

# Board Operating Policies

## Three Lakes Academy

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# **Board Policies**

**THREE LAKES ACADEMY**

ADOPTION RESOLUTION

RESOLVED that the policies printed and codified in the comprehensive document entitled "Board Policies of the Three Lakes Academy Board of Directors" are hereby adopted and that all Board Policies previously adopted by the Three Lakes Academy Board of Directors are hereby rescinded; further be it

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

Take notice that the foregoing resolution was adopted by the Three Lakes Academy Board of Directors at a public meeting on July, 2011.

Signatures:

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**0000 BOARD OPERATING POLICY**

**0100 Definitions**

**0110 Official Description**

- 0111 Name
- 0112 Purpose
- 0115 Address

**0120 Powers and Philosophy**

- 0121 Authority
- 0122 Board Powers

**0130 Functions**

- 0131 Legislative
- 0131.1 Charter Contract Bylaws and Board Operating Policies
- 0132 Executive
- 0132.1 Selection of the Administrator
- 0132.2 Administrative Guidelines BP
- 0133 Judicial

**0140 Membership**

- 0141 Number
- 0142 Appointment
- 0142.1 Term
- 0142.2 Oath
- 0142.3 Vacancies BP
- 0142.31 Filling a Board Vacancy BP
- 0142.4 Orientation BP
- 0143 Authority
- 0143.1 Public Expression of Board Members BP
- 0144 Operations
- 0144.1 Compensation
- 0144.11 Reimbursement of Expenses L**
- 0144.2 Board Member Ethics BP
- 0144.3 Conflict of Interest BP
- 0144.4 Indemnification BP
- 0145 Discriminatory Harassment

**0150 Organization**

- 0151 Annual Organizational Meeting
- 0152 Officers
- 0154 Annual Organizational Meeting Agenda (Motions)
- 0155 Committees

**0160 Meetings**

- 0161 Parliamentary Authority
- 0162 Quorum
- 0163 Presiding Officer
- 0164 Call

**Legend:**

- L = Legally Required (if applicable)
- BP = Best Practice

0164.1	Regular Meetings	
0164.2	Special Meetings	
0164.3	Emergency Meetings	
0165	Notice	BP
0165.1	Posting Notice of Regular Meetings	BP
0165.2	Change of Regular Meetings	BP
0165.3	Posting Notice of Special Meetings	BP
0165.4	Posting Notice of Emergency Meetings	BP
0165.5	Recess	BP
0166	Agenda	
0166.1	Consent Agenda	
0167	Conduct	
0167.1	Voting	
0167.2	Closed Session	
0167.3	Public Participation at Board Meetings	
0167.4	Administrative Participation	BP
0167.5	Use of Electronic Mail	BP
0168	Minutes	BP
0168.1	Open Meeting	BP
0168.2	Closed Meeting	BP
0168.3	Committee Meetings	BP
0169	Student Disciplinary Hearings	BP
0169.1	Closed Session Requested	BP
0169.2	Open Hearing	BP
0170	<b>Duties</b>	
0171	Officers	
0171.1	President	
0171.2	Vice-President	
0171.3	Secretary	
0171.4	Treasurer	
0172	Legal Counsel	BP
0173	Independent Auditor	BP
0175	Association Memberships	BP
0175.1	Board Conferences, Conventions, and Workshops	BP
1000	<b>ADMINISTRATION</b>	
1110	Assessment of Academy's Goals	
1130	Conflict of Interest	BP
1210	Board – Administrator Relationship	BP
1220	Employment of the Administrator	BP
1230	Responsibilities of the Administrator	BP
1230.01	Development of Administrative Guidelines	BP
1240	Evaluation of the Administrator	BP
1241	Termination of the Administrator	BP
1260	Incapacity of the Administrator	BP
1400	Job Descriptions	
1420	<b>Academy Administrator Evaluation</b>	<b>L</b>

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<b>1422</b>	<b>Nondiscrimination and Equal Employment Opportunity</b>	<b>L</b>
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
1460	Physical Examination	BP
1461	Unrequested Leaves of Absence/Fitness for Duty	BP
1613	Student Supervision and Welfare	BP
<b>1619.02</b>	<b>Privacy Protections of Fully Insured Group Health Plans</b>	<b>L</b>
<b>1623</b>	<b>Section 504/ADA Prohibition Against Disability Discrimination in Employment</b>	<b>L</b>
<b>1630.01</b>	<b>Family &amp; Medical Leaves of Absences (FMLA)</b>	<b>L</b>
<b>1662</b>	<b>Anti-Harassment</b>	<b>L</b>
2000	<b>PROGRAM</b>	
2105	Mission of the Academy	BP
2110	Statement of Philosophy	BP
2111	Value Statements for Board, Staff and Students	
<b>2112</b>	<b>Parent Involvement in the Academy Program</b>	<b>L</b>
2120	School Improvement	
2131	Educational Outcomes for Students	
2132	Educational Process Goals	
2210	Curriculum Development	
2210.01	Right to Inspect Instructional Materials	BP
2220	Adoption of Courses of Study	BP
2221	Mandatory Courses	BP
2225	Students with Limited English Proficiency	BP
2231	Curriculum	BP
2240	Controversial Issues	BP
2250	Innovative Programs	BP
<b>2260</b>	<b>Nondiscrimination and Access to Equal Educational Opportunity</b>	<b>L</b>
<b>2260.01</b>	<b>Section 504/ADA Prohibition Against Discrimination Based on Disability</b>	<b>L</b>
2261	Title I Services	
2261.01	Parent Participation in Title I Programs	BP
2261.02	Title I – Parent’s Right to Know	BP
<b>2261.03</b>	<b>Federal School Improvement Plan</b>	<b>L</b>
2270	Religion in the Curriculum	BP
2330	Homework	BP
2340	Field and Other Academy-Sponsored Trips	BP
2370.01	On-Line/Blended Learning Program	BP
2412	Homebound Instruction Program	BP
2413	Health Education Program	BP
2414	Reproductive Health and Family Planning	BP
<b>2416</b>	<b>Student Privacy and Parental Access to Information (FERPA)</b>	<b>L</b>
2430	Academy-Sponsored Clubs and Activities	BP
<b>2433</b>	<b>Operation of a Child Care Center or Before/After School Program</b>	<b>L</b>

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	<b>2460</b>	<b>Education of Children with Disabilities</b>	<b>L</b>
	<b>2460.02</b>	<b>Least Restrictive Environment Position Statement</b>	<b>L</b>
	2510	Adoption of Textbooks	BP
	2521	Selection of Instructional Materials and Equipment	BP
	2531	Copyrighted Works	BP
	2605	Program Accountability and Evaluation	BP
	2623	Student Assessment	BP
	2700	Combined P.A. 25 Annual Report and NCLB Report Card	BP
3000	<b>STAFF</b>		
	3110	Conflict of Interest	BP
	3112	Board-Staff Communications	BP
	3120	Employment of Staff	
	3120.04	Employment of Substitutes	BP
	3120.07	Employment of Casual Resource Personnel	
	3120.10	Job Sharing	BP
	3121	Criminal History Record Check	BP
	3121.01	Criminal Conviction Review	BP
	<b>3122</b>	<b>Anti-Discrimination</b>	<b>L</b>
	<b>3122.01</b>	<b>Drug Free Workplace</b>	<b>L</b>
	<b>3122.02</b>	<b>Non-Discrimination Based on Genetic Information of the Employee</b>	<b>L</b>
	<b>3122.02a</b>	<b>Non-Discrimination Against State Universities in Student Teaching, Hiring and Counselor Recommendations</b>	<b>L</b>
	3122.03	Employee Handbook and Treatment of Salaried & Non-Salaried Employees	BP
	<b>3123</b>	<b>Section 504/ADA Prohibition Against Disability Discrimination In Employment</b>	<b>L</b>
	3139	Staff Discipline	BP
	3140	Termination and Resignation	BP
	3150	Employee Absences	BP
	3160	Physical Examination	BP
	3161	Unrequested Leaves of Absence/Fitness for Duty	BP
	3162	Controlled Substance and Alcohol Policy for Commercial Motor Vehicle (CMV) Drivers	BP
	3170	Substance Abuse	BP
	3210	Staff Ethics	BP
	3213	Student Supervision and Welfare	BP
	3214	Staff Gifts	BP
	<b>3215</b>	<b>Use of Tobacco</b>	<b>L</b>
	<b>3220</b>	<b>Staff Evaluation</b>	<b>L</b>
	3217	Weapons	BP
	3231	Outside Activities of Staff	BP
	3243	Professional Meetings	BP
	3310	Freedom of Speech in Non-instructional Settings	BP
	<b>3362</b>	<b>Anti-Harassment</b>	<b>L</b>

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3362.01	<b>Threatening Behavior toward Staff Members</b>	L
3362.02	Workplace Safety	
3419.02	<b>Privacy Protections of Fully Insured Group Health Plans</b>	L
3430.01	Family and Medical Leaves of Absence (FMLA)	BP
3437.01	Military Leave	BP
3440	Job-Related Expenses	BP
5000	<b>STUDENTS</b>	
5111	<b>Admission of Students</b>	L
5111.01	<b>Homeless Students</b>	L
5111.02	<b>Educational Opportunity for Military Children</b>	L
5112	<b>Entrance Age</b>	L
5113.02	School Choice Options Provided by the <i>No Child Left Behind Act</i>	BP
5114A	Foreign Students on Visa	BP
5130	Withdrawal from the Academy	BP
5136	Personal Communication Devices	BP
5200	Attendance	BP
5215	Missing and Absent Children	BP
5223	Absences for Religious Instruction	BP
5230	Late Arrival and Early Dismissal	BP
5310	Health Services	BP
5320	Immunization	BP
5330	<b>Use of Medications</b>	L
5330.01	<b>Epinephrine Auto-Injectors</b>	L
5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
5340.01	<b>Concussions and Athletic Activities</b>	L
5341	Emergency Medical Authorization	BP
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5451	Student Recognition	BP
5463	Credits from Nonpublic Schools	BP
5500	Student Conduct	BP
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5513	Care of Academy Property	BP
5514	Student Use of Bicycles	BP
5515.01	Safe Operation of Motorized Utility Vehicles by Students	BP
5516	<b>Student Hazing</b>	L
5517	<b>Anti-Harassment</b>	L
5517.01	<b>Bullying</b>	L
5520	Disorderly Conduct	BP
5530	<b>Drug Free Environment</b>	L
5532	<b>Performance-Enhancing Drugs/Compounds</b>	L

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5540	Interrogation of Students	BP
5600	Student Discipline	BP
<b>5610</b>	<b>Emergency Removal, Suspension &amp; Expulsion of Students</b>	<b>L</b>
<b>5630.01</b>	<b>Student Seclusion and Restraint</b>	<b>L</b>
5722	Academy-Sponsored Publications and Productions	BP
5730	Equal Access for Non-school Sponsored, Student Clubs and Activities	BP
5771	Search and Seizure	BP
5772	Possession of Weapons	BP
5780	Student/Parent Rights	BP
5820	Student Government	BP
5830	Student Fund-Raising	BP
5850	Social Events	BP
<b>6000</b>	<b>FINANCES</b>	
6107	Authorization to Accept and Distribute Electronic Records and to Use Electronic Signatures	BP
6110	Federal Funds	BP
<b>6144</b>	<b>Investments</b>	<b>L</b>
6151	Bad Checks	BP
6152	Student Fees, Fines, and Supplies	BP
6160	Check Signing	BP
6210	Fiscal Planning	BP
6220	Budget Preparation	BP
6230	Budget Hearing	BP
6231	Budget Implementation	BP
<b>6320</b>	<b>Purchasing</b>	<b>L</b>
6321	New Academy Construction, Renovation	BP
6350	Prevailing Wage Coordinator	
<b>6420</b>	<b>Conflict of Interest – Legal Counsel, Advisors, or Consultants</b>	<b>L</b>
6423	Use of Credit/Debit Cards	BP
6440	Cooperative Purchasing	BP
6460	Vendor Relations	BP
6470	Payment of Claims	BP
6510	Payroll Authorization	BP
6520	Payroll Deductions	BP
6550	Travel Payment & Reimbursement	BP
6620	Petty Cash	BP
6621	Change Fund	
6670	Trust and Agency Fund	BP
6680	Recognition	BP

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6700	<b>Fair labor Standards Act (FLSA)</b>	L
6800	System of Accounting	BP
6850	<b>Public Disclosure and Reporting</b>	L
7000	<b>PROPERTY</b>	
7217	<b>Weapons</b>	L
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	BP
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
7434	<b>Use of Tobacco on School Premises</b>	L
7440	Facility Security	BP
7440.01	Video Surveillance and Electronic Monitoring	BP
7450	Property Inventory	BP
7455	Accounting System for Fixed Assets	BP
7460	Conservation of Natural and Material Resources	BP
7510	Use of Academy Facilities	BP
7530	Lending of Academy-Owned Equipment	BP
7530.01V5	Staff Use of Wireless Communication Devices	BP
7530.02	Staff Use of Personal Communication Devices	BP
7540	<b>Computer Technology and Networks</b>	L
7540.01	Technology Privacy	BP
7540.02	School Web Page	BP
7540.03	<b>Student Education Technology Acceptable Use and Safety</b>	L
7540.04	<b>Staff Education Technology Acceptable Use and Safety</b>	L
7540.05	Electronic Mail	
7540.07	<b>Personal Internet Account Privacy—Students</b>	L
7540.08	<b>Personal Internet Account Privacy—Staff</b>	L
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP
7542	<b>Access to Academy Technology Resources from Personal Communication Devices</b>	L
7543	Remote Access to the School's Network	BP
7545	Electronic Communications	BP
8000	<b>OPERATIONS</b>	
8120	<b>Iran Economic Sanctions Act Compliance</b>	L
8142	Criminal History Record Check	BP
8210	Academy Calendar	
8220	School Day	
8310	<b>Public Records</b>	L
8315	Information Management	BP
8320	Personnel Files	BP

