100) to access social media for personal use, provided the employee's use during work hours does not interfere with his/her job performance.

They are reminded that the Academy may monitor their use of Academy technology resource.

Employees' Use of Personal Communication Devices at Work to Access Social Media for Personal Use

Employees are permitted to use personal communication devices to access social media for personal use during work hours, provided it does not interfere with the employee's job performance.

Employees are prohibited from posting or engaging in communication that violates State or Federal law, Board policies, or administrative procedures. If an employee/volunteer's communication interferes with his/her ability to effectively perform his/her job, or violates State or Federal law, Board policies, or administrative procedures, the Academy may impose disciplinary action and/or refer the matter to appropriate law enforcement authorities.

This policy and its corresponding administrative procedure will be reviewed and updated as necessary.

Adopted 9/24/18

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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 Academy 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 with students are only to occur through Academy maintained e-mail accounts or websites for school purposes.

The Academy may require the employee to produce records for review when there is reason to believe that this policy has been violated. Records within the Academy'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 Academy should be submitted to the Director.

Adopted 3/18/10

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8000 **OPERATIONS**

8120	**Iran Economic Sanctions Act Compliance**	**L**
8142	**Criminal History Record Check**	**L**
8142.01	Weapons	BP
8210	Academy Calendar	
8310	**Public Records**	**L**
8315	Information Management	BP
8321	Criminal Justice Information Security	BP
8325	Receipt of Legal Documents	BP
8330	**Student Records**	**L**
8340	**Letters of Reference**	**L**
8350	Confidentiality	BP
8351	Breach of Confidential Information	BP
8390	**Animals on Academy Property**	**L**
8400	**Academy Safety Information**	**L**
8401	**Fire Safety and Fire Department Notification**	**L**
8402	**Emergency Operations**	**L**
8405	Environmental Health and Safety Issues	BP
8405.01	**Integrated Pest Management**	**L**
8420	Emergency Situations at the Academy	BP
8431	**Preparedness for Toxic Hazards and Asbestos Hazard**	**L**
8500	**Food Services**	**L**
8510	**Wellness**	**L**
8510A	Specific Goals for Nutrition	
8510C	Specific Goals for Other Academy-Based Activities Designed Promote Student Wellness	
8510E	Board Resolution	
8800	**Religious/Patriotic Ceremonies and Observances**	**L**
8900	Anti-Fraud	BP

Revised 10/19/06; 2/21/07; 4/17/08; 7/30/08; 1/22/09; 9/10/09; 3/18/10; 3/24/11; 4/19/12; 2/21/13; 9/19/13; 4/24/14; 11/24/14; 6/22/15; 1/25/16; 9/26/16; 10/23/17; 1/22/18; 2/25/19; 5/20/19

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IRAN ECONOMIC SANCTIONS ACT COMPLIANCE

Reference: M.C.L. 329.311 – 329.316

The Academy will not enter into or renew a contract with any Iran linked business while Iran is a State sponsor of terror as defined under Section 2 of the Divestment From Terror Act, 2008 PA 234, MCL 129.292. To this end, and in accordance with the Iran Economic Sanctions Act of Michigan, the Academy shall require a person that submits a bid on a request for proposal with the Academy to certify that it is not an Iran linked business.

If the Academy determines, using credible information available to the public, that a person has submitted a false certification, the Academy shall provide the person with written notice of its determination and of the intent not to enter into or renew a contract with the person. The notice shall include information on how to contest the determination and specify that the person may become eligible for a future contract with the Academy if the person ceases the activities that cause it to be an Iran linked business. The person shall have ninety (90) days following receipt of the notice to respond in writing and to demonstrate that the determination of false certification was made in error. If a person does not make that demonstration within ninety (90) days after receipt of the notice, the Academy may terminate any existing contract and shall report the name of the person to the attorney general together with information supporting the determination.

"Person" means any of the following:

A. An individual, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group.

B. Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in section 1701(c)(3) of the international financial institutional act, 22 U.S.C. 262r(c)(3).

C. Any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in subparagraph A. or B.

"Iran Linked Business" means either of the following:

A. A person engaging in investment activities in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran.

B. A financial institution that extends credit to another person, if that person will use the credit to engage in investment activities in the energy sector of Iran.

"Iran" means any agency or instrumentality of Iran.

"Energy Sector of Iran" means activities to develop petroleum or natural gas resources or nuclear power in Iran.

"Investment" means one (1) or more of the following:

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A. A commitment or contribution of funds or property.

B. A loan or other extension of credit.

C. The entry into or renewal of a contract for goods or services.

"Investment activity" means one (1) or more of the following:

A. A person who has an investment of $20,000,000.00 or more in the energy sector of Iran.

B. A financial institution that extends $20,000,000.00 or more in credit to another person, for forty-five (45) days or more, if that person will use the credit for investment in the energy sector of Iran.

Adopted 4/24/14

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CRIMINAL HISTORY RECORD CHECK

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

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

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

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

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

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the Director 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 Director may use a report received from the State Police by such school to confirm the individual has no criminal history. Absent such confirmation, a criminal history record check shall be performed.

[1] Individuals who submit and receive such criminal history record checks on behalf of the Academy must be direct employees of the Academy 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.

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Individuals working in multiple districts or Academies may authorize the release of a prior criminal history records check with another district or Academy in lieu of an additional check for either direct employment or working regularly and consistently under contract in the schools.

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

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

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

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

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

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

The Director 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 Director shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must submit, at no expense to the Academy, a set of fingerprints, prepared by an entity approved by the Michigan State Police, upon receiving an offer of employment, or as required by State law for continued employment.

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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 School Leader 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 Academy employees with criminal convictions shall be exempt from disclosure under the Freedom of Information Act (FOIA) for the first fifteen (15) days until the accuracy of the information can be verified. Thereafter, only information about felony convictions or misdemeanor convictions involving physical or sexual abuse may be disclosed in reference to a FOIA request.

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

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

Adopted 11/24/14
Revised 1/22/18

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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 Academy for the purpose of school activities approved and authorized by the Academy including, but not limited to, property leased, owned, or contracted for by the Academy, an Academy-sponsored event, including athletic events, or in an Academy vehicle.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the Academy or with a third-party vendor, Educational Service Provider, or similar contracting entity, to provide staffing, educational, food, custodial, transportation, counseling or administrative services to the Academy. 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.