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8321	Criminal Justice Information Security	BP
8330	Student Records	BP
8350	Confidentiality	BP
8351	Breach of Confidential Information	BP
<b>8390</b>	<b>Animals on Academy Property</b>	<b>L</b>
<b>8400</b>	<b>Academy Safety Information</b>	<b>L</b>
<b>8401</b>	<b>Fire Safety and Fire Department Notification</b>	<b>L</b>
8405	Environmental Health and Safety Issues	BP
<b>8405.01</b>	<b>Integrated Pest Management</b>	<b>L</b>
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	BP
<b>8431</b>	<b>Preparedness for Toxic Hazards and Asbestos Hazard</b>	<b>L</b>
8442	Reporting Accidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	BP
8462	Student Abuse and Neglect	BP
<b>8500</b>	<b>Food Services</b>	<b>L*</b>
<b>8510</b>	<b>Wellness</b>	<b>L</b>
8531	Free and Reduced-Priced Meals	BP
8660	Transportation by Private Vehicle	BP
8710	Insurance	BP
8740	Bonding	BP
8760	Student Accident Insurance	BP
<b>8800</b>	<b>Religious/Patriotic Ceremonies and Observances</b>	<b>L</b>
9000	<b>RELATIONS</b>	
9111	Telephone Communications	BP
9120	School Information Program	BP
9130	Public Complaints	BP
9150	Academy Visitors	BP
9160	Public Attendance at Academy Events	BP
9211	Academy Support Organizations	BP
<b>9250</b>	<b>Parent/Guardian Review of Instructional Materials and Observation of Instructional Activities</b>	<b>L</b>
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP

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9700	Relations with Special Interest Groups	BP
9700.01	Advertising and Commercial Activities	BP
9710	Volunteers	BP

Adopted 7/20/11

Revised 2/21/12; 7/17/12; 11/12/12; 7/16/13; 1/21/14; 9/16/14; 7/21/15; 8/18/15

**\*This policy is only legally required if the Academy serves food to students and receives direct or indirect federal aid for the program.**

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## GLOSSARY OF EDUCATIONAL TERMS AND ACRONYMS

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

### ADMINISTRATOR

The educational leader and head administrator of one (1) or more District schools or programs, as designated by the 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.

### 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 Junior 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 District. (See Policy 2210)

## DIAGNOSIS

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

## EVALUATION

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

## FACT

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

## GOAL

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

## IDEA

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

## IEP

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

## INSTRUCTION

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

## LEADERSHIP

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

## MANAGEMENT

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

## MEASUREMENT

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

## MISSION

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

## MODEL

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

## NORMS

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

## OBJECTIVE

An intended action or result in the process of achieving a goal. For students, learning objectives are usually the initial level of accomplishment toward the School'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 District's Educational Goals for Students.

## OUTCOME

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

## PARENT

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

## PILOT

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

## PLACEMENT

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

## PLAN

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

## PRINCIPLE

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

## PROGRAM

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

## PROMOTION

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

## RELIABILITY

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

## RETENTION

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

## SCOPE

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

## SECTION 504

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

## SEQUENCE

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



## SKILL

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

## STANDARDIZED TEST

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

## STANINE

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

## TEST

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

## UNDERSTANDING

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

## VALIDITY

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

## ACRONYMS

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

### A

ACH – Automatic Clearing House

ADA – Americans with Disabilities Act of 1990

AED – Automatic External Defibrillator

AEP – Alternative Education Program

AFS – American Field Service, International/Intercultural Programs

AIDS – Acquired Immunodeficiency Syndrome

AYP – Adequate Yearly Progress

### B

### C

CDL – Commercial Drivers License

CEPI – Center for Educational Performance and Information

CFR – Citations to the Federal Register are noted as to the Code of Federal Regulations as CFR, and to the United States Code as USC

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)

DRO – District Records Officer

**E**

ECD – Electronic Communication Device

EDP – Education Development Plan

EIP – Emergency Intervention Plan

EMS – Emergency Medical Services

ESI – Emergency Safety Intervention

EPA – Environmental Protection Agency

ESP – Educational Service Provider

ETO – Electronic Transfer Officer

**F**

FAPE – Free and Appropriate Public Education

FERPA – Federal Educational Rights and Privacy Act

FMLA – Family and Medical Leave Act

FOIA – Freedom of Information Act

FSA – Flexible Spending Accounts (Health Care)

FTE – Full Time Equivalent (Student Attendance)

FBA – Functional Behavioral Assessment

**G**

GAA – General Appropriations Act

GAAB – Generally Accepted Accounting Bulletin

GAAP – Generally Accepted Accounting Principles

GED – General Education Diploma

GPA – Grade Point Average

**H**

HACCP – Hazard Analysis Critical Control Point

HAV – Hepatitis A

HBV – Hepatitis B

HCV – Hepatitis C

HIPAA – Health Insurance Portability and Accountability Act of 1996

HIV – Human Immunodeficiency Virus

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

IEPT – Individualized Education Planning Team

IEQ – Indoor Environmental Quality

IIS – Indentix Identification Services

IPM – Integrated Pest Management

ISD – Intermediate School District

**J**

**K**

**L**

LEA – Local Education Agency

LEIN – Law Enforcement Information Network

LEP – Limited English Proficient

LRE – Least Restrictive Environment

**M**

MCLA – Michigan Compiled Laws Annotated

MDCH – Michigan Department of Community Health

MDCIS – Michigan Department of Consumer and Industry Services

MDE – Michigan Department of Education

MEAP – Michigan Education Assessment Program

MEIS – Michigan Educational Information System

MHSAA – Michigan High School Athletic Association

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 (MPSERS)

MRO – Medical Review Officer

MSDS – Material Safety Data Sheets

MSP – Michigan State Police

## **N**

NAEP – National Assessment of Educational Progress

NASSP – National Association of Secondary School Principals

NCLB – No Child Left Behind (Federal legislation of 2001)

## **O**

OCR – Office of Civil Rights

OCTP – Office of Career and Technical Preparation

OSHA – Office of Safety and Health Administration

OTC – Over the Counter

## **P**

PBS – Positive Behavior Support

PBSP – Positive Behavior Support Plan

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**

SAT – Scholastic Aptitude Test

SEAB – Sex Education Advisory Board

SRO – School Resource Officer

STD – Sexuality Transmitted Disease

**T**

TAF – Trust and Agency Fund

TDP – Deferred Payment (TDP) Plan (MPERS)

THP – Toxic Hazard Preparedness

**U**

USAS – Uniform School Accounting System

USC – United States Code

USDA – United States Department of Agriculture

USIA – United States Information Agency

**V**

**W**

**X**

**Y**

**Z**

Adopted 7/20/11

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Adopted 7/20/11

Revised 7/16/13; 1/21/14; 9/16/14



## **DEFINITIONS**

The operating policy of the Board of Directors of this Academy incorporates quotations from the laws and administrative code of the State of Michigan. Such quotations may be substantively altered only by appropriate legislative, judicial, or administrative action.

Whenever the following items are used in these policies, they shall have the meaning explained below:

### **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.

### **Administrator**

The administrator employed by the Board who is responsible for the daily operations of the Academy and the implementation of the policies of the Board. The Administrator can delegate appropriate duties assigned by the Board.

### **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)

### **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**

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 the right to counsel and/or confrontation or cross examination of witnesses, depending upon the situation.

### **Full Board**

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

### **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.

### **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.

### **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**

This Academy.

### **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 signify a required action.)

**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.

**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. The law requires Board members to 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 7/20/11

## **OFFICIAL DESCRIPTION**

### **0111 Name**

The Board of Directors of this Academy shall be known officially as the Three Lakes Academy Board of Directors.

### **0112 Purpose**

The reason the Academy exists is to provide a system of free, public education for children, as authorized in the Charter Contract. The Board exists to supervise the Academy, as set forth in the Charter Contract.

### **0115 Address**

The physical location of the Academy, the official address of the Academy, shall be W. 17540 Main Street, Curtis, MI 498929 and the official name of the Academy shall be Three Lakes Academy.

Adopted 7/20/11

## POWERS AND PHILOSOPHY

### 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: to hire, contract for, schedule, supervise, or terminate employees, independent contractors, and others to carry out Academy operations. The Board may contract or employ an Administrator to provide educational, administrative and other services and to exercise certain of said powers. The rights, responsibilities and obligations of the school and the Administrator are set forth in the agreement between the Board and the Administrator. 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 Academy 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.

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

- F. The policyholder of the Academy's group insurance program. (If the Board employs staff.)
- G. The starting day for the school year and the amount of student contact time to receive full State school aid.
- H. The composition of the Academy's site-based, decision-making groups or school-improvement committee(s).
- I. Contracting with outside parties for non-instructional support services including the procedures for obtaining a contract, the identity of the outside party, and the impact on individual staff members.
- J. Use of volunteers.
- K. 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.
- L. Compensation or reimbursement of a staff member for monetary penalties imposed on the staff member under M.C.L. 423.201, 202, 206, and 215. (If the Board employs staff)
- M. Any decision regarding the placement of teachers, or the impact of that decision on an individual employee.
- N. 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.)
- O. Decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such decision. (If the Board employs staff.)
- P. Decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher. (if the Board employs staff.)
- Q. 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.)

- R. Decisions about how performance evaluation is used to determine the performance based compensation for teachers and administrators. (If the Board employs staff.)
- S. 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 2015-2016 school year).

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

Adopted 7/20/11  
Revised 7/17/12; 7/16/13

## FUNCTIONS

### 0131 Legislative

#### 0131.1 Charter Contract Bylaws and Board Operating Policies

Policies that are not dictated by the 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 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 except upon a vote and with compelling reasons, the Board may adopt, amend, or suspend board policy contained herein, provided the amendment, adoption, or suspension does not conflict with the law or the Academy's Charter Contract. Any resolution that adopts, amends, or suspends a Board policy under this provision shall expire automatically at the next public meeting of the Board of Directors, unless the Board moves to adopt the resolution in final form.

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

Periodically, it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include statutory references, scrivener's errors, renumbering that does not change the order of the sections or subsections, grammatical corrections or additions including punctuation or typographical errors, as well as alterations and omissions not affecting the construction or meaning of any sections, subsections, chapters, titles, or policies as a whole. Technical corrections may also include the updating of the named individuals in these policies where the originally named individual no longer works for the 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



0132 **Executive**

0132.1 **Selection of Administrator**

The Board of Directors shall exercise its executive power, in part, by contracting with a Administrator, 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 Administrator.

0132.2 **Administrative Guidelines**

The Board shall delegate to the Administrator the responsibility to specify required actions and design the detailed arrangements under which the Academy will operate. These detailed arrangements shall constitute the Administrative Guidelines governing the Academy and shall be consistent with 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 Administrator.

The Board shall delegate authority to the Administrator to take necessary action in circumstances not provided for in Board policy or Administrative Guidelines, 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 Administrator 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 7/20/11  
Revised 9/16/14

## MEMBERSHIP

### 0141 **Number**

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

### 0142 **Appointment**

#### 0142.1 **Term**

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

#### 0142.2 **Oath**

A promise to faithfully serve on the Board shall be made by each newly appointed or reappointed Board member. Each Board member must file an oath of office within the timelines established in the Charter Contract and state statute.

#### 0142.3 **Vacancies**

The office of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events:

- A. the death of the incumbent or the incumbent's being adjudicated insane or being found to be mentally incompetent by the proper court;
- B. the incumbent's resignation;
- C. the incumbent's removal from office;
- D. the incumbent's conviction of a felony;
- E. the incumbent's election or appointment being declared void by a competent tribunal;
- F. the incumbent's neglect or failure either to take and file the oath of office or to give or renew the official bond required by law;
- G. the incumbent's ceasing to possess the legal qualifications to hold office; or
- H. the incumbent's residence being removed from the state.

If less than a majority of the offices of the Board becomes vacant, the remaining members of the Board shall immediately nominate a candidate for the vacancy.

0142.31 **Filling a Board Vacancy**

(See Provision of the Charter Contract Bylaws.)

0142.4 **Orientation**

The preparation of each Board member for the performance of Board duties is essential to the effective functioning of the Board. The Board may 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, in conjunction with the Authorizer, the Board shall give copies of the following items to new Board members no later than their first regular meeting as a Board members for their use and possession during their term on the Board:

- A. the Charter Contract;
- B. the Administrator Contract;
- C. the Board Policies Manual;
- D. the current budget statement, audit report, and related fiscal materials;
- E. the student handbook;
- F. the staff handbook;
- G. the Open Meetings Act;
- H. materials concerning the conduct of meetings (standard agenda, recording minutes, handling of a motion); and
- I. other materials, as deemed appropriate by the Board.

Each new Board member shall be invited to meet with the (Board President, Administrator, Business Manager) 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**  
MCL 15.261 et seq.

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

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

Since the staff of this Academy are employees of the Academy, access to Academy personnel records, if appropriate, shall be subject to the following rules:

- A. Information obtained from employee personnel records by members of the Board shall be used only to help the members fulfill their legal responsibilities regarding such matters as appointments, assignments, promotions, demotions, remuneration, discipline, and dismissal; develop and implement personnel policies; and carry out other legal responsibilities of the Board. Privacy of employee personnel records will be the responsibility of the Administrator.
- B. Any examination of Academy employee personnel records by the Board of Directors shall be conducted in accordance with the Open Meetings Act.
- C. Personnel records, in their entirety, shall be returned to the custody of the Administrator at the conclusion of the Board meeting.

#### 0143.1 **Public Expression of Board Members**

The Board President or designee, with the proper designation of the Board, functions as the official spokesperson for the Board. Occasionally, however, individual Board members may make public statements on Academy matters to local media and to local and/or state officials.

Sometimes such statements imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the Board member and the Board. Therefore, when writing or speaking on Academy matters to the media, legislators, and other officials, Board members should make it clear that their views do not necessarily reflect the views of the Board or those of their colleagues on the Board.

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

- A. correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter;
- B. routine (not for publication) correspondence of the Administrator and/or other Board employees;
- C. routine "thank you" letters of the Board;

- D. statements by Board members on non-Academy matters (providing the statements do not identify the author as a member of the Board); or
- E. personal statements not intended for publication.

0144 **Operations**

0144.1 **Compensation**

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

0144.11 **Reimbursement of Expenses**

Reference: MCL 380.1254; MCL 388.1764b

The Board shall pay the actual and necessary expenses of its members and employees 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:

- A. Mileage for Board-related activities and meetings, not to exceed the then-current rate established by the Internal Revenue Service;
- B. Expenses of attending a Board-approved conference, including fees, parking, mileage, meals and housing
- C. Expenses related to purchase of printed or other materials relating to Board membership; and
- D. 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:

- A. Expenses of attending a community or Academy-related event, if the individual attends as a private citizen;
- B. Entertainment expenses; and
- C. 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**

Reference: Board of Directors, National School Boards Association

Members of the Board of Directors will strive to improve public education. To that end, Board members will do the following:

- A. attend all regularly scheduled and special Board meetings, insofar as possible, and stay informed concerning the issues to be considered at those meetings;
- B. 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, refusing 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 among the Board and students, staff, and all elements of the community;
- E. work with the other Board members to establish effective Board policies and delegate authority for the administration of the Academy;
- F. communicate to other Board members and the Administrator expressions of public reaction to Board policies and Academy programs;
- G. inform themselves concerning current educational issues through individual study and participation in programs, which provide relevant information;
- H. support the employment of persons best qualified to serve as staff, and insist on regular and impartial evaluations of all staff;
- I. avoid conflict of interest and refrain from using their Board positions for personal or partisan gain;
- J. take no private action that may compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law;
- K. remember that their first and greatest concern must be for the educational welfare of the students attending the Academy.

0144.3 **Conflict of Interest**

MCL 15.32(3); 380.1203, 380.634, 450.2545, 450.2546

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.

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).
- 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 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.

1. A Board member is not considered to have a financial interest in any of the following instances:
  - a. A contract or other financial transaction between the Academy and any of the following:
    - i. 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.
    - ii. 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.
    - iii. 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.
  - b. A contract or other financial transaction between the Academy and any of the following:
    - i. A corporation in which the individual is not a director, officer, or employee.
    - ii. A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.
    - iii. A corporation or firm that has an indebtedness owed to the individual.
  - c. 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.

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

1. 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 District, the Board member shall make the disclosure in one of two (2) ways:

- a. 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 Bylaw 0165.)
  - b. By announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The Board member must use this method of disclosure if his/her financial interest amounts to \$5000 or more.
2. Any contract in which there is a conflict of interest as defined by this bylaw and the related statute (M.C.L. 380.1203) must be approved by a majority vote of the full Board without the vote of any Board member with a financial interest.

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

- 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 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.
- F. Board members shall not accept any money, goods, or services from any person who does business or seeks to do business of any kind with the Academy.
- 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;

3. There is no other qualified applicant available to fill a vacant position; and
4. 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.

See also, Policy 6420, Conflict of Interest – Legal Counsel, Advisors, Consultants

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.

Sexual harassment includes all un-welcomed sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature, whenever submission to such conduct is made a condition of employment or a basis for an employment decision. Other prohibited conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive environment on the basis of gender, religion, race, color, national origin or ancestry, age, disability, height, weight, marital status, and/or any other legally protected characteristic.

The harassment of a student, staff member, or third party (e.g., visiting speaker, athletic team member, volunteer, parent, etc.) is strictly forbidden. Any person who violates this policy will be subject to discipline, in accordance with the law.

Adopted 7/20/11  
Revised 7/16/13; 1/21/14

## **ORGANIZATION**

### **0151 Annual Organizational Meeting**

Each year the Board of Directors shall conduct an organizational meeting to elect officers. The meeting shall be called to order by the ranking officer of the Board, who shall serve until the election of a President. (See Charter Contract Bylaws.)

### **0152 Officers**

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

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

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

At the annual organizational meeting, the Board shall use the following agenda:

- A. Call to order and roll call
- B. Business items: Election of Officers (President, Vice-President, Secretary, and Treasurer)
- C. Adoption of calendar of regularly scheduled Board meeting dates and times
- D. Adoption of resolution designating public places to post calendar and individual meeting notices of regularly scheduled and special meeting dates for the Board
- E. Adoption of a resolution designating the depository for Board funds
- F. Adoption of a resolution designating principal print media sources
- G. Adoption of a resolution designating Board members and personnel eligible to sign checks
- H. Adoption of resolution authorizing the Administrator and/or other personnel authorized to negotiate and implement contracts with service providers (vendors)
- I. Adoption of the school year calendar
- J. Appointment of Title IX, Freedom of Information, and Civil Rights Coordinators

- K. Appointment (or reappointment) of Legal Counsel
- L. Appointment (or reappointment) of External Auditor
- M. Appointment of Electronic Transfer Officer (ETO), in accordance with Policy 6144

0155 **Committees**

(See Charter Contract Bylaws.)

Adopted 7/20/11

## **MEETINGS**

### **0161 Parliamentary Authority**

The parliamentary authority governing the Board of Directors shall be acceptable parliamentary rules in all cases in which it is not inconsistent with statute, administrative code, or these bylaws.

### **0162 Quorum**

In order to legally transact business, the Academy Board shall have a quorum physically present at a duly called meeting of the Academy Board. A “quorum” shall be defined as four (4) of the seven (7) Board Members.

### **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 determined annually by a resolution of the Board.

#### **0164.2 Special Meetings**

Special meetings of the Board may be called by the President or by any two (2) members of the Board provided there is compliance with the notice provision of these 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 the majority 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 organizational 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:

"Upon request to the Administrator, 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 Administrative Office Building 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 thereat, 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.

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 Administrative Office Building 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, 380.1201(3)(4)

0166

### **Agenda**

The Administrator shall prepare and 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 Administrator 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 agenda item \_\_\_\_."

The agenda for each regular meeting shall be mailed 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 four (4) 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 by the Administrator 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 shall use a consent agenda to keep routine matters within a reasonable time frame.

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

- A. minutes of prior meetings
- B. bills for payment
- C. hiring of personnel
- D. resolutions that require annual adoption, such as bank signatories, Michigan High School Athletic Association membership, etc.
- E. resignations and leaves

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 nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Administrator or any Board member thinks the item requires further discussion.

0167            **Conduct**

0167.1        **Voting**

In order to legally transact business, the Academy Board shall have a quorum physically present at a duly called meeting of the Academy Board. A "quorum" shall be defined as four (4) of the seven (7) Board Members. Number of Academy Positions – seven (7); Number for Quorum four (4); number required to act –four (4).

No member of the Board of Directors may vote by proxy or by way of a telephone conference. 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.

0167.2        **Closed Session**

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

- A. to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, staff member, or individual agent, if the named person requests a closed hearing (a majority vote is required)
- B. to consider the dismissal, suspension, or disciplining of a student only if the student or student's parents request a closed hearing (a majority vote is required) (Also see Bylaw 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 (a two-thirds (2/3's) 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 (a two-thirds (2/3's) vote is required)



- F. to consider material such as written opinions of counsel which are exempt from discussion by State or Federal statute (a two-thirds (2/3's) vote is required)
- G. to review the specific contents of an application for employment or appointment if the candidate requests that the application remain confidential (a two-thirds (2/3's) vote is required)

However, all interviews for employment or appointment of the Administrator shall be held in an open meeting of the Board.

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 value of public comment on educational issues and the importance of allowing members of the public to express themselves on Academy matters.

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.

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 presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business.
- B. Anyone with concerns related to the operation of the schools or to matters within the authority of the Board may participate during the public portion of a meeting.
- C. Participants must be recognized by the presiding officer.

- D. Each statement made by a participant shall be limited to three (3) minutes duration.
- E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- F. Participants shall direct all comments to the Board and not to staff or other participants.
- G. All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- H. The presiding officer may:
  - 1. prohibit public comments which are frivolous, repetitive, or harassing;
  - 2. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
  - 3. request any individual to leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct of the meeting;
  - 4. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
  - 5. 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;
  - 6. waive these rules.
    - a. with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.
- I. The portion of the meeting during which the participation of the public is invited shall be limited to fifteen (15) unless extended by a vote of the Board.

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

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

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

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

0167.4      **Administrative Participation**

The Administrator and those administrators directed by the Administrator 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.

0167.5      **Use of Electronic Mail**

Since E-mail is a form of communication that could conflict with the Open-Meetings Law, 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 employee(s) which do not involve deliberating or rendering a decision on matters pending before the Board;
- B.      possible agenda items between the Administrator 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, Academy staff, or community pertaining to Academy operations;
- F.      responses to questions posed by members of the public, administrators, 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. Messages, deleted or otherwise, may be subject to disclosure under the Freedom of Information Act, unless an exemption would apply.

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 Administrator's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

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.

The official minutes shall be bound together by years and kept in the office of the Board of Directors.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next regular 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 matter, pursuant to the request of the parent/guardian" **(NOTE: Do not use the name since that could identify the student)**. A majority is required to go into a closed session.

Those invited into closed session should include the student, parent(s) and/or representative(s) and Academy administrator(s) bringing 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 Administration should present a summary of the requested discipline and an overview of the incident(s) supporting discipline. The Administration shall call and question witnesses as it determines appropriate. The administrator 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. This requires a majority vote.

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 Educational 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 Educational 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 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's) 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 7/20/11

## 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.

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 Administrator and Board find to be of benefit to members and Academy 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, and national 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.

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

Adopted 7/20/11



1000 **ADMINISTRATION**

1110	Assessment of Academy's Goals	
1130	Conflict of Interest	BP
1210	Board – Administrator Relationship	BP
1220	Employment of the Administrator	BP
1230	Responsibilities of the Administrator	BP
1230.01	Development of Administrative Guidelines	BP
1240	Evaluation of the Administrator	BP
1241	Termination of the Administrator	BP
1260	Incapacity of the Administrator	BP
1400	Job Descriptions	
<b>1420</b>	<b>Academy Administrator Evaluation</b>	<b>L</b>
<b>1422</b>	<b>Nondiscrimination and Equal Employment Opportunity</b>	<b>L</b>
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
1460	Physical Examination	BP
1461	Unrequested Leaves of Absence/Fitness for Duty	BP
1613	Student Supervision and Welfare	BP
<b>1619.02</b>	<b>Privacy Protections of Fully Insured Group Health Plans</b>	<b>L</b>
<b>1623</b>	<b>Section 504/ADA Prohibition Against Disability Discrimination in Employment</b>	<b>L</b>
<b>1630.01</b>	<b>Family &amp; Medical Leaves of Absences (FMLA)</b>	<b>L</b>
<b>1662</b>	<b>Anti-Harassment</b>	<b>L</b>

Adopted 7/20/11

Revised 2/21/12; 11/12/12; 1/21/14; 9/16/14; 7/21/15; 8/18/15

## **ASSESSMENT OF ACADEMY'S GOALS**

A major function of the Board of Directors is to establish the goals by which the Academy can accomplish its mission and to provide the resources necessary for their accomplishment. Because of the importance of accomplishing goals, the Board has established this policy for effective assessment of the Academy's progress toward the accomplishment of those goals.

The Board and the Administrator shall meet, at least annually, to discuss the progress of the Academy. These discussions may include the following:

- A. Data on the results-to-date of each Academy goal (see AG 1110) so assessment and evaluation can focus on how well the Academy is accomplishing its goals.
- B. Evaluations or progress assessments of the Academy's learning programs.
- C. Assessment and evaluation of the effectiveness of the Board and each Board member (Form 0134 F1).

This annual process of assessing and evaluating the Board, programs, and resources shall not be considered finished only after the following occurs:

- A. the Board and Administrator review and reprioritize the Academy's goals and the strategies and actions being used to accomplish them;
- B. the Board and Administrator make program revisions in light of what the data for that year indicates should be changed and continued to improve the accomplishment of the Academy's educational goals;
- C. the Board develops and implements a plan to improve its own performance as the body charged with the responsibility for the governance of the Academy.

Adopted 7/20/11

## CONFLICT OF INTEREST

Staff members 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 the Academy's Leader and its employees 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 guidelines to assure that conflicts of interest do not occur. These guidelines are not all-inclusive and are not meant to substitute for the good judgment of all employees.

- A. No employee 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 a staff member suspects that the personal interest may exist, he/she should disclose his/her interest, prior to the consideration of the matter being considered by the Board or Administrator. Such disclosure shall become a matter of record in the minutes of the Board.
- B. No staff member 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 with the Academy, the following requirements must be met.

The staff member shall disclose the direct financial interest in the contract to the Administrator and 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 staff member shall make the disclosure to the Board after disclosing it to the Administrator in one of two (2) ways:

- 1. By writing to the Board president 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 Bylaw 0165.)
  - 2. By announcing the disclosure at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member must use this method of disclosure if his/her financial interest amounts to \$5,000 or more.
- D. Employees 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 with the Academy.

Included, as 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 employee's employment or through his/her access to Academy records;
  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 employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.
- E. Employees shall not make use of materials, equipment, or facilities of the Academy in private practice. Examples would be using the facilities before, during, or after regular business hours for service to private practice clients or checking out items from the instructional materials center for private practice.

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

Administrators shall not accept any money, goods, or services with a value in excess of the amount established annually by the State Department of Education (\$44 within any one (1) month period) from any person who does business or seeks to do business of any kind with the Academy.

Adopted 7/20/11

## **BOARD - ADMINISTRATOR RELATIONSHIP**

The Board of Directors believes, in general, the primary duty of the Board is to establish policies, and the duty of the Administrator is to administer such policies. The Administrator should be given sufficient latitude to determine the best method of implementing the policies of the Board.

The Administrator is the primary professional advisor to the Board. The Administrator is responsible for the development, supervision, and operation of the Academy program and facilities to the extent delegated by contract. The Administrator's methods should be made known to the staff through the Administrative Guidelines of the Academy.

The Administrator and other representative staff shall attend all Board meetings, when feasible. Staff participation shall provide professional counsel, guidance, and recommendations - as distinct from the deliberation, debate, and voting of Board members.