The Educational Service Provider shall refer an individual who violates this policy to law enforcement officials. The Academy 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 Academy 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.

Adopted 9/26/16

ACADEMY CALENDAR

Reference: MCL 380.1284, 1284(a), 1284(b), 1175, 388.1701
AC Rule R340.10 et. seq.

The Board of Directors, shall ensure that its school calendar complies with the common calendar adopted by the Manistee Intermediate School District (ISD), unless the Academy 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 Academy 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 Academy's web site and distributed to the Academy's constituents. The calendar shall provide for the instructional program of the academies, for orderly educational planning, and for the efficient operation of the Academy.

The Board shall determine annually the total number of days when the schools will be in session for instructional purposes. To avoid withholding of State-school aid payments, the number of days and number of hours will be in accordance with statute. The Board shall ensure that school is not in session for students before Labor Day, unless the Academy is statutorily exempt from this requirement or receives a waiver from the Superintendent of Public Instruction in compliance with State law.

If the Academy 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 Academy calendar complies with the common school calendar adopted by the ISD. The Director is authorized to work with the ISD 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 Academy shall provide at least 1,098 hours during 180 days of pupil instruction per school year, unless it obtains a waiver from this requirement.

No more than six (6) days of student instruction, lost due to conditions not within the control of the Academy (e.g., severe storms, fires, epidemics, and/or health conditions), can be counted as part of the required minimum hours of instruction. With the approval of the Superintendent of Public Instruction, not more than three (3) additional days or the equivalent number of additional hours for which instruction is not provided due to unusual and extenuating occurrences resulting from conditions not within the control of academy authorities (such as those conditions described above) shall be counted. Hours lost due to strikes by Academy staff or to teacher conferences shall not be counted as hours of instruction.

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The Executive Director shall certify to the Department of Education by no later than August 1st of each year, the number of hours of student instruction during the previous school year.

Revised 12/15/05; 10/19/06; 2/21/07; 7/30/08; 2/25/19

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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 to maintain the public records of this Academy and to make such records available to residents of Michigan for inspection and reproduction. The Board directs the Director to assure such public records are kept.

The public records of this Academy are defined as any writing (or other means of recording or retaining) of meaningful content (prepared, owned, used, in the possession of, or retained by the Academy, its Board, officers, or employees) except those subject to certain exemptions, according to the Michigan Freedom of Information Act (FOIA).

Any person may make a written request for any public records of the Academy. The person may inspect, copy, or receive copies of the public record requested. The Academy shall respond to such requests within five (5) working days after receipt of the request, unless otherwise agreed to, in accordance with the Freedom of Information Act.

An individual may purchase copies of the Academy's public records upon payment of a fee. No original public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties. Neither the Board nor its employees shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see Policy 8350 and AG 8350).

The Board authorizes the Director to provide, upon written request, enhanced access to any public record that the Academy has stored in an electronic database, unless that record is confidential or prohibited from disclosure by State or Federal statute. The record to be accessed may be provided by means of a computer disk (provided by the requestor), or a modem, providing the requestor has paid the fee established for such transmission.

The Board has determined that personal and confidential information provided to and retained by the Academy on parents, students, staff and others will be considered exempt from disclosure pursuant to a Freedom of Information Act request, unless advised specifically by the Academy's legal counsel that the particular information must be released. Such personal and confidential information shall include home addresses, telephone numbers, e-mail addresses or website pages (e.g. My Space, Facebook), except as they are specifically related to the operation of the schools, or specifically authorized for release by the individual, or the parent/guardian if the individual is a minor.

Nothing in this policy shall be construed as preventing a Board member from inspecting any record of this Academy in the performance of his/her official duties.

The Director is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or e-mail, providing the message does not alter existing Academy records.

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The Director 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 Manistee area Intermediate School District and the Center for Educational Performance and Information (CEPI).

The Director shall establish Administrative Guidelines to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

Adopted 10/19/06
Revised 9/17/09

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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 Academy 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 Academy 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 Academy 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 Academy, 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, 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;

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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 Director recommends the termination of an employee to the Board;

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 Academy 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 Director may initiate a "Litigation Hold" under this policy. If the Director 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. The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure."

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.

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The Director shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold."

Adopted 3/18/10

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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 Academy 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 Academy and contractors, vendors and their employees who work on a regular and continuous basis in the Academy. The Academy shall comply with all rules established by the MSP and the FBI while processing, storing, and sharing CHRI.

Adopted: 2/21/13
Revised 11/24/14; 1/25/16; 1/22/18

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RECEIPT LEGAL DOCUMENTS

Service of Process on the Board of Directors

In suits against the Board, only the Board President or Educational Service Provider 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 Academy, 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 Educational Service Provider 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 Educational Service Provider 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).

Adopted 11/24/14

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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.

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 Academy 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 Academy. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the Academy 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. vocational preference inventories

   3. achievement tests

   4. standardized intelligence tests

D. verified reports of serious or recurrent behavior patterns

E. rank in class and academic honors earned

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F. psychological tests

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 Academy officials, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term “parents” includes legal guardians or other persons standing in *loco parentis* (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term “eligible student” refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students, parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

An Academy official is a person employed by the Educational Service Provider as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as “school officials” for the purpose of FERPA:

A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);

B. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online Educational Service Providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 CFR 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered an “Academy official” for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the Academy" or if the record is necessary in order for the Academy official to perform an administrative, supervisory

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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 Director to:

A. forward student records, including any suspension and expulsion action against the student, upon request to a school in which a student of this Academy seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;

B. 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 Academy 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 Academy 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 Academy will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

This written agreement must include:

1. specification of the purpose, scope, duration of the study, and the information to be disclosed

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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.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identifiable information be used whenever possible. This reduces the risk of unauthorized disclosure.

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 educational authorities. The disclosed records must be sued 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)

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 education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Upon written request by a student’s parent or legal guardian, the Academy shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the Academy as part of the student’s education records.

If the Academy provides any personally identifiable information concerning the student that is collected or created by the Academy as part of the student’s education records to any person, agency, or organization, then the Academy shall disclose to the student’s parent or legal guardian upon his or her written request:

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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 Academy receives the written request and without charge to the parent or legal guardian.

The Academy 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 Academy 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 guardian.

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 Academy 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 guardian 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

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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 Educational Service Provider and Director 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;

C. telephone number;

D. dates of attendance;

E. date of graduation;

F. awards received;

G. honor rolls;

H. scholarships.

I. height and weight, if member of an athletic team;

J. height if member of an athletic team;

K. weight, if member of an athletic team which requires disclosure to participate;

L. school photographs or videos of students participating in school activities, events or programs.

The Academy designates Academy-assigned email accounts as “directory information” for the limited purpose of facilitating students’ registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes and for inclusion in internal email address books. Academy-assigned email accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online Educational Service Provider and internal users of the Academy’s Education Technology.

The Director will also develop a list of uses for which the Academy 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.

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If an opt-out form is signed and submitted to the Academy by a student's parent or legal guardian, the Academy 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 Academy to disclose any or all of such "directory information" upon written notification to the Academy within ten (10) days after receipt of the Academy's public notice.

Armed Forces Recruiting

The Board shall provide United States Armed Forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses, and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to official recruiting representatives, then the officials of the Academy 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 Academy, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to the Academy Records Officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to the Academy 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

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under the guardianship of an institution, the Director shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Academy 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 Academy 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 Academy.

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), 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 ten (10) work days before the scheduled date of the activity. The instrument will be provided to the parent within ten (10) business days of the principal receiving the request.

The Director 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;

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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 Board or Education Service Provider, nor its employees, will be held responsible for any breech of this policy by the parent/eligible student or any unauthorized party.

The Educational Service Provider and Director 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 Educational Service Provider and Director shall also develop procedural guidelines for:

A. the proper storage and retention of records including a list of the type and location of records;

B. informing 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, Educational Service Provider or employee of this Academy specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board of Directors delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be re-disclosed without prior authorization from the Board. Further, the entity conducting the study,

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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 For 8330 F16 for additional contract requirements.

Adopted 09/15/05
Revised 12/15/05; 9/17/09; 3/24/11; 11/24/14; 10/23/17

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LETTERS OF REFERENCE

Reference: MCL 423.452, 380.1230(b)
Section 8546 of the Every Student Succeeds Act (ESSA)

The Board of Directors recognizes that any current or former employee's request to the Director 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 that such references be provided and a current or former employee should have no expectation that 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 Director.

If the Director opts, however, to prepare such a letter, the Board expects him or her to provide specific and truthful comments concerning the employee's actual performance that can be substantiated by the individual's personnel file.

In accordance with State law, the Director who, in the scope of his/her employment, provides a letter of reference is entitled to at least a qualified privilege for their statement, provided such statement were made in good faith, without malice.

All Academy 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 Academy employee, contractor or agent in obtaining a new job if s/he knows or has reasonable cause to believe that such Academy 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 Academy from providing responses to request for information as to Unprofessional Conduct, as required by State law.

Adopted 09/15/05
Revised 10/23/17

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CONFIDENTIALITY

Reference: Freedom of Information Act 1976, paragraph 15.243 et seq.
MCL. 445.83, 445.84

Neither the Academy 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 Academy receives in trust from a 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 Academy is approached to provide information inappropriately, the Educational Service Provider 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 **a** 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/or pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Director will attempt to notify a sending public agency of the request for release of such information prior to complying with the request.

The Board shall hold the Director 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 Director shall assure that employees receive a copy of and have readily available access to this policy.

Adopted: 12/15/05

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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 Academy, the Academy 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 Academy. 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 Director in writing. The Director 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.

Adopted 1/22/09

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ANIMALS ON ACADEMY PROPERTY

Reference: 28 C.F.R. 35.104
Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)
The Americans with Disabilities Act, as amended (ADA)
The Individuals with Disabilities Education Improvement Act (IDEIA)

Introduction

The Board of Directors recognizes that there are many occasions when animals are present on Academy property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at the Academy by a service or therapy animal in accordance with Federal and State law and this policy.

This policy applies to all animals on Academy property, including service animals.

Definitions

A. "Animal": includes every vertebrate other than a human.

B. "Service animal": pursuant to 28 C.F.R. Section 35.104, "means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

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

Animals permitted in the Academy and elsewhere on Academy property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), those that provide a reasonable accommodation to a student in accordance with a Section 504 Plan, or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Director 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 his/her classroom shall:

   1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;

   2. take precautions deemed necessary to protect the health and safety of students and other staff;

   3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and,

   4. keep the surrounding areas in a clean and sanitary condition at all times;

B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

Service Animals for Students

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the Academy campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare 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 Academy property or at Academy-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be

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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.

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 Director is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from the Academy.

Similarly, in instances when the service animal has demonstrated that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from Academy property.

The Director 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 Director's decision to remove and/or exclude a service animal from Academy property may be appealed in accordance with the complaint procedure set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and his/her parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or the Department of Justice.

Eligibility of a Student's Service Animal for Transportation

A student with a disability shall be permitted to access Academy transportation with his/her 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 Academy transportation.

When a service animal is going to ride on a school bus or other Board-owned or leased vehicle, the student and his/her parents, or eligible student, and the handler, is s/he is someone other than the student, shall:

A. Meet with the Director 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 Director 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.

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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 his/her 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 Director.

Although transportation may be suspended for the service animal, it remains the Academy'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 Employees

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA mandated interactive process.

Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the Academy's facilities where members of the public, as participants in services, programs or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the Academy's facilities with their service animals should notify the Director that their service animal will accompany them during their visit.

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

Adopted 4/24/14
Revised 6/22/15

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ACADEMY 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 academy environment. The Board believes crime and violence at the Academy are potential, multifaceted problems that need to be addressed by utilizing the best resources and coordinated efforts of Academy personnel, law enforcement agencies, and families. The Board further believes the Academy and local law enforcement officials must work together to provide for the safety and welfare of students while at the academy, at an academy-sponsored activity or while en route to or from the academy or an academy-sponsored activity. The Board also believes the first step in addressing academy crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote safety and minimize the likelihood of crime and violence at the Academy.