The Board is responsible for determining the success of the Administrator in meeting the Board's educational goals through regular evaluations of the Administrator's performance.

Adopted 7/20/11

## EMPLOYMENT OF THE ADMINISTRATOR

Reference: MCL 380.1246  
1999 PA 212

The Board of Directors vests in the Administrator the primary responsibility for administration of this Academy. Whenever the position of Administrator is vacant, the Board shall appoint a new Administrator.

The Board shall seek and appoint the best qualified and most capable candidate for the position of Administrator.

Prior to conducting a search, the Board shall gather advice, counsel, and input about Academy needs from persons such as the following:

- A. Board members;
- B. the out-going Administrator;
- C. parents, staff, and other members of the community who have an interest in the Academy.

The Board further expects to perform the following:

- A. utilize the written job specifications in the Charter Contract for the position of Administrator;
- B. prepare written specifications of desired qualifications and proper State certification;
- C. prepare informative material for candidates, describing this Academy, its educational program, goals, and needs;
- D. ensure the selected candidate supports this Academy's educational philosophy, program, and values;
- E. consider all applicants fairly, without discrimination on the basis of race, color, gender, gender preference, age, religion, national origin or ancestry, marital status, disability, height, weight, and/or any other legally protected characteristic.

The Board selection of a Administrator shall be announced to the Academy community. Such notification shall provide the following information:

- A. the individual's name, address, and telephone number;
- B. a detailed account of the candidate's professional work experience and history, including the name, address and telephone number of all former employers for which he/she worked in a professional capacity;
- C. a statement from the Board that sufficient due diligence on the candidate has been performed, and that the individual selected by the Board is the best-qualified and most capable candidate to lead this Academy.

The Board shall ensure that the Administrator fulfills the educational requirements for school administrators, as established by the State Department of Education.

The Administrator so appointed shall devote himself/herself to the duties of his/her office.

Adopted 7/20/11

## **RESPONSIBILITIES OF THE ADMINISTRATOR**

The Administrator shall strive to achieve Academy goals by providing educational direction and supervision to the professional staff and supervision to the support staff. The Administrator shall be a proper model for staff and students, both inside and outside the Academy.

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

- A. keep the Board informed of Academy operations by contributing to the preparation of monthly Board agendas, providing oral and written communication, scheduling management team committee meetings, and requesting special Board meetings necessary to keep the Board properly informed;
- B. ensure all aspects of Academy operation comply with State laws and regulations, as well as Board contracts and policies;
- C. establish and maintain any written educational plan required by law and deemed consistent with the educational goals adopted by the Board;
- D. ensure proper implementation of the Academy's current instructional plan;
- E. strive to increase the efficient use of resources in the daily operations of the Academy;
- F. assign staff to achieve the maximum benefit toward the attainment of the Academy's educational goals;
- G. evaluate the progress of the professional and support staff toward the attainment of the Academy's educational goals;
- H. analyze the results of instructional program development as it applies to the Academy's educational goals;
- I. recommend changes in instructional or staffing patterns based on an analysis of staff and program progress;
- J. work with staff to ensure that the decision-making process includes participation of the Academy's staff, parents, students and others associated with the Academy;
- K. work cooperatively with parents and community groups concerned with the Academy's programs;
- L. develop personal capabilities in personnel strategies and facility management;
- M. work cooperatively with the Board and administrative staff;
- N. strive toward the highest standards of personal conduct;
- O. perform other duties as the Board directs.

Adopted 7/20/11



## **DEVELOPMENT OF ADMINISTRATIVE GUIDELINES**

The Board of Directors delegates to the Administrator the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the Academy will operate. These Administrative Guidelines shall be consistent with the policies adopted by the Board.

The Board will formulate and adopt Administrative Guidelines and rules only when required by law or when necessary in the judgment of the Board.

The Administrator is responsible for the development and issuance of employee handbooks for Academy staff. The Administrator shall ensure that the employee handbook is consistent with Board policies, Federal/State law, the Charter Contract, and applicable authorizer policies.

The Administrator shall also develop student handbooks necessary for the effective administration of the Academy and shall distribute them to employees and students and/or their parents.

As long as the provisions of the Administrative Guidelines and student handbooks are consistent with Board policies, Federal/State law, the Charter Contract or applicable authorizer policies, they will be considered to be an extension of the policy manual.

A copy of the Academy's Administrative Guidelines manual and copies of all student and employee handbooks shall be made a part of the Board's reference materials maintained in the Academy office.

The Administrator shall maintain and keep at the Academy a current organizational chart to which immediate reference can be made by the Board or any employee of the Board.

Adopted 7/20/11

## **EVALUATION OF THE ADMINISTRATOR**

The Board of Directors believes it is essential to evaluate the Administrator's performance periodically to assist both the Board and the Principal to properly discharge their responsibilities and to enable the Board to provide the Academy with the best possible leadership.

In conjunction with its evaluation of the Administrator, the Board and the Administrator may assess the progress of the Academy, during the previous year toward the achievement of goals. Both the Principal's evaluation and the assessment of progress toward goals shall take place at the ideal time of the year to assure this policy operates as intended.

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

Adopted 7/20/11

## **TERMINATION OF THE ADMINISTRATOR**

The Board of Directors may terminate an Administrator agreement during its term, in accordance with the terms of that agreement.

Adopted 7/20/11

## **INCAPACITY OF THE ADMINISTRATOR**

It is the legal duty of the Board of Education to appoint a Administrator 'pro tempore' by a majority vote of the Board upon determination that the Administrator is incapacitated in such a manner that s/he is unable to perform the duties of his/her office.

The Board shall fix the compensation of the Administrator 'pro tempore' who shall serve until the Administrator's incapacity is removed or until the expiration of the Administrator's contract or term of office, whichever is sooner. S/He shall perform all of the duties and functions of the Administrator, and may be removed at any time for cause by a majority vote of the members of the Board.

The Board will exercise its authority under law to determine the incapacity of the Administrator upon certification of a physician selected and compensated by the Board;

If the Board determines that the Administrator is unable to perform the duties of his/her office, s/he may at the request of the Board be placed on sick leave with such pay to which s/he may be entitled or which may be authorized by Board policy.

The foregoing leave shall not extend beyond the contract or term of office of the Administrator.

The Administrator shall, upon request to the President of the Board, be returned to active duty status, unless the Board denies the request within ten (10) days of receipt of the request. The Board may require the Administrator to establish to its satisfaction that s/he is capable of resuming such duties on a full-time basis.

The Board may demand that the Administrator return to active service and upon medical documentation that the Administrator is able to resume his/her duties, the Administrator shall return to active service.

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

Adopted 7/20/11

## **JOB DESCRIPTIONS**

The Board of Directors instructs the Administrator to maintain job descriptions, as included in the Charter Contract. All job descriptions shall contain the following provision:

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

The Administrator shall not revise job descriptions of positions authorized in the Charter Contract without prior Board approval.

Employees shall properly implement Board Policy 3122, Policy 4122, and Policy 2260 on non-discrimination and shall comply with Federal and State laws and regulations, particularly Part 1 104 of Section 504 Rehabilitation Act of 1973 (34 CFR) and the Americans with Disabilities Act (ADA).

Adopted 7/20/11  
Revised 1/21/14

## **ACADEMY ADMINISTRATOR EVALUATION**

Reference: MCL 380.1249

The Board of Directors shall conduct an annual evaluation of the Administrator in accordance with all the requirements of MCL 380.1249(3) and applicable law.

The Administrator shall conduct annual evaluations of all other academy administrators in accordance with MCL 380.1249(3) and applicable law.

Adopted 7/20/11

Revised 7/21/15; 8/18/15

## **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

The Board of Directors prohibits discrimination on the basis of race, color, national origin, sex, 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")

[NOTE: Academies are advised to appoint both a male and female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the Academy's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

School Administrator  
P.O. Box 159  
Curtis, MI 49820  
(906) 586-6631

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 two (5) school days.

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 Administrator 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 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 Administrator 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 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.

All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy. (See Policy 8310)

#### 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, Administrator, 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, Administrator, 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 Administrator.

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. 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 Administrator 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. The CO may consult with the Board's legal counsel before finalizing the report to the Administrator.

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

If the Administrator requests additional investigation, the Administrator 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 Administrator must issue a final written decision as described above.

If the Administrator 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.

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

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

The Board reserves the right to investigate and resolve a complaint or report of unlawful 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 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.

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy.

#### 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 Administrator 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 Administrator 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 Administrator 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.

Adopted 11/12/12  
Revised 9/16/14

## **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 Administrator 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 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 2/21/12

## 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 Administrator 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 Administrator'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 Administrator, 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 Administrator 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 2/21/12



## **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 Administrator 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 2/21/12

## STUDENT SUPERVISION AND WELFARE

Reference: MCL 722.621 et seq., 750.520b, 750.520c, 750.520d, 750.520e

Administrators shall maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities and are expected to establish and maintain professional staff/student boundaries that are consistent with their legal, professional and ethical duty of care for students.

The Administrator shall maintain and enforce the following standards:

- A. Each administrator shall report immediately any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- B. Each administrator shall immediately report to the Administrator any knowledge of threats or violence by students.
- C. An administrator shall not send students on any personal errands.
- D. An administrator shall not associate or fraternize with students at any time in a manner that may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity that could be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol or tobacco. Any sexual or other inappropriate conduct with a student by any administrator will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.
- E. If a student approaches an administrator to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the administrator may attempt to assist the student by facilitating contact with certified or licensed individuals in the Academy or community who specialize in the assessment, diagnosis, and treatment of the student's stated problem. However, under no circumstances should an administrator attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such administrator inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- F. An administrator shall not transport students in a private vehicle without the approval of the Administrator.
- G. A student shall not be required to perform work or services that may be detrimental to his/her health.
- H. Administrators shall only engage in electronic communication with students via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the principal.

- I. Administrators are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., unless such transmission has been made as part of a pre-approved curricular matter or co-curricular/extracurricular event or activity such as a Academy-sponsored publication or production in accordance with Policy 5722.

Since most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws, any administrator who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 8462, each administrator shall report to the proper legal authorities, immediately, any sign of suspected child abuse or neglect.

Adopted 7/20/11

## PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

Reference: 29 C.F.R. Part 1635  
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act  
45 C.F.R. 160.102(a), 164.530(g), 164.530(h), 164.530(j), 164.530(k), 164.404  
45 C.F.R. 164.406, 164.408, 164.502, 164.520(a)

The Board of Education provides coverage to eligible employees under fully insured group health plans. The Board has established the following fully insured group health plans:

- A. Medical Plan
- B. Prescription Drug Plan
- C. Dental Plan
- D. Vision Plan

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic Protected Health Information in accordance with the HIPAA Security Rule.

The Board hereby appoints School Administrator to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform an information technology risk analysis and to develop risk management procedures, if necessary.

The Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic Protected Health Information. All of the group health plans' functions are carried out by the insurer and the insurer owns and controls all of the equipment and media used to create, maintain, receive, and transmit electronic Protected Health Information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. The Security Official may elect to utilize, as administrative guidelines, the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information, as appropriate.

The fully insured group health plans established by the Board shall:

- A. Refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.

- B. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.
- C. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.
- D. Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

- A. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.
- B. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.
- C. Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.

Adopted 9/16/14

## **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

Reference: 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

The Board of Directors prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"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, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

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 (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the Academy's program and/or activities. A reasonable accommodation is not necessarily required for an individual who is merely regarded as having a disability.

### 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 "Academy 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.]

School Administrator  
P.O. Box 159  
Curtis, MI 49820  
(906) 586-6631

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

The Academy 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 Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Academy Compliance Officer(s).

The Academy 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 Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. (See below.)

### Training

The Academy 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.

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.

### Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the Academy's Compliance Officer 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"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with a Academy Compliance Officer within the time limits specified below. The Academy's Compliance Officer is available to assist individuals in filing a complaint.

### Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. 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.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the Academy Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the Academy Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the Academy Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the Academy Compliance Officer for good cause.



- C. The Academy Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The Academy Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) work days. If no decision is rendered within ten (10) work days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Administrator. The Academy Compliance Officer shall maintain the Academy's files and records relating to the complaint.
- D. The Administrator will, within ten (10) work days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.
- The Administrator will render his/her decision within ten (10) work days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. 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.

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

#### OCR Complaint

At any time, if an employee 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](mailto: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 discriminate/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 2/21/12  
Revised 9/16/14

## **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 administrators 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 staff member 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 staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or
- D-1. the staff member'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, 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 one time 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

Administrators 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 administrators 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 members – 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.

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;
  - 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 staff member shall provide the Administrator with thirty (30) day notice. If there is insufficient time to provide such notice because of unforeseeable events, the staff member shall provide such notice as soon as possible and practical, generally 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 staff member must consult with the Administrator 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 staff member may request to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) 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).

If the staff member 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 staff member is entitled to shall be unpaid. Whenever a staff member 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 staff member is entitled will run concurrently.

The Administrator may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule 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-leave schedule is foreseeable based on planned medical treatment, the [Administrator may require the staff member 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 Administrator for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The Administrator will notify the staff member 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 Administrator does not have sufficient information about the reason for an employee's use of paid leave, the Administrator may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Administrator learns that a paid leave is for an FMLA leave-qualifying reason, the Administrator will promptly notify the staff member that the paid leave will count toward the staff member'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 staff member'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 staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member). When the staff member 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 staff member may either:

- A. submit the completed medical certification to the Administrator ; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the Administrator , which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member 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 staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Administrator within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

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

The Board 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 staff member may either:

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the Administrator ; or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the Administrator , which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member 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.

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the Administrator 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 staff member 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 staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member 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 staff member 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 Administrator to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

The staff member 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 staff member's leave.

If the staff member 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 staff member or of the staff member's immediate family member, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

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

The Administrator 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 Administrator shall provide a copy of the policy to all staff members, 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.

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 Administrator.

Adopted 1/21/14



## 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 amended  
The 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 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;
- 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.
- 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.