Federal law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any academy property in relation to weapons, drugs, and registered sex offenders. Individuals are prohibited from engaging in these activities at any time on Academy property, within the Student Safety Zone, or at any academy-related event.

The Academy will work with local officials in arranging signage defining the 1,000-foot boundary.

The Educational Service Provider shall attend a meeting for the purpose of conferring regarding of the *School Safety Information Policy Agreement*, and making modifications as deemed necessary and proper; discussing additional training that might be needed; and, discussing any other such related matters as may be deemed to be necessary by the participants. Participants in this meeting shall include the Educational Service Provider, members of the Board of Directors, the County Prosecutor or his/her designee, and representatives from the local law enforcement agencies. Others may also be invited to participate in the meeting.

The Educational Service Provider shall make a report to the Board about all such reviews and recommend the approval and adoption of any proposed revisions or additions.

Academy Contact Person

Furthermore, in accordance with state law, the Board hereby designates the Director as the Academy 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 Director shall be provided to the Michigan State Police in the manner and frequency required by law.

The Academy contact person shall notify the Director of the academy 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 School Leader shall, in turn, notify the building staff members who s/he determines have a need to know the information that has been received within twenty-four (24) hours of receipt of that information.

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The Educational Service Provider shall notify the appropriate law enforcement officials when an eligible student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement* 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.

Required Reporting

The Educational Service Provider shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the Academy during the preceding school year and the reason for the expulsion.

The Educational Service Provider shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at the Academy. At least once annually, a copy of the most recent report of incidents of crime shall be made available to the parent or legal guardian of each student enrolled in the Academy. This report will include at least crimes involving:

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 Academy resulting from the property crime.

The Educational Service Provider 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 Academy 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 Academy 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 Educational Service Provider to request vehicle registration information for suspicious vehicles within 1,000 feet of Academy property through the Law Enforcement Information Network (LEIN).

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Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the Academy report annually incidents which meet the statutory definition of violent criminal offenses that occur in the Academy, on academy grounds, on an academy conveyance, or at an academy-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not the Academy is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe Academy environment, the Executive Director is expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in the Academy exceed the threshold number established in State policy, the Educational Service Provider 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 Educational Service Provider shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

Adopted 09/15/05
Revised 10/19/06; 2/27/07; 6/22/15; 1/25/16; 10/23/17; 5/20/19

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FIRE SAFETY AND FIRE DEPARTMENT NOTIFICATION

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

The Academy administration shall develop written procedures that provide for all of the following:

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

Adopted 4/17/08

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EMERGENCY OPERATIONS PLAN

References: M.C.L.380.1308a

By no later than January 1, 2020, each Academy shall 1) develop an emergency operations plan or 2) adapt its statewide academy 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. Academy 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 Academy 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 Academy.

The Plan must include guidelines and procedures that address all of the following:

A. academy violence and attacks

B. threats of academy violence and attacks

C. bomb threats

D. fire

E. weather-related emergencies

F. intruders

G. parent and pupil reunification

H. threats to an academy-sponsored activity or event whether or not it is held on academy premises

I. a plan to train teachers on mental health and pupil and teacher safety

J. a plan to improve academy building security

K. an active violence protocol

L. continuity of operations after an incident

M. a vulnerability assessment

The Academy 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.

Adopted 5/20/19

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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 Academy property and at Academy-sponsored activities. To achieve this, the Board intends for the Academy to take advantage of the most current, proven technologies in the fields of health, safety, and environmental sciences.

Student, Employee, and Visitor Health and Safety

The Director shall develop and implement a positive, proactive environmental health and safety program that integrates responsibilities within the Academy and promotes and incorporates the following:

A. Procedures that describe a hazard identification and abatement program requiring the following: periodic inspection of Academy facilities; the implementation of immediate and programmed corrective actions, when deemed necessary by such inspections; and the development of a Academy-wide hazard reporting procedure that enables employee/parent/school community participation. This program should also provide procedures for identifying and responding to hazards created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine if appropriate requirements for environmental health and safety have been met.

B. Procedures that promote environmental health and safety awareness among employees, students, parents and community. These procedures shall include, but not be limited to, the establishment of Academy safety committees and the establishment of a program of regular communication with students, employees, and parents about pertinent safety and health issues through available mediums in the Academy.

C. Procedures that address the safety and health of students during transportation to the Academy, in the Academy, on Academy property, and during participation in Academy-related activities. These procedures shall include, but not be limited to, promoting bus safety for students; assessing the safety of Academy traffic patterns; operating Academy 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 Academy employees' health and safety issues, including, but not limited to, provision of work areas free from recognized hazards; OSHA-related programs required by Federal and State law (e.g., employee safety and health training and training in hazard recognition); and definition of employer and employee responsibilities and expectations related to health and safety.

E. Procedures that establish a system for reporting and investigating accidents, including identification of root causes, determination of remedial and programmed corrective actions, and communication about accidents to employees, parents and members of the Academy community.

F. Procedures that detail plans for foreseeable emergencies and fire prevention.

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Phase-out/Banned Products

The Director shall immediately ban the use, on Board property, of any chemicals, insecticides, or other materials, which the Federal government is phasing out and/or banning by a certain date.

Indoor Environmental Quality (IEQ)

The Board recognizes that excessive moisture levels within the Academy can lead to conditions optimum for the development of biological contaminants (e.g., mold and fungi on building surfaces). The Board further recognizes the presence of these contaminants can be harmful on contact with respiratory tissue.

Contributing factors to excessive moisture levels include the following:

A. roof leaks;

B. structural defects in the building;

C. improperly controlled humidity levels;

D. faulty HVAC systems.

As preventive measures, the Academy shall do the following:

A. address prevention of water intrusion as a priority IEQ issue and implement strategies toward its elimination;

B. maintain environmental conditions in occupied areas in compliance with applicable regulations and strive to conform to industry standards;

C. implement a preventative maintenance program for HVAC systems that includes, but is not be limited to, periodic filter replacement; inspection; cleaning and disinfecting processes; and procedures to eliminate the contribution to indoor air quality problems caused by this equipment;

D. implement a system to ensure materials used (and purchased for use) in the construction, furnishing and maintenance (including cleaning), do not contribute to health hazards for employees and students by degrading the quality of indoor air. In addition, activities that create indoor air quality health hazards shall not be permitted.