NOTE: Sexual conduct/relationships with students by Academy employees or any other adult member of the Academy community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to Academy employees or other adult members of the Academy community.

#### 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 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 Administrator 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 Administrator 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 Administrator shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Administrator 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".

[NOTE: Academies are advised to appoint both a male and a female 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. In addition, the Compliance Officers may also serve as the Academy's Section 504 and Title IX Coordinators.]

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

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 Administrator 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).

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 School Leader.

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 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.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)

#### 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, School Leader, 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, School Leader, 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 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 School Leader.

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. A Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

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 Administrator 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. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the School Leader.

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

If the Administrator requests additional investigation, the Administrator 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 Administrator must issue a final written decision as described above.

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

In an attempt to resolve the complaint, the Board 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 Board'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 Board 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 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.

#### 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.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the *Family Educational Rights and Privacy Act* or under Michigan's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.

### 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 Administrator 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 Administrator shall be reasonably calculated to end such conduct, prevent its recurrence, 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 child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) 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 School Leader.

#### 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 Administrator 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.

Adopted 1/21/14

2000 PROGRAM

2105	Mission of the Academy	BP
2110	Statement of Philosophy	BP
2111	Value Statements for Board, Staff and Students	
<b>2112</b>	<b>Parent Involvement in the Academy Program</b>	<b>L</b>
2120	School Improvement	
2131	Educational Outcomes for Students	
2132	Educational Process Goals	
2210	Curriculum Development	
2210.01	Right to Inspect Instructional Materials	BP
2220	Adoption of Courses of Study	BP
2221	Mandatory Courses	BP
2225	Students with Limited English Proficiency	BP
2231	Curriculum	BP
2240	Controversial Issues	BP
2250	Innovative Programs	BP
<b>2260</b>	<b>Nondiscrimination and Access to Equal Educational Opportunity</b>	<b>L</b>
<b>2260.01</b>	<b>Section 504/ADA Prohibition Against Discrimination Based on Disability</b>	<b>L</b>
2261	Title I Services	
2261.01	Parent Participation in Title I Programs	BP
2261.02	Title I – Parent’s Right to Know	BP
<b>2261.03</b>	<b>Federal School Improvement Plan</b>	<b>L</b>
2270	Religion in the Curriculum	BP
2330	Homework	BP
2340	Field and Other Academy-Sponsored Trips	BP
2370.01	On-Line/Blended Learning Program	BP
2412	Homebound Instruction Program	BP
2413	Health Education Program	BP
2414	Reproductive Health and Family Planning	BP
<b>2416</b>	<b>Student Privacy and Parental Access to Information (FERPA)</b>	<b>L</b>
2430	Academy-Sponsored Clubs and Activities	BP
<b>2433</b>	<b>Operation of a Child Care Center or Before/After School Program</b>	<b>L</b>
<b>2460</b>	<b>Education of Children with Disabilities</b>	<b>L</b>
<b>2460.02</b>	<b>Least Restrictive Environment Position Statement</b>	<b>L</b>
2510	Adoption of Textbooks	BP
2521	Selection of Instructional Materials and Equipment	BP
2531	Copyrighted Works	BP
2605	Program Accountability and Evaluation	BP
2623	Student Assessment	BP
2700	Combined P.A. 25 Annual Report and NCLB Report Card	BP

Adopted 7/20/11

Revised 2/21/12; 11/12/12; 7/16/13; 7/21/15; 8/18/15

## **MISSION OF THE ACADEMY**

Inspiring a Life-long Love of Learning.

Adopted 7/20/11

## STATEMENT OF PHILOSOPHY

The Board of Directors believes that the purpose of education is to facilitate the development of the potential of each student. In a free society, every individual has both the right and responsibility to make choices and decisions for himself/herself and for society. A prerequisite for every member of 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 responsibilities in ways that benefit them and society. Likewise, if individuals are to be able to achieve their life goals in a free society, they need to be competent to choose among the myriad alternatives available to them.

With regard to expectations, people in this society are expected to be self-sufficient, meeting their own needs to the extent they are able, without inhibiting others' opportunity to do the same. People are further expected to fulfill their responsibilities to contribute to the "common good" by actively participating in affairs affecting all members of society.

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

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

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

Adopted 7/20/11

## VALUE STATEMENTS FOR BOARD, STAFF, AND STUDENTS

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

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

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

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

- A. I will accept responsibility for all my actions.
- B. I will respect the dignity and property of my fellow workers and will never seek to do them harm.
- C. I will keep all the promises I make, fulfilling the trust other people place in me.
- D. I will complete the projects I begin.
- E. I will strive for excellence in all my work and will respect the achievements of my fellow workers.
- F. I will discipline myself to listen, learn, and study, recognizing that long-term achievement is more important to my happiness than short-term pleasure.
- G. I will not use any substance that will destroy my health or undermine my dignity.
- H. I will respect duly constituted authority, because that authority is necessary for the welfare of my family and community.
- I. I will be useful to others.
- J. I will work together with others to improve my community and world.

### ***Statement of Values for Students***

- A. I will accept responsibility for all my actions.
- B. I will respect the dignity and property of my fellow students and will never seek to do them harm.
- C. I will keep all the promises I make, fulfilling the trust other people place in me.
- D. I will complete projects and courses of study I begin.



- E. I will strive for excellence in all my work and will respect the achievements of my fellow students.
- F. I will discipline myself to listen, learn, and study, recognizing that long-term achievement is more important to my happiness than short-term pleasure.
- G. I will not use any substance that will destroy my health or undermine my dignity.
- H. I will respect the authority of my parents and teachers, recognizing their authority is necessary for the welfare of my family and community.
- I. I will be useful to others.
- J. I will work together with others to improve my community, and world.

Adopted 7/20/11

## PARENT INVOLVEMENT IN THE ACADEMY PROGRAM

Reference: Sec. 1112, 1118 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 in the education of their children generally result in higher academic achievement, improved student behavior, and reduced absenteeism.

The term "families" is used in order to include children's primary caregivers, who are not their biological parents, such as foster caregivers, grandparents, and other family members.

Through this policy, the Board directs the establishment of a Parental Involvement 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 Involvement Plan shall reflect the Board's commitment to the following:

### A. Relationships with Families

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

### 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;<sup>1,2</sup>
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;<sup>1,2</sup>
5. providing information and involving families in monitoring student progress;<sup>2</sup>

6. providing families with timely and meaningful information regarding Michigan's academic standards, State and local assessments, and pertinent legal provisions;<sup>1,2</sup>
  7. preparing families to be involved in meaningful discussions and meetings with school staff.<sup>1,2</sup>
- C. **Volunteer Opportunities**
1. providing volunteer opportunities for families to support their children's school activities;<sup>2</sup>
- 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;<sup>1,2</sup>
  2. working with families to establish learning goals and help their children accomplish these goals;
  3. helping families to provide a school and home environment that encourages learning and extends learning at home.<sup>1</sup>
- E. **Involving Families in Decision Making and Advocacy**
1. involving families as partners in the process of school review and continuous improvement planning;<sup>2</sup>
  2. involving families in the development of its Academy-wide parent involvement policy and plan, and distributing the policy and plan to families.<sup>1,2</sup>
- F. **Collaborating with the Community**
1. building constructive partnerships and connecting families with community-based programs and other community resources;<sup>1,2</sup>
  2. coordinating and integrating family involvement programs and activities with Academy initiatives and community-based programs that encourage and support families' participation in their children's education, growth, and development.<sup>1,2</sup>

### **Implementation**

The Administrator 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 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 effectiveness and identification of barriers to participation by parents and families. Evaluation findings will be used in the annual review of the Parent and Family Involvement policy and to improve the effectiveness of the Academy plan.

<sup>1</sup>Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

<sup>2</sup>Indicates Title I Section 1118 parent involvement requirements

Adopted 7/20/11

## 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 seeks to create and/or maintain effective schools as defined by State guidelines.

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

The Administrator shall establish Administrative Guidelines to ensure that the following objectives can be achieved:

- A. Develop a School Improvement Plan, developed and implemented by collaborative Academy-based teams. The plan is to identify and correlate building-level goals for students that are to be achieved through effective planning, problem-solving, and assessment. Each team is to include professional and support staff, students, parents, and representatives of the community.
- B. Include in the School Improvement Plan the means and assurances for building-level decision-making. The improvement plan is to include a mission statement; goals based on academic outcomes; curriculum aligned to the goals; evaluation procedures; staff development; use of community resources and volunteers; decision-making processes; the role of adult and community education, libraries, and community colleges; and other resources as determined by the Administrator.
- C. Review and modify the School Improvement Plan periodically. The Board is to review and approve each modification and improvement to its program based upon the assessment of student accomplishment of performance objectives and program goals.
- D. Collaborate with parents, relevant institutions and groups, especially those in the community, who can support and facilitate Academy improvement.

Upon approval of the initial School Improvement Plan and its later revisions, the Board and Administrator shall fully support the Academy's educational improvement plan to the extent resources allow.

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

Adopted 7/20/11

## EDUCATIONAL OUTCOMES FOR STUDENTS

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

The mission of this Academy is to provide a quality education for all of the students; the Board of Directors believes this mission is being accomplished when students confirm they have achieved the educational goals below.

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 the following knowledge, attitudes, and skills:

- A. independently and efficiently solves life problems, using both oral and written language;
- B. logically examines, and subsequently uses, information from various, appropriate resources;
- C. understands and responds appropriately to the communication of others and their feelings and attitudes;
- D. competently selects, adopts, and uses the most appropriate language forms to achieve his/her communication purposes.

### ***General Education***

The student demonstrates the following knowledge and skills:

- A. has sufficient fundamental knowledge and skills in traditional subjects (i.e. math, English, science, social studies) 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 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, reflecting a commitment to use his/her capabilities to achieve and maintain a purposeful and productive life.

### ***Interaction and Cooperation***

The student demonstrates the ability and willingness to interact effectively with individuals, treating their ideas and ideals with thoughtfulness and respect and to cooperate with others to benefit society.

### ***Citizenship***

The student demonstrates an understanding and commitment to the ideas and ideals upon which our democratic society was founded and considers it a responsibility and privilege to participate in democratic processes at local, state, and national levels.

### ***Arts and Culture***

The student demonstrates appreciation and support of artistic endeavors and natural beauty and cultivates his/her own creative self-expression and talents in one or more art forms.

### ***Social Change***

The student demonstrates an understanding of the nature of societal change and adjusts to change by evaluating current social conditions and events, by assessing alternative courses of action in terms of feasibility and potential consequences, and by selecting or recommending those actions which permit self and others to function appropriately in society.

### ***Health***

The student demonstrates an understanding and caring for his/her and other's physical and mental well-being through involvement in personal and public programs that promote acceptable levels of health and safety.

### ***Resource Management***

The student demonstrates effective management of money, property, and resources to meet his/her needs and contribute positively to the economic and environmental needs of society.

### ***Career Planning***

The student demonstrates effective use of a variety of personal and public resources to further his/her knowledge of career opportunities and exhibits a commitment to developing the knowledge, attitudes, and skills needed to qualify for and perform effectively in his/her chosen employment.

### ***Leisure Time***

The student demonstrates constructive use of leisure time to fully realize his/her physical, intellectual, and/or creative potentials.

The Board expects all students in this Academy to be able to demonstrate these applied learning outcomes at a level commensurate with their age and capabilities.

The Administrator is charged with the responsibility for providing opportunities, through the Academy's curriculum and appropriate Administrative Guidelines, for each student to accomplish these goals and for developing a valid means for assessing the extent to which each is accomplished.

Student achievement of these educational goals represents the Board's highest priority. In implementing the educational program, the Educational Service Provider shall ensure that these educational outcomes are assigned the highest priority.

Adopted 7/20/11



## **EDUCATIONAL PROCESS GOALS**

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

- A. instruction that bears a meaningful relationship to the present and future needs and/or interests of students;
- B. specialized and individualized educational experiences that meet the needs of each student;
- C. opportunities for professional staff members and students to make recommendations concerning the content and operation of the Academy's programs;
- D. interactions among individual students and groups of students to help them learn 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.

Adopted 7/20/11

## CURRICULUM DEVELOPMENT

Reference: MCL 380.1282

The Board of Directors recognizes its responsibility for the quality of the educational program of the Academy. To this end, the Academy's curriculum shall be developed, evaluated, aligned and adopted on a continuing basis, following the plan for curriculum growth established by the Michigan Curriculum Framework.

Across all academic and nonacademic content areas, the Academy's curriculum shall prepare a student to achieve the following:

- 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 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 through a variety of media in a logical, effective, and comprehensive manner.
- F. *Think and Communicate Critically:* Read, listen, think, and speak critically about any subject, with clarity, accuracy, precision, relevance, depth, breadth, and logic.
- G. *Learn and Consider Issues Collaboratively:* Engage in shared inquiry processes, in a collaborative and team-based fashion with persons of diverse backgrounds and abilities.
- H. *Learn Independently:* Engage in learning in an active, exploratory, independent, and self-directed fashion.
- I. *Create Knowledge:* Create knowledge by raising and identifying previously unconsidered or unidentified questions and issues; creating new primary knowledge; and creating new approaches to solving or considering questions and issues.
- J. *Act Ethically:* Adhere to the highest intellectual and ethical standards in conducting all of the above.

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

- A. provide instruction in the curriculum required by statute and State Department of Education regulations;
- B. ensure, to the extent feasible, that special learning needs of students are considered in the context of the regular program or classroom and provide for effective coordination with programs or agencies needed to meet those needs that cannot be met in the regular program or classroom;
- C. convey consistency with the Academy's philosophy and goals and ensure the possibility of their achievement;
- D. incorporate State-recommended performance standards for students as the basis for determining how well each student is achieving the academic outcomes for all areas of the Academy's core curriculum;
- E. foster the development of individual talents and interest, recognizing that learning styles of students differ;
- F. foster continuous and cumulative learning through effective communication at all levels of those skills identified as essential and life-role skills;
- G. utilize a variety of learning resources to accomplish the educational goals;
- H. provide for multi-cultural education by including, at each level, courses or units to help students understand the culture and contributions of various ethnic groups comprising American society.