In addition, the Director 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 Academy Bus Idling

In accordance with the Environment Protection Agency's initiative to reduce pollution caused by buses on Academy property, the Board will take the recommended steps to reduce the negative effects of diesel exhaust on indoor and outdoor air quality on Academy campuses, including, but not limited to, reducing bus idling time and reinforcing smart driving practices.

The Director shall develop the Administrative Guidelines necessary to establish these practices in the Academy (see AG 8615).

Pollution Control and Prevention

In an effort to comply with environmental policy and applicable regulations, the Academy shall develop and implement procedures designed to prevent air and water pollution; minimize or eliminate waste streams, where possible; and identify possible sources of air and water pollution.

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See also the following related Policies:

Policy	7430	Safety Standards
Policy	8410	Crisis Intervention
Policy	8420	Emergency Situations at the Academy
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

Revised 4/17/08; 4/24/14

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INTEGRATED PEST MANAGEMENT

Reference: MCL 324.8316 [This policy applies to all pest control activities and pesticide use in the school building and related facilities including grounds. Recipients of this policy include faculty, other staff, or any employees or independent contractors monitoring or treating pest problems. Each recipient is required to follow this policy.]

Purpose

The goal of this integrated pest management policy is to provide a safe and healthy learning environment that is relatively pest-free with the least possible use of pesticides. To achieve this goal, it is the policy of the Academy to develop, implement and maintain an integrated pest management program for the control of pests and minimize pesticide exposure to children, faculty, and staff. This policy is consistent with MCL 324.8316, which encourages schools to adopt an IPM strategy.

Sanitizers, germicides, disinfectants, or antimicrobials are exempt from the IPM notification requirements. This policy adheres to the principles of IPM and is conducted in accordance with all federal and state laws and regulations and local ordinances.

Pests are controlled to protect the health and safety of students and staff, maintain a productive learning environment and maintain the integrity of the school building and grounds. IPM is a pest management system that uses all suitable techniques in a total management system to prevent pests from reaching unacceptable levels or to reduce existing pest populations to acceptable levels while balancing the risk of the pest with the potential risk of the management technique.

Development of IPM program

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

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

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

Education /Training

The Academy community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM Coordinator, Academy staff and pesticide applicators involved with implementation of the Academy IPM program will be trained in appropriate components of IPM as it pertains to the Academy 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.

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Record keeping

Records of pesticide use shall be maintained on-site to meet the requirements of the Michigan Department of Agriculture and the Academy 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 Director or IPM Coordinator of the Academy is responsible for timely pre- notification to students' parents or guardians and the Academy 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 Academy 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 Academy 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 Director will report to the Academy Board on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Director is responsible to develop guidelines for the implementation of this policy.

Adopted 4/17/08

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EMERGENCY SITUATIONS AT THE ACADEMY

Reference : MCL 29.19
A.C. 1301:7-7-01, 3301-35-03 (D), 3301-83-15
HB No. 4713 (2013)

The Board of Directors is committed to providing a safe learning and work environment. Unfortunately natural and man-made disasters do occur. Such emergencies are best met by preparedness and planning.

A. Emergency Preparedness

The Academy shall develop emergency preparedness procedures that address the following goals and/or objectives:

1. the health and safety of students and staff are safeguarded;

2. the time necessary for instructional purposes is not unduly diverted;

3. minimum disruption to the educational program occurs;

4. students are helped to learn self-reliance and trained to respond sensibly to emergency situations.

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

Academy personnel, including teachers, shall provide for unrestricted emergency egress during school hours and when the school is open to the public.

B. Drills

1. Each Academy shall conduct a minimum of five (5) fire drills each school year. Three (3) of the fire drills shall be held by December 1st of the school year, and two (2) shall be held during the remaining part of the school year, with a reasonable spacing interval between each drill.

2. Each Academy shall conduct a minimum of two (2) tornado safety drills each school year. At least one (1) of the tornado safety drills shall be conducted during March of the school year. These drills shall be conducted for the purpose of preventing injuries caused by severe weather.

3. Each Academy shall conduct a minimum of three (3) drills in which the occupants are restricted to the interior of the building and the building secured each school year. At least one (1) of these drills shall be conducted by December 1st of the school year, and at least one (1) shall be conducted after January 1st of the school year, with a reasonable spacing interval between each drill. Such drills shall include security measures that are appropriate to an emergency such as the release of a hazardous material or the presence of a potentially dangerous individual on or near the premises. The Director shall seek input from local public safety officials on the nature of the drills to be conducted under this subsection.

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4. Each Academy shall conduct at least one (1) of the drills required under Sections 2(A)-(C) during a lunch or recess period, or at another time when a significant number of the students are gathered but not in the classroom.

5. Schools shall not conduct a drill required under Sections 2(A)-(C) at a time that would interfere with the conduct of a state-mandated assessment.

6. Not later than September 15th of each school year, the Director 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 Director shall notify the county emergency management coordinator of the rescheduled date for the drill.

C. Drill Result Publication

1. The Director shall provide that documentation of a completed school safety drill is posted on the school's website within thirty (30) school days after the drill is completed and is maintained on the website for at least three (3) years.

2. The documentation posted on the website shall include at least all of the following:

   a. Name of the Academy

   b. School year of the drill

   c. Date and time of the drill

   d. Type of drill completed

   e. Number of completed drills for that school year for each type of drill required under Sections 2(A)-(C)

   f. Signature of the Director 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 Director.

D. Cardiac Emergency Response Plan

1. Use and regular maintenance of the automated external defibrillators, if available.

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2. Activation of a cardiac emergency response team during an identified cardiac emergency.

3. A plan for effective and efficient communication throughout the school campus.

4. If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.

5. Incorporation and integration of the local emergency response system and emergency response agencies with the school's plan.

6. An annual review and evaluation of the cardiac emergency response plan.

Adopted 2/21/07
Revised 11/24/14

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PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

Reference: MCL 324.8316, 380.1256
15 USC 2601
20 USC 4022
20 USC 4014
20 USC 4011
20 USC 4011 et seq.
Asbestos Hazard Emergency Response Act of 1986 (AHERA)
Asbestos Academy Hazard Abatement Act of 1984
Asbestos Academy 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 Academy 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 Academy setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment. The Academy Leader 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 Academy Leader 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 Academy property. The MSDS files will be kept in the administrative office.

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 main administrative 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.

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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 Academy 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 Academy 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 Academy'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.

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Any staff member or contractor who applies pesticides on Academy property shall meet requirements established by the State as well as the Director's administrative guidelines. S/He shall provide written notification each year, prior to any application, to all parents and staff members:

A. that a pesticide is to be applied;

B. the type of pesticide and its potential side effects;

C. the location of the application;

D. the date of the application.

In fulfilling these responsibilities, the Toxic Hazard Preparedness 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 Toxic Hazard Preparedness 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 Director shall appoint a person to develop and implement the Academy'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 Academy's Asbestos Plan must be submitted to the Michigan Department of Consumer and Industry Services, Occupational Health Division, Lansing, Michigan 48909.

The Director shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the Academy 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.

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The Academy 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 academy reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct.

This policy may apply to work performed by authorized employees prior to the date of its adoption.

Adopted 09/15/05

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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 Board of Directors 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 Academy.

Any food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA 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.

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, nonprofit basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

A periodic review of the food-service accounts shall be made by the Educational Service Provider and such accounts shall be audited as part of the Academy's annual audit.

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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.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable by the end of the school year in which the debt was incurred. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFSA for the total amount of the bed debt. The funds may come from the Academy general fund, State or local funding, academy or community organizations such as the PTA, or any other non-federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 CFR 210.9(b) (17) and 7 CFR 210.15(b).

The Director 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.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the Academy during the school year.

With regard to the operation of the Academy 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 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 Academy 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.

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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.

Adopted 2/21/07
Revised 11/24/14; 1/25/16; 9/26/16; 10/23/17; 5/20/19

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WELLNESS

Reference: Richard B. Russell National School Lunch Act, 42 USC §§ 1751, 1758, 1766; Child Nutrition Act, 42 USC § 1773
7 CFR Parts 210 and 220

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the Academy's students. Furthermore, research concludes that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

A. With regard to nutrition education, the Academy shall:
(*Specific goals need to be inserted here. See Appendix A.)*

B. With regard to physical activity, the Academy shall:
(Specific goals need to be inserted here. See Appendix B.)

C. With regard to other school-based activities the Academy shall:
(Specific goals need to be inserted here. See Appendix C.)

D. With regard to nutrition promotion, the Academy shall:
(*Specific goals need to be inserted here. See Appendix D.)*

Furthermore, with the objectives of enhancing student health and well-being, and reducing childhood obesity, the following guidelines are established:

(Specific guidelines need to be inserted here. See Appendix E.)

The Board designates the Director as the individual(s) charged with operational responsibility for verifying that the Academy meets the goals established in this policy.

The Director shall appoint an Academy wellness committee that includes parents, students, representatives of the Academy food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public and Academy administrators to oversee development, implementation, evaluation and periodic update of the wellness policy. The Wellness Committee shall be an ad hoc committee with members recruited and chosen annually.

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The Wellness Committee shall be responsible for:

A. assessment of the current Academy environment;

B. review of the Academy's wellness policy;

C. presentation of the wellness policy to the Board for approval;

D. measurement of the implementation of the policy;

E. recommendation for the revision of the policy, as necessary.

Before the end of each school year the Wellness Committee shall recommend to the Director 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 Director 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 Director 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 Director shall include information in the student handbook and post the policy on the Academy's website, including the Wellness Committee's assessment of the implementation of the policy.

The Academy shall assess the Wellness Policy at least once every three (3) years on the extent to which Academies are in compliance with the Academy policy, the extent to which the Academy policy compares to model wellness policies, and the progress made in attaining the goals of the Academy Wellness Policy. The assessment shall be made available to the public on the Academy website.

Adopted 10/19/06
Revised 4/24/14; 11/24/14; 10/23/17

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SPECIFIC GOALS FOR NUTRITION

Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.

Adopted 10/19/06
Revised 11/24/14

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SPECIFIC GOALS FOR PHYSICAL ACTIVITY

Physical Education

A. 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.

B. Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.

C. Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.

D. Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, or harassment of any kind.

E. Planned instruction in physical education shall include cooperative as well as competitive games.

F. Planned instruction in physical education shall take into account gender and cultural differences.

Physical Activity

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

B. The Academy shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.

Adopted 10/19/06
Revised 4/24/14

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

The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.

Adopted 10/19/06
Revised 11/24/14

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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 Academy shall create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods that comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium.

Adopted 4/24/14
Revised 11/24/14; 10/23/17

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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, including but not limited to the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, 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).

The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.

C. The sale of foods and beverages to students that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus, defined as the Academy's physical plant as delineated in the Academy's charter during the school day is prohibited.

D. All food items and beverages available for sale to students 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) between midnight and thirty (30) minutes after the close of the regular school day (the "School day"), as defined in the Academy's charter contract shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entrée items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered from vending machines, from school stores, or as authorized fundraisers including those operated by student clubs and organizations, parent groups, or boosters clubs.

E. 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.

F. 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 Director.

G. 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.

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H. Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.

I. The food service program shall be administered by a qualified nutrition professional.

J. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.

K. All food service personnel shall receive pre-service training in food service operations.

Adopted 10/19/06
Revised 4/24/14; 11/24/14; 10/23/17

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BOARD RESOLUTION

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

WHEREAS good health fosters student attendance and education; and

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

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

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

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

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

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

THEREFORE BE IT RESOLVED

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

BE IT FURTHER RESOLVED

that the Director, shall seek the involvement of parents, students, representatives of the school food service program, the Academy board, Academy administrators, and the public as this Academy's wellness policy is developed, and shall recommend a policy to the Board not later than October, 2014 and

BE IT FURTHER RESOLVED

that the Board reserves the right to modify the recommended policy as it deems necessary; and

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BE IT FURTHER RESOLVED

that said policy shall be adopted no later than January, 2015 and shall be effective on the first day of the school year beginning after July 1, 2006.