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

The Administrator shall make progress reports to the Board periodically.

The Administrator may conduct innovative programs deemed necessary to the continuing growth of the instructional program. Such programs should also improve the accomplishment of the Academy's educational goals and alignment with Michigan Curriculum Frameworks.

Prior to initiation, the Administrator shall report each such innovative program to the Board along with its objectives, evaluative criteria, alignment with Michigan Curriculum Frameworks, and costs. The Administrator shall not initiate any new program without approval of the Board.

Any and all changes in curriculum guides and alignments of the curriculum must be approved by the Board.

The Board encourages participation in programs of educational research that is feasible and conducive to the best interests of the Academy.

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

Adopted 7/20/11

## **RIGHT TO INSPECT INSTRUCTIONAL MATERIALS**

Reference: 20 USC 1232(h)

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

In consultation with parents, the Administrator shall develop procedures to address the rights of parents and to assure timely response to parental requests to review instructional materials. The procedures shall also address reasonable notification to parents and students of their rights to review these materials. (See AG 9130A and Form 9130 F3.)

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

Adopted 7/20/11

## ADOPTION OF COURSES OF STUDY

Reference: MCL 380.1164b, 380.1277, 380.1278, 380.1282, 388.1621

The Board of Directors shall provide a comprehensive instructional program to serve the educational needs of the students of this 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 the schools of 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 Administrator shall recommend to the Board such courses of study as are deemed to be in the best interests of the students. The Administrator's recommendation shall include the following information about each course of study:

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

The 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 Administrator'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 directed. The Administrator's guidelines should include recommendations to staff on how to instruct students in these important work ethics and how to include these learnings in the grades that students receive.

The Administrator shall develop administrative guidelines which provide for the development of individual learning plans that contain pre and post assessment activities as well as instructional activities for implementing each course of study. Such plans should also provide for proper record-keeping and periodic reporting of student performance. As required for State certification, the Administrator shall ensure that the appropriate amount of instruction time is allocated to each course of study that comprises the program of each school. The allocation of time is to be determined by the Administrator 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 school improvement process, such guidelines shall also provide for the appropriate participation of staff, parents, students, and relevant community organizations in the review of the Academy's courses of study.

The Administrator 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.

Adopted 7/20/11

## **MANDATORY COURSES**

Reference: MCL 380.1166, 1169, 1170

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

- A. the Constitution of the United States, the Constitution of Michigan, and the history and present form of government of the United States, Michigan, and its political subdivisions (grades 9-12);
- B. the principal modes by which communicable diseases 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

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

Adopted 7/20/11



## **STUDENTS WITH LIMITED ENGLISH PROFICIENCY**

Reference: 20 USC 1701 et seq.  
42 USC 2000d

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

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

Adopted 7/20/11

## **CURRICULUM**

Reference: MCL 380.1204(a) 380.1278

The Board of Directors shall adopt and maintain a core curriculum based on the Model Core Curriculum developed by the Michigan State Department of Education. The Administrator shall prepare Administrative Guidelines to describe the core curriculum and the sequence, in grade clusters, in which courses will be taught.

Should the core curriculum vary from the Michigan Curriculum Framework, the description of the core curriculum is to be accompanied by an explanation of the 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 Administrative Guidelines shall explain the means by which the core curriculum will be implemented and evaluated, based on the K - 12 Program Standards of Quality established by the State Department of Education.

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

The Administrator is authorized to explore the feasibility of establishing a non-graded, continuous-progress program for grades 1-4 that best assures students in these grades are being provided an adequate opportunity to achieve the academic outcomes in the core curriculum for these grade levels.

Adopted 7/20/11

## **CONTROVERSIAL ISSUES**

The Board of Directors believes 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 declared by responsible opinion and/or likely to arouse both support and opposition in the community.

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

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

Controversial issues related to the program may be initiated by the students themselves, provided the issues are presented in the ordinary course of classroom instruction and are 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 Administrator.

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 Administrator who shall report such approval to the Board for their review.

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 may find objectionable. If a parent first makes a careful, personal review of the program lessons and/or materials, then indicates to the Academy that either content or activities conflicts 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 or classroom units, for specified reasons. The student, however, will not be excused from participating in the course or activities mandated by the State and will be provided alternative learning activities during times of parent-requested absences.

The Administrator shall develop Administrative Guidelines for dealing with controversial issues.

Adopted 7/20/11

## **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 encourages the Administrator's staff and the student body to pursue any promising program for improvement of the Academy.

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.

Adopted 7/20/11

## **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 2000e 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  
Title III of the No Child Left Behind Act of 2001

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 also does not discriminate in its employment policies and practices as they relate to students, and does 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 Administrator 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

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")

[NOTE: Academies are advised to appoint both a male and female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the Academy's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

School Administrator  
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Curtis, MI 49820  
(906) 586-6631

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 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 Administrator 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 (5) 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 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 Administrator 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](mailto: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 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 Administrator 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.

All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy and/or Student records policy. (See Policy 8310 and Policy 8330)

### 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, Administrator, 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, Administrator, 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 Administrator.

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. A Principal will not conduct an investigation unless directed to do so by the CO.

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:

- 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 Administrator 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. The CO may consult with the Board's legal counsel before finalizing the report to the Administrator.

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

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

If the Administrator 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.

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

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

The Board reserves the right to investigate and resolve a complaint or report of unlawful 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.

#### 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.

All records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the *Family Educational Rights and Privacy Act* or under Michigan's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

#### 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 Administrator 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 Administrator 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 Administrator 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.

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.

Adopted 7/20/11  
Revised 11/12/12; 9/16/14

## **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 aides and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

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

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Michigan law to provide educational services to disabled persons; or

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

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.]

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

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

The Board 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 School so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative 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.

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 Academy's Compliance Officer 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 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 Academy's 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.

### 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](mailto: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 7/20/11

Revised 2/21/12; 9/16/14; 8/18/15

## **TITLE I SERVICES**

Reference: 20 USC 6301 et seq., Elementary and Secondary Education Act of 1965  
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 Amendments to the Elementary and Secondary School Improvement Act of 1965.

The Administrator 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.

### ***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 and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The 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 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 1118 of the Act.

### ***Comparability of Services***

Title I funds will be used only to augment, not to replace, State and local funds. The Administrator shall use State and local funds to provide educational services in the Academy that, taken as a whole, are at least comparable to services being provided in a school not receiving Title I assistance. In accordance with Federal regulations, the determination of the comparability of services may exclude State and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally disabled students.

The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

To achieve comparability of services, the Administrator 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***

The Administrator shall develop Administrative Guidelines that provide for the professional staff to participate in the design and implementation of staff development activities that meet the requirements of Section 1119 of the Act. The Staff Development Plan shall contain the following:

- 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;
  - 7. (for paraprofessionals) working toward certification as professional educators.

***Simultaneous Services***

In accordance with law, the Academy offering Title I services may also serve other students with similar needs.

Adopted 7/20/11

## PARENT PARTICIPATION IN TITLE I PROGRAMS

Reference: 20 USC 6318, Elementary and Secondary Education Act of 1965  
34 C.F.R. Part 200 et seq.

In accordance with the requirement of Section 1118 of Title I programs supported by Title I funds must be designed and implemented in consultation with parents of the students being served.

The Administrator shall ensure that the Title I plan contains a written statement of guidelines developed with, approved by, and distributed to parents of participating students. The guidelines shall describe the manner in which the following will be accomplished:

- A. Involve parents in the program, inviting their participation in the development of the plan;
- B. Conduct meetings with parents, using flexible scheduling; offering whatever assistance the Academy may be able to give parents to better ensure their attendance at meetings; and providing information in a language the parents can understand;
- C. At meetings, review and explain the curriculum, means of assessment, and the proficiency levels students are expected to achieve and maintain;
- D. 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;
- E. Involve parents in the planning, review, and improvement of the Title I program;
- F. Inform parents about the Academy's performance profiles and their child's individual performance;
- G. Assist parents in helping their children to achieve the objectives of the program by ensuring regular attendance; monitoring television-watching; providing adequate time and the proper environment for homework; guiding nutritional and health practices; and the like;
- H. Give timely responses to parental questions, concerns, and recommendations;
- I. Provide coordination, technical assistance, and other support necessary to assist Title I staff to develop effective parental participation activities to improve academic achievement;
- J. Conduct with parents an annual evaluation of the parental involvement plan, identifying any barriers to greater parental involvement (such as limited English, limited literacy, economic disadvantage, disability, etc.) and devising strategies to improve parental involvement;
- K. Coordinate the parental involvement plan with other programs, such as Head Start, Reading First, Even Start, Parents as Teachers, and Home Instruction for Preschool Youngsters;

- L. Conduct other activities as appropriate to the plan and State and Federal requirements.

The Administrator shall also assure that the Academy develops a specific plan, with parental involvement, that details how the following will occur:

- A. Convene an annual meeting at a convenient time to which parents of participating children are invited to explain the parents' rights to be involved and the Academy's obligations to develop an involvement plan;
- B. Devise a flexible meeting schedule and assistance to encourage parental involvement, such as child care, transportation, home visits, or similar aid;
- C. Involve parents in an organized, on-going, and timely way in the development, review and improvement of parent involvement activities;
- D. Provide participating students' parents with the following:
  - 1. timely information about the Title I programs;
  - 2. an explanation of the curriculum, the forms of academic assessment and the proficiency levels expected;
  - 3. regular meetings, upon request, to make suggestions and receive response regarding their student's education;
- E. Develop jointly with parents an Academy-parent compact, outlining the responsibilities of the Academy staff, the parents and the student for academic improvement, including the following:
  - 1. the Academy's responsibility to provide high quality curriculum, and instruction in a supportive, effective learning environment;
  - 2. parents' responsibility for such things as regular attendance, homework completion, participation in extracurricular activities, excessive television watching; parent volunteers in the classroom;
  - 3. the importance of parent-teacher communication on an ongoing basis through at least annual parent teacher conferences to discuss achievement and the compact; frequent progress reports to the parents; reasonable access to the staff; and opportunities to observe and participate in classroom activities.

Adopted 7/20/11

## **TITLE I – A PARENT’S RIGHT TO KNOW**

Reference: 20 USC 6311, Elementary and Secondary Education Act of 1965  
34 C.F.R. Part 200 et seq.

In accordance with the requirement of Section 1111 of Title I, for each school receiving Title I funds, the Administrator shall make sure that all parents of students in the Academy are notified that they may request, and the Academy will provide the following information about the student’s classroom teachers:

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

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

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

Adopted 7/20/11

## **FEDERAL SCHOOL IMPROVEMENT PLAN**

Reference: 20 USC § 6316; 34 CFR § 200.41

If the Academy is identified as requiring school improvement, in accordance with requirements of the No Child Left Behind Act, it shall adopt policies and practices regarding the Academy's core academic subjects that are most likely to ensure that students will meet the State's proficient level of achievement on the State academic assessment not later than the 2013-2014 school year.

Adopted 7/20/11



## RELIGION IN THE CURRICULUM

Reference: U.S. Constitutional Amendment 1  
M.C.L. 380.1170

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

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

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 traditionally 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 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. However, if after careful, personal review of the program's lessons and/or materials, a parent indicates to the school that either the content or activities conflict with his/her religious beliefs or value system, the school will honor a written request for his/her child to be excused from particular class periods for specified reasons. The student will be provided with alternate learning activities during the times of such parent requested absence.

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

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

Adopted 7/20/11  
Revised 7/16/13

## **HOMEWORK**

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

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

The Administrator shall develop Administrative Guidelines for the assignment of homework to meet the following criteria:

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

Adopted 7/20/11

## FIELD AND OTHER ACADEMY-SPONSORED TRIPS

Reference: MCL 380.502, 380.503

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

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the classroom;
- B. arouse new interests among students;
- C. help students relate classroom experiences to the reality of the world outside of school;
- D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, and educational - within the student's learning experience;
- E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from the Academy premises that is under the supervision of a staff member and is an integral part of a course of study. Other Academy-sponsored trips shall be defined as any planned, student travel activity that is approved as part of the Academy's total educational program.

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

All other trips must be approved by the Administrator.

Students may be charged fees for Academy-sponsored trips, but no student shall be denied participation for financial inability. Nonparticipation shall not be penalized academically.

Students on all Academy-sponsored trips remain under the supervision of this Board and are subject to the Academy's Administrative Guidelines.

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

The Administrator shall prepare Administrative Guidelines for the operation of both field and other Academy-sponsored trips, including athletic trips, which shall ensure the following:

- A. the safety and well-being of students is secure;

- B. parental permission is sought and obtained before any student leaves the Academy on a trip;
- C. each trip is properly planned and, if a field trip, is integrated with the curriculum, evaluated, and followed up by appropriate activities to enhance its usefulness;
- D. the effectiveness of field trip activities is judged in terms of demonstrated learning outcomes;
- E. each trip is properly monitored;
- F. student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;
- G. a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge.

A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

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

Adopted 7/20/11

## **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 K-7.

### **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 - 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.

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.
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.
  - 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 Board of Education. 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 Board of Education shall respond to the appeal within five (5) days after it is received. If the Board of Education 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.
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 7/16/13  
Revised 9/16/14; 7/21/15



## HOMEBOUND INSTRUCTION PROGRAM

Reference: MCL 388.1606, 388.1709

Pursuant to requirements of the Michigan 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 and/or shall arrange through the Eastern Upper Peninsula Intermediate School District to provide such instruction.

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

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

Applications must be approved by the Administrator.

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

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

The program of homebound or hospitalized instruction given a student shall be in accordance with regulations of the Michigan 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 the I.E.P. Teachers of non-disabled students must hold a valid teaching certificate.

The Academy reserves the right to withhold recommendation for homebound instruction under the following condition(s):

- A. when the teacher's presence in the place of a student's confinement presents a hazard to the health of the teacher;
- B. when a parent or other adult in authority is not at home with the student during the hours of instruction;
- C. when the condition of the student prevents the student from benefiting from the instruction.