Adopted 4/24/14

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RELIGIOUS AND PATRIOTIC CEREMONIES AND OBSERVANCES

Reference: 20 USC 4071 et. seq.
Gregoire vs. Centennial School 907 F2d 1366, (3rd Circuit, 1990)
Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)
M.C.L. 380.1347, 380.1347a, 380.1565

Decisions of the United States Supreme Court have determined that public schools must neither advance nor inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously oriented activities by the Academy are offensive to some and tend to supplant activities that should be the exclusive province of individual religious groups, churches, private organizations, and/or the family.

Staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. The Academy shall not function as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on school property by any party shall be prohibited in accordance with Policy and Administrative Procedures 7510 - Use of School Facilities and 9700 - Relations with Special Interest Groups.

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting the establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's/person's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. However, acknowledgement, explanation, and instruction about the special holidays of various religions are encouraged. Celebration activities, involving nonreligious decorations and use of secular works, are permitted. Nonetheless, faculty members have the responsibility to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the educational program of the Academy.

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

<u>The United States Flag and Pledge of Allegiance</u>

The flag of the United States shall be raised above each public school building operated by the Academy at all times during school hours, weather permitting. This flag shall measure at least 4 feet 2 inches by 8 feet. A United States flag shall also be displayed in every classroom or other instructional site in which students recite the Pledge of Allegiance.

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All students in attendance at school will be provided an opportunity to recite the Pledge each day that school is in session. However, no student shall be compelled to recite the Pledge of Allegiance. No student shall be penalized for failure to participate in the Pledge and the professional staff shall protect any such students from bullying as a result of their not participating in the Pledge.

The building principal or administrator shall be responsible for determining the appropriate time and manner for reciting the Pledge, with due regard to the need to protect the rights and the privacy of a nonparticipating student.

Adopted 9/19/13

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ANTI-FRAUD

This policy is implemented to advise Academy personnel about activities which may be fraudulent, illegal or otherwise unethical. The Board will not tolerate such activities and disciplinary measures will be implemented as appropriate.

Scope

This policy applies to any fraud, or suspected fraud, involving Academy personnel as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and any other parties with a business relationship with the Academy.

Policy

Fraud and fraudulent activity is strictly prohibited.

Academy personnel shall be responsible for reporting any observed or suspected fraud or fraudulent activity to the Director or Board President.

All administrators shall be vigilant for any conduct that may appear to constitute fraud within the areas of their responsibility.

All reporting and investigation shall be done in accordance with the Academy's guidelines on this subject.

Fraud – Definitions

Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon his/her injury.

The following are examples of prohibited acts:

A. Falsification of any record with the intent to conceal information to the Academy's detriment or the individual's advantage, particularly financial records;

B. Forgery of a check, bank draft, wire transfer or any other financial document;

C. Unauthorized alteration of a financial document or account belonging to the Academy;

D. Misappropriation of funds, supplies or other assets of the Academy;

E. Impropriety in the handling or reporting of money or financial transactions;

F. Disclosing confidential and proprietary information to outside parties for personal gain (either directly or indirectly);

G. Asking for or accepting anything of material value from contractors, vendors or persons providing services or materials to the Academy, except as provided in gift policies;

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H. Unauthorized destruction, removal, or use of records, furniture, fixtures and/or equipment for personal gain (either directly or indirectly);

I. Misuse of State or Federal funds for other than their designated purposes.

This list is meant to illustrate the types of activities that are prohibited. It is not comprehensive. Other misconduct of a similar nature is similarly prohibited.

Confidentiality

The Academy will maintain confidentiality with regard to the reports of suspected misconduct and the investigation, to the extent consistent with the conduct of an appropriate investigation and its obligations under the Freedom of Information Act. However, absolute confidentiality for reporting witnesses and investigation results cannot be guaranteed.

Except as authorized by the Director or his/her designee, the reporting witness and others interviewed are not to discuss the allegations or investigation with other Academy personnel or officials, vendors or contractors. Such discussions may interfere with the investigation. Further, because of the nature of the alleged misconduct, unsubstantiated allegations which are not privileged could harm an innocent individual's reputation and result in potential civil liability.

Non-Retaliation

Those who, in good faith, report suspected fraudulent activity will not be subject to any retaliation as a result of bringing the suspected misconduct forward.

Adopted 4/24/14

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9000 **RELATIONS**

9150	Academy Visitors	BP
9160	Public Attendance at School Events	BP
9211	Academy Support Organizations	BP
9700	Relations with Special Interest Groups	
9700.01	Advertising and Commercial Activities	
9710	Volunteers	BP

Adopted 10/18/07
Revised 7/30/08; 3/24/11; 4/19/12; 4/24/14; 11/24/14; 1/25/16; 1/22/18

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ACADEMY VISITORS

The Board of Directors welcomes and encourages visits to the academy 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 schools, it is necessary to establish visitor guidelines.

The Director has the authority to prohibit the entry of any person to this Academy 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 Academy. If such an individual refuses to leave the school grounds or creates a disturbance, the Director is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Parents/Guardians, who are registered sex offenders and wish to participate in their child's school activities, may be allowed on campus at the discretion and under the direction of the Director. Conditions may be imposed, including but not limited to the following: must have prior permission, must check in, must have approved escort in building or at event, must leave premises immediately upon conclusion of business, and may not visit while school is in session.

Nonstaff access to students and classes must be limited and only in accordance with a schedule which has been determined by the Director after consultation with the teacher whose classroom is being visited. Classroom visitations must be nonobtrusive 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 and at each school.

The Director shall promulgate 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, 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 each school building.

Individual Board members who are interested in visiting schools or classrooms on an unofficial basis shall make the appropriate arrangements with the Director. 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 a school or program, a Board member observes a situation or condition which causes concern, s/he should discuss the situation first with the Director as soon as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board.

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PUBLIC ATTENDANCE AT ACADEMY 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 Academy, but the Board also acknowledges its duty to maintain order and preserve the facilities of the Academy during the conduct of such events. The Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at an Academy event. Academy administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave Academy property when reasonably requested. In accordance with Board Policy 7440, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

The Board directs that no alcoholic beverage or other controlled substance be possessed, consumed, distributed nor any betting occur at any function sponsored by the Academy.