The Administrator shall develop Administrative Guidelines for implementing this policy.

Adopted 7/20/11

## HEALTH EDUCATION PROGRAM

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

The Board of Directors, consistent with Michigan law, has adopted a comprehensive program of health education, known as the Michigan Model for Comprehensive Academy Health Education to prepare students to maintain good health and enable them to adapt to changing health problems in our society.

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

The Administrator shall prepare Administrative Guidelines that will ensure the following:

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

In implementing these programs, the Administrator may use whatever Academy and outside resources he/she deems appropriate, including Department of Education and Intermediate School District guidelines and consultants.

Adopted 7/20/11

## REPRODUCTIVE HEALTH AND FAMILY PLANNING

Reference: MCL 380.1169  
AC Rule 388.273 et seq.

The Board of Directors directs that students receive instruction in reproductive health and family planning. *Reproductive Health* shall be defined as that state of an individual's well-being that involves the reproductive system and its physiological, psychological, and endocrinology functions.

In addition, students shall be instructed in the recognition, prevention, and treatment of non-casual, contact-communicable diseases such as venereal diseases, HBV, and HIV. Instruction shall also be given in the use of abstinence from sex as a responsible method for restriction and prevention of non-casual, contact-communicable disease and as a positive lifestyle for unmarried young people.

The Board accepts as policy the guidelines entitled "Sex Education Guidelines including Reproductive Health and Family Planning" established by the Michigan Department of Education. A copy shall be available for inspection in the Board office.

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.

A Sex Education Advisory Board (AG 2414) shall be established in order to ensure the effective participation of parents and community groups in the design and implementation of this program area.

Teacher consultants to the Academy will meet preparatory criteria established by the State guidelines before participating in sex education instructional activities.

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

The Administrator shall prepare Administrative Guidelines that include at least two (2) public hearings on any revisions to any of the curricula described above. The hearings shall be held at least one (1) week apart and public notice of the hearings shall be given and conducted in accordance with the Open Meetings Act.

Adopted 7/20/11

## STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

Reference: Family Educational Rights and Privacy Act ("FERPA"), 20 USC §§ 1232g, 1232h; 34 CFR §§ 99.7, 99.31

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

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

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

Upon request, parents shall have the right to inspect a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the Academy to the student. The parent shall have access to the survey/evaluation within a reasonable period of time after the request is received by the Administrator.

To ensure the right of parents, the Board directs the Administrator to perform the following:

- A. Provide timely, written notification to parents about any surveys, analyses, or evaluations that may reveal any of the information identified in A-H above. Such notification shall inform parents about their right to inspect the survey, analysis, or evaluation prior to the initiation of the activity with students.
- B. Allow the parent the option of excluding their student from the activity.
- C. Report collected data in a summary that does not permit one to make a connection between the data and individual students or small groups of students.

- D. Treat information as identified in A-H above as confidential information in accordance with Policy 8350.

Upon written request, parents have the right to inspect any instructional material used as part of the educational curriculum of the student. Parents will have access to the instructional material within a reasonable period of time after the written request is received by the building Administrator. The term *instructional material* means any learning materials provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

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

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

- A. activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); and
- B. activities involving the administration of any survey by a third party that contains one or more of the items described in A through H above.

For purposes of this policy, the term *parent* includes a legal guardian or other person standing in *loco parentis* (such as a grandparent or stepparent, with whom the child lives, or other person legally responsible for the welfare of the child).

Adopted 7/20/11

## ACADEMY-SPONSORED CLUBS AND ACTIVITIES

Reference: MCL 380.1282, 380.1316  
P.L. 98-377

The Board of Directors believes the goals and objectives of this Academy are best achieved by a diversity of learning experiences, especially those directly related to the curriculum, conducted either inside or outside of the classroom.

Activities directly related to the curriculum shall enable students to explore a wider range of individual interests than may be available in the Academy's courses of study, but are still directly related to accomplishing the educational outcomes for students as adopted by the Board in Policy 2131.

For purposes of this policy, such curricular-related activities are defined as those activities in which the following occur:

- A. the subject matter is actually taught or will be offered;
- B. the subject matter directly concerns the Academy's composite curriculum;
- C. student participation is required;
- D. participation results in a grade.

No such curricular-related activity shall be considered to be under the sponsorship of this Board unless it meets the criteria stated above and has been approved by the Administrator.

Curricular-related activities, (as well as 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 Student Clubs and Activities Not Sponsored by the Academy.

Non-curricular student activities 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 do the following:

- A. assume any responsibility for planning, conducting, or evaluating 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 such activities during the hours he/she is functioning as a member of the staff.

A non-Academy-sponsored organization may not use the name of the Academy or any other name which would associate the activity with the Academy.

Students shall be fully informed of the curricular-related activities available to them and the eligibility standards established for participation in these activities. Academy-sponsored activities shall be available to all students who elect to participate and meet eligibility standards. Whenever a student becomes a member of an Academy-established student group or national organization (e.g., the National Honor Society), in order to remain a member, he/she must continue to meet all of the eligibility criteria and abide by the principles and practices established by the group or organization.

The Administrator shall prepare Administrative Guidelines for curricular-related clubs and activities. Such guidelines should ensure the needs and interests of the students are properly assessed and procedures are established for continuing evaluation of each club and activity.

Adopted 7/20/11

## **OPERATION OF A CHILD CARE CENTER OR BEFORE-OR AFTER-SCHOOL PROGRAM**

Reference: MCL 380.1285a; R 400.5102; R 400.5104a; R 400.5107; R 400.5111b; R 400.5114

If a child care center or before/after-school program is operated by the Academy, the Board, in consultation with the director of the program and/or the Administrator, shall develop, adopt, and annually review policies concerning the program that, at a minimum, address safety procedures for the program, including first aid, food safety, discipline, dispensing and storage of medication, and access to student emergency information and telephones.

If the Academy operates a child care center, it shall develop and implement the following written policies:

- A. a screening policy for all staff and volunteers, including parents, who have contact with children;
- B. a policy regarding supervision of volunteers, including volunteers who are parents of a child in care;
- C. an age-appropriate policy regarding the discipline of children, which shall be provided to staff and parents;
- D. a health care plan that includes health-related resources and health practices and policies including procedures for child and staff hand washing; handling children's bodily fluids; cleaning and sanitizing all equipment, toys and other surfaces; and controlling infection, including universal precautions; and
- E. a fee policy

Adopted 7/20/11



## **EDUCATION OF CHILDREN WITH DISABILITIES**

Reference: 20 USC §§ 1412, 1413, 1418, 1464; 34 CFR §§ 300.156, 300.201, 300.209, 300.220, 300.224, 300.626, 300.646

The Academy shall assume primary responsibility for the administration and delivery of special education programs and services to students with disabilities. The Academy is committed to the provision of a continuum of special education programs and services to disabled students in cooperation with the Eastern Upper Peninsula Intermediate School District. Placement options shall follow a continuum of services model to ensure that each disabled person is provided a free and appropriate public education in the least restrictive environment. To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments, such as resource rooms, self-contained categorical classrooms, or settings outside the Academy will be considered only after consideration has been given by the individual educational plan as to the feasibility of placement in the regular classroom.

The Academy administration shall adopt guidelines that are consistent with State laws and regulations to coordinate services for children with disabilities.

The Academy shall take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities.

Adopted 7/20/11

## **LEAST RESTRICTIVE ENVIRONMENT POSITION STATEMENT**

Reference: IDEA, 20 USC 1400, et. seq.

It is the philosophy and position of the Board of Directors and its administration that the primary responsibility for the administration and delivery of special education programs and services should be within the Academy and at the Academy a student would regularly attend, whenever appropriate.

Further, the Board endorses a commitment to the provision of a continuum of special education programs and services to disabled students in cooperation with the Eastern Upper Peninsula Intermediate School District. Placement options shall follow a continuum of services model to ensure that each disabled person is provided a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments such as: resource rooms, self-contained categorical classrooms, or settings outside of the Academy will be considered only after consideration has been given by the I.E.P. as to the feasibility of placement in the regular classroom.

Adopted 7/20/11

## **ADOPTION OF TEXTBOOKS**

The Board of Directors shall approve all textbooks used in the educational program of this Academy. *Textbook*, for purposes of this policy, shall mean the principle source of instructional material for any given course of study (in whatever form the material may be presented) that is available or distributed to every student enrolled in the course.

The Administrator shall be responsible for the selection and recommendation for Board consideration of textbooks aligned with the Academy curriculum and Michigan's Curriculum Framework. In considering the approval of any proposed textbook, the Board will weigh its decisions based on recommendations related to the following:

- A. suitability for the maturity level and educational accomplishment of the students who will use the material;
- B. freedom from bias;
- C. relationship to the curriculum adopted by the Board;
- D. relationship to a continuous multi-grade program;
- E. impact on community standards;
- F. manner of selection for recommendation;
- G. cost;
- H. appearance and durability;
- I. completion of an appropriate piloting process.

The Administrator shall develop Administrative Guidelines for the selection of textbooks that includes effective consultation with professional staff members at all appropriate levels.

Adopted 7/20/11

## **SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT**

Reference: MCL 380.1274, 380.1277

The Board of Directors shall provide instructional materials and equipment, within budgetary constraints, to implement the Academy's educational goals and objectives and meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the Academy.

The Administrator shall develop Administrative Guidelines for the selection and maintenance of all educational and instructional materials and equipment. In addition he/she shall periodically conduct a systematic review with the Board regarding the Academy's educational resources to ensure those resources are appropriate for the current educational program. Any revisions that occur should be a result of the school improvement process.

Students shall be held responsible for the cost of replacing any materials or properties which are lost or damaged through their negligence.

Adopted 7/20/11

## **COPYRIGHTED WORKS**

Reference: 17 USC 101 et seq.

The Board of Directors directs the use of copyrighted works only to the extent that the law permits. The Board recognizes that Federal law applies to public school academies and the staff must, therefore, avoid acts of copyright infringement under penalty of law.

To help the staff abide by the laws set forth in Title 17 of the United States Code, the Board directs the Administrator to provide Administrative Guidelines regarding copying and distributing copyrighted materials for instructional (or other) purposes.

Adopted 7/20/11

## **PROGRAM ACCOUNTABILITY AND EVALUATION**

The Board of Directors believes that effective education includes proper evaluation of the results produced from the educational resources provided by the community and the government. As the governing body of the Academy, the Board has the responsibility for assessing and evaluating the academic growth of its students. The Board shall fulfill this responsibility by establishing a means for the continued evaluation of results, which shall be systematic and specific.

The following elements shall be included in its accountability program:

- A. Achievement status to measure how well the Academy is educating all students.
- B. Achievement changes to measure if student achievement is improving or declining.
- C. Achievement growth to measure whether students are receiving at least one year of academic growth for each year of instruction.

The Administrator shall maintain a calendar of assessment activities and make periodic evaluation reports to the Board regarding the above categories within all curriculum content areas and grade levels. Findings of the assessment program may be used to evaluate the progress of students.

The Administrator shall recommend improvements in the educational program annually, based on the evaluation of the Academy's program. Such improvements shall reflect the plans for improvement of the educational program. The Academy Improvement Plan shall be based on staff's findings from program evaluations at each level and on the evaluations provided by the Academy improvement team (see Policy 2120).

The Board reserves the right to employ experts from outside the Academy to serve in the evaluation process.

Annually the Board will make available to the public the progress of the student body toward the educational goals of the Academy.

Assessment results obtained under this policy shall not be used for comparison purposes except as required by statute and Michigan Department of Education regulations or for internal evaluation, as authorized by the Administrator or Board.

Adopted 7/20/11

## **STUDENT ASSESSMENT**

Reference: MCL 380.1279, 380.1279g, 390.1451 et seq., 380.1280b, 380.1282a  
A.C. Rule 340.1101 et seq.  
MEAP Test Administration Manuals

The Board of Directors shall, in compliance with law and rules of the State Board of Directors, 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 thereafter. Procedures for such assessments will include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing programs, student portfolios, and physical examinations.

The Administrator shall develop and present to the Board annually a program of testing and assessment that includes:

- A. the Michigan Education Assessment Program (for grades 3-9) 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 State 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;
- C. selection of assessment instrument, data, and other Academy criteria that will be used to assess educational achievement of each student in grades 1-5;
- D. assessment tests;
- E. achievement tests;
- F. tests of mental ability.

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;
  - 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;
  - 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 fourth grade or seventh grade MEAP Tests 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;
- E. the results of each school-wide and program-wide test be made part of the public record.

Adopted 7/20/11



## COMBINED P.A. 25 ANNUAL REPORT AND NCLB REPORT CARD

Reference: MCL 380.1204a(1)  
20 USC 6311

The Academy must prepare and publicly disseminate the combined P.A. 25 Annual Report and No Child Left Behind Report no later than the beginning of each school year to all parents of all students. If separate reports are published for P.A. 25 and for NCLB, the P.A. 25 report must be published and submitted to the Michigan Department of Education through the Intermediate School District no later than September 1. The report must be made available at a public meeting no later than October 15, 2005. Required information for the Academy and each individual Academy 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 Academy Code (PA 25).

### ***Adequate Yearly Progress (AYP) Data***

- A. Aggregate information on other indicators (graduation rate and student attendance) used to determine AYP.
- B. AYP information, including number, names, and percentage of Title I schools identified for improvement and how long identified.
- C. Comparison between actual achievement of each group (excluding gender and migrant) and state's annual measurable objectives.
- D. *Proficient*, meaning students scored in levels 1 or 2 (exceeds Michigan standards or meets Michigan standards) on the MEAP or rated "Surpassed the Performance Standard" or "Attained the Performance Standard" on MI-Access.

- E. Comparison of Academy and state achievement data on state assessments and other indicators of AYP. Other indicators are attendance rates at the elementary and middle school level and graduation rates for high school.

***Academy Programs***

- A. Accreditation status. Public Act 25 (PA 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 Academy 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).
- 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 PA 25.
- B. Dissemination of the Academy's parent involvement policy. (While this requirement is not a part of the NCLB report card, the Department recommends that this be done through the combined report.)
- C. Means of informing parents of the "right to know" provisions of the No Child Left Behind Act regarding teacher qualifications. (While this requirement is not a part of the NCLB report card, the Department recommends that this be done through the combined report.)