Raffles and similar forms of fund-raising by Academy-related organizations may be permitted by the Director in accordance with Policy 9211 - School Support Organizations and Policy 9700 - Relations with Special Interest Groups.

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

For facilities constructed or altered after June 3, 1977, the Academy will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the Academy is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the Academy's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See also **Policy 8930**)

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 any Academy-related event.

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Service animals used by persons requiring this type of assistance shall be permitted in all Academy facilities and at all school events. The person may be asked to provide evidence of the animal's certification for that purpose. Certain restrictions may be applied when necessary due to allergies, health, safety, disability other issues of those attending the event. The goal shall be to provide all attendees with the same access and participation provided to

other members of the public. Confirmation of disability, need for a service animal to access/participate in the school event, and current certification/training of the service animal may be required.

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 Academy. If the performance is of copyrighted material and the necessary license has not been secured in advance by the Academy, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Director to establish rules and procedures governing the use of non-school audio/visual recording equipment at any Academy sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event shall obtain prior permission from the Director.

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

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

Adopted 3/24/11
Revised 4/19/12; 4/24/14

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ACADEMY SUPPORT ORGANIZATIONS

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

The Board recognizes that parent-teacher organizations and other school-related organizations are channels through which Academy personnel, parents, and other citizens may discuss educational concerns, problems, and needs and then work together toward solutions.

No organization may hold itself out as affiliated in any manner with the Academy unless directly approved to do so by the Academy Board of Directors, and then only as a “booster” or PTA/PTO organization for support purposes. No support organization shall be, or hold itself out as, an agent of the Academy for any purpose whatsoever.

Adopted 11/24/14
Revised 1/25/16

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RELATIONS WITH SPECIAL INTEREST GROUPS

The Board of Directors directs that students, staff members, and Academy 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 Educational Service Provider and Director on the basis of their educational contribution to part or all of the Academy program and benefit to students. 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 Director, 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 Educational Service Provider shall not be used to distribute campaign literature within the school or on school grounds.

Distribution/Posting 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 Educational Service Provider or Director.

The Educational Service Provider and Director 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 Director;

D. the time, place, and manner of distribution of all non-school related materials is clearly established and communicated.

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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 Educational Service Provider 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 and desiring to solicit funds on Academy property, must receive permission to do so from the Educational Service Provider or Director.

Permission to solicit funds will be granted only to those organizations, individuals, or staff members who meet the permission criteria established in the Administrative Procedures. Solicitation must take place at such times and places and in such a manner specified in the Administrative Procedures. In accordance with Board Policy 5830, no Academy student may participate in the solicitation without the Director's approval.

Use of the name, logo, or any assets of the Academy, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Director.

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 Director.

All crowdfunding activities are subject to the procedures/guidelines in AG 6605.

Prizes/Scholarships

The Board is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this Academy. 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 Educational Service Provider.

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Surveys and Questionnaires

No organization related (or not) to the Academy shall be allowed to administer a survey or questionnaire to students or staff, unless the instrument and the proposed plan are submitted in advance to the Director for approval. If the survey or questionnaire is approved, a copy of the results and the proposed manner of their communication must be provided to the Director 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 Academy shall not enter into any contract for products or services, including electronic media services, where personal information will be collected from the students by the providers of the services.

See also Policy 2416 and AG 2416

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Revised 1/22/18

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ADVERTISING AND COMMERCIAL ACTIVITIES

The purpose of this policy is to provide procedures 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 Directors may permit advertising in school facilities or on school property in the following categories or forums in accordance with the procedures set forth herein:

A. Product Sales:

1. product sales benefiting a school or student activity (e.g., the sale of beverages or food within schools);

2. exclusive agreements between the Academy and businesses that provide the businesses with the exclusive right to sell or promote their products or services in the school (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);

3. ads in school publications (newspapers and yearbooks and event programs);

4. media-based electronic advertising (e.g., Channel One or Internet or web-based sponsorship);

5. 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 by

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commercial organizations such as films and videos only if the education value of the materials outweighs their commercial nature.

The films or material shall be carefully evaluated by the School Leader for classroom use to determine whether the films or materials contain undesirable propaganda and are in compliance with the procedures as set forth above.

D. Market Research:

1. surveys or polls related to commercial activities;

2. internet surveys or polls asking for information related to commercial activities;

It is further the policy of the Board that its name, students, staff members and school 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 Procedures set forth below.

General Advertising Procedures

The following procedures shall be followed with respect to any form of advertising on school grounds:

A. When working together, schools and businesses must protect educational values. All commercial or corporate involvement should be consistent with the Academy's educational standards and goals.

B. Any advertising that may become a permanent or semi-permanent part of a school requires prior approval of the Board.

C. The Board reserves the right to consider requests for advertising in the schools on a case-by-case basis.

D. 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.

E. No advertisement shall promote any specific religion or religious, ethnic or racial group, political candidate or ballot issue and shall be non-proselytizing.

F. No advertisement may contain libelous material.

G. No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.

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H. No advertisement shall be false, misleading or deceptive.

I. Each advertisement must be reviewed in advance for age appropriateness.

J. Advertisements may be rejected by the Academy if determined to be inconsistent with the educational objectives of the Academy, inappropriate, or inconsistent with the guidelines set forth in this policy.

K. 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.

L. Students shall not be required to advertise a product, service, company or industry.

M. The School Leader or designee is responsible for screening all advertising.

N. The School Leader or designee may require that samples of advertising be made available for inspection.

O. The inclusion of advertisements in school publications, in school facilities, or on school property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.

P. 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.

Adopted 11/24/14

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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 support staff responsible for the conduct of those programs and activities.

The Executive Director 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 Academy needs.

Any volunteer who works on a regular and/or continuous basis and has unsupervised access to students shall submit to a criminal history records check, prior to being allowed to participate in any activity or program.

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.

The Executive Director is to inform each volunteer that s/he:

A. shall agree to abide by all Board policies and Academy guidelines while on duty as a volunteer;

B. will be covered under the Academy's liability policy but the Academy 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 Academy of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services.

The Executive Director shall also ensure that each volunteer is properly informed of the Academy's appreciation for his/her time and efforts in assisting the operation of the Academy.

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