The Academy may include additional data if it chooses.

### ADDITIONAL REPORT REQUIREMENTS FOR TITLE I PURPOSES

In any year that the Academy receives Title I funding, its annual report must also include the following information:

- A. number and percentage of schools identified for school improvement and how long they have been in that category
- B. a comparison of the achievement by the Academy's students on the State-wide academic assessment to the achievement of students in the State as a whole
- C. for each school 1.) whether it has been identified for school improvement, and 2.) comparison of the school's student achievement on the statewide achievement assessments and other adequate yearly progress indicators to those students in the Academy and the State as a whole
- D. aggregated achievement information on State assessments in math and reading/language arts
- E. disaggregated achievement information by subgroups (race/ethnicity, disability, socio-economic level, gender, migrant status, English Language Learners, except in cases where numbers are too small to be statistically robust or where individual student results are identifiable)
- F. percentage of students not tested, disaggregated with the same conditions as above
- G. information that can be used to compare actual achievement levels with State objectives for each group
- H. most recent two (2) year trend data in achievement by subject area and grade level in areas where assessments are required
- I. aggregate information on State indicators used to determine adequate yearly progress
- J. graduation rates for high school students and an elementary school indicator of the State's choice
- K. teacher qualifications/credentials, including percentage of teachers with emergency credentials and percentage of classes not taught by "highly qualified" teachers, both in the aggregate and disaggregated by high-poverty compared to low-poverty schools

This information must be disseminated annually, not later than the beginning of the school year, to all buildings and all parents, and must be made widely, publicly available through such means as posting on the Internet and distribution to local media and public agencies. Distribution to parents should be in an understandable format and in a language that parents can understand. This report to parents may be included with the student report cards at the end of the year, if all students receive report cards.

3000 **STAFF**

3110	Conflict of Interest	BP
3112	Board-Staff Communications	BP
3120	Employment of Staff	
3120.04	Employment of Substitutes	BP
3120.07	Employment of Casual Resource Personnel	
3120.10	Job Sharing	BP
3121	Criminal History Record Check	BP
3121.01	Criminal Conviction Review	BP
<b>3122</b>	<b>Anti-Discrimination</b>	<b>L</b>
<b>3122.01</b>	<b>Drug Free Workplace</b>	<b>L</b>
<b>3122.02</b>	<b>Non-Discrimination Based on Genetic Information of the Employee</b>	<b>L</b>
<b>3122.02a</b>	<b>Non-Discrimination Against State Universities in Student Teaching, Hiring and Counselor Recommendations</b>	<b>L</b>
3122.03	Employee Handbook and Treatment of Salaried & Non-Salaried Employees	BP
<b>3123</b>	<b>Section 504/ADA Prohibition Against Disability Discrimination in Employment</b>	<b>L</b>
3139	Staff Discipline	BP
3140	Termination and Resignation	BP
3150	Employee Absences	BP
3160	Physical Examination	BP
3161	Unrequested Leaves of Absence/Fitness for Duty	BP
3162	Controlled Substance and Alcohol Policy for Commercial Motor Vehicle (CMV) Drivers	BP
3170	Substance Abuse	BP
3210	Staff Ethics	BP
3213	Student Supervision and Welfare	BP
3214	Staff Gifts	BP
<b>3215</b>	<b>Use of Tobacco</b>	<b>L</b>
<b>3220</b>	<b>Staff Evaluation</b>	<b>L</b>
3217	Weapons	BP
3231	Outside Activities of Staff	BP
3243	Professional Meetings	BP
3310	Freedom of Speech in Non-instructional Settings	BP
<b>3362</b>	<b>Anti-Harassment</b>	<b>L</b>
<b>3362.01</b>	<b>Threatening Behavior toward Staff Members</b>	<b>L</b>
3362.02	Workplace Safety	
<b>3419.02</b>	<b>Privacy Protections of Fully Insured Group Health Plans</b>	<b>L</b>
3430.01	Family and Medical Leaves of Absence (FMLA)	BP
3437.01	Military Leave	BP
3440	Job-Related Expenses	BP

Adopted 7/20/11

Revised 2/21/12; 11/12/12; 7/16/13; 1/21/14; 9/16/14; 7/21/15; 8/18/15

## CONFLICT OF INTEREST

Reference: MCL 380.634

Staff members shall perform their official duties in a manner free from conflict of interest.

- A. The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by Academy employees is essential to ensure the proper performance of Academy business as well as to earn and keep public confidence in the Academy.

To accomplish this, the Board of Education has adopted guidelines to assure that conflicts of interest do not occur. The following are not intended to be all inclusive or to substitute for good judgment on the part of all employees:

1. No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities. When a staff member determines that the possibility of a personal interest conflict exists, he/she should disclose his/her interest prior to the matter being considered by the Board or administration. Such disclosure shall become a matter of record in the minutes of the Board.
2. No staff member shall use his/her position to benefit either himself/herself or any other individual or agency apart from the total interest of the Academy.
3. If the pecuniary interest pertains to a proposed contract with the Academy, the following requirements must be met:

The staff member shall disclose the direct pecuniary interest in the contract to the Board, with such disclosure made a part of the official Board minutes. If his/her direct pecuniary interest amounts to \$250 or more, or five percent (5%) or more of the contract cost to the Academy, the staff member shall make the disclosure in one of two (2) ways:

- a. In writing, to the Board president, 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 Bylaw 0165.)
- b. By announcement, at a meeting, at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The staff member must use this method of disclosure if his/her pecuniary interest amounts to \$5,000 or more.

4. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the Academy.

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

- a. the provision of any private lessons or services for a fee;
  - b. the use, sale, or improper divulgence of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to Academy records;
  - c. the referral of 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;
  - d. the requirement of students or clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
5. Employees shall not make use of materials, equipment, or facilities of the Academy in private practice. Examples would be using facilities before, during, or after regular business hours for service to private practice clients or checking out items from an instructional materials center for the purpose of private practice.
- B. Should exceptions to this policy be necessary 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 Administrator before entering into any private relationship.

Staff shall not accept any money, goods, or services with a value in excess of the amount established annually by the Michigan Department of Education from any person who does business or seeks to do business of any kind with the Academy.

Adopted 7/20/11

## **BOARD-STAFF COMMUNICATIONS**

The Board of Directors desires to maintain open channels of communication between itself and the staff. However, the basic line of communication will be through the Administrator.

### ***Staff Communications to the Board***

All communications from staff members to the Board or its committees shall be submitted through the Administrator. This procedure allows any staff member the right to appeal to the Board on important matters through established procedures or to present information directly to the Board when it appears that the Administrator has not adequately communicated the concern(s) to the Board.

### ***Board Communications to Staff***

All official communications, policies, and directives of the Board of interest and concern to the staff will be communicated through the Administrator. The Administrator shall also keep staff members fully informed of the Board's problems, concerns, and actions.

### ***Social Interaction***

Both staff and Board members share a keen interest in the Academy and in education generally. Naturally, when they meet at social affairs and other functions, staff and Board members will informally discuss such matters as educational trends, issues, and innovations, and general activities of the Academy. However, since individual Board members have no special authority (except when they are convened at a legal meeting of the Board or vested with special authority by Board action) and since staff (other than the Administrator) do not normally report directly to the Board, official business should not be discussed in such settings. Care should be taken by all staff in such settings to avoid discussions which would violate the privacy rights of students.

Adopted 7/20/11

## EMPLOYMENT OF STAFF

Reference: MCL 37.2101 et seq., 333.17901, 380.1229, 1230, 1230b, 1231, 1233, 1237, 380.623,  
20 USC 6319 & 7801

The Board of Directors recognizes it is vital to the successful operation of the Academy that the Administrator fill positions created by the Board with highly-qualified, competent personnel who meet all current state and federal certification, training, and education requirements.

The Administrator shall provide the Board with a list of the proposed staff that shows all current qualifications and licensing.

This section applies to teachers and administrators working at the Academy.

All staff are subject to a criminal history record check. See Policy 3121.

Relatives of staff member(s) may be employed by the Board or the Educational Service Provider, provided the staff member(s) being employed is not placed in a position in which he/she would be supervised directly by his/her related staff member, or would supervise a related staff member.

If a Board member wishes to apply for a position with the Academy, his/her resignation must be accepted by the Board prior to submission of an application, and such employment shall not conflict with the Academy's Charter.

A person employed as an Administrator must confirm that he/she has met, or is in the process of fulfilling, the appropriate educational or certification requirements established by the Revised School Code, Michigan Department of Education and applicable law.

Prior to hiring an applicant, the Administrator shall obtain from the applicant a signed Consent to Obtain Records (Form 3120-F2 or 3120-F4, as applicable) and shall obtain any records from the applicant's current or immediately-previous employer, including the applicant's personnel file (particularly any records relating to unprofessional conduct in which the applicant may have engaged). Any such records are to be reviewed prior to a recommendation for employment and may be disclosed to those individuals directly involved in evaluating the applicant's qualifications.

### Requirements for Title I Teachers

All teachers hired for a Title I supported program must be "highly qualified." *Highly qualified* means the following:

- A. The candidate has full State certification as a teacher or has passed the State teacher licensing exam and holds a current license to teach. (Certification or license requirements may not be waived on emergency, temporary, or provisional basis.)
- B. The candidate is an elementary teacher, new to the profession, and has the following:
  1. at least a bachelor's degree and
  2. a passing score on a State test of subject knowledge and teaching skills in reading, writing, math, and other areas of elementary curriculum (State certification test may suffice).



- C. The candidate is a secondary or middle school teacher, new to the profession, and has the following:
1. at least a bachelor's degree; and
  2. a passing score on a State test in each of the subject areas he/she will teach (State certification test may suffice); or
  3. for each academic subject to be taught, an academic major; course work equivalent to an undergraduate major; a graduate degree; or advanced certification or credentials.
- D. The candidate has prior experience, seeks an elementary, middle, or secondary school teaching position, and has the following:
1. at least a bachelor's degree and
  2. meets the standards for new teachers (above) or
  3. demonstrate competence in all academic subjects he/she teaches, based on a uniform State standard of evaluation (standard for academic subject matter and teaching skills set by the State).

Requirements for a Teacher in any School Receiving Title I Funding

By the end of the 2005 – 2006 school year, all core subject teachers (as defined in the *No Child Left Behind Act*) in a school receiving Title I funds must be “highly qualified,” as described above. The school shall have a plan and shall show annual progress towards meeting these teacher-qualification requirements.

Adopted 7/20/11  
Revised 8/18/15

## EMPLOYMENT OF SUBSTITUTES

Reference: MCL 380.1229A, 380.1230, 380.1230a, 380.1230g, 380.1233, 380.1531  
MCL 380.1236, 380.1236a  
AC Rule 390.1105(1), 390.1141(2)

The Board of Directors recognizes the need to procure the services of substitutes to continue the operation of the Academy when regular personnel are absent. Substitutes shall be provided by the Administrator.

Substitute personnel are subject to a criminal history record check. See Policy 3121.

The Administrator shall employ substitutes, as required, to replace regular staff members temporarily absent and to fill new positions. Such assignment of substitutes may be terminated when their services are no longer required.

Substitute teachers must possess a valid Michigan professional certificate or a permit, if substitute teaching in a subject for which he/she is not certified, except under the following circumstances:

- A. In grades 9-12, the Administrator may employ non-certificated, unendorsed substitutes to teach a course in computer science, foreign language, mathematics, biology, chemistry, engineering, physics, robotics, or any other course approved by the State Board, providing the substitutes meet all of the conditions established by state and federal law and regulation and by the Administrator.
- B. The Administrator may also employ a substitute without a valid teaching certificate if the person has at least ninety (90) semester hours of college credit from a college or university.
- C. The Administrator may hire an individual, who does not hold a valid teaching certificate, to serve in a counseling or speech pathologist role, provided he/she meets all the requirements established by state and federal law and regulations. Policy 3120 and Policy 3121 shall apply, with respect to that individual, in the same manner required for employing a person with a teaching certificate.

The Board may enter into a contract with a person or entity (a partnership, nonprofit or Business Corporation, labor organization, limited liability company, or any other association, corporation, trust, or other legal entity) to furnish substitute teachers to the Academy, as necessary, to carry out the operations of the Academy. A contract entered into under this section shall include the following provisions:

- A. Assurance that the person or entity will furnish the Academy with qualified teachers, in accordance with the Academy Code and any implementing rules and regulations as specified above.
- B. Assurance that the person or entity will not furnish to the Academy any teacher who, if employed directly by the Academy, would be ineligible for employment by the district as a substitute teacher under the Academy Code.

- C. A description of the level of compensation and fringe benefits to be provided for the employees of the person or entity who are to be assigned to the district as substitute teachers.
- D. A description of the type and amounts of insurance coverage to be secured and maintained by the person or entity and the Academy.
- E. Assurance that the person or entity, before assigning an individual to serve as a substitute teacher in the district, will comply with, and provide to, the Board the criminal history record information obtained under section 1230 and with the results of the criminal records check under section 1230a of the Academy Code.

A Academy that contracts with a person or entity to furnish substitute teachers under this section may purchase liability insurance to indemnify and protect the Academy and the person or entity against losses or liabilities incurred by the Academy and person or entity arising out of any claim for personal injury or property damage caused by the district, its officers, employees, or agents. The Academy may pay premiums for the insurance out of its operating funds.

Adopted 7/20/11

## **EMPLOYMENT OF CASUAL RESOURCE PERSONNEL**

The purpose of this policy is to allow the casual employment of personnel in a consulting capacity for administration, in-service, or instruction.

In the general fund of the Board of Directors, money is appropriated annually for special services. This might include resource persons in specialized fields of education, who could offer consulting advice on the administration or instructional processes. The Administrator shall negotiate a reasonable payment with the resource person(s); however, the funds may not be expended without approval from the Board, based on the present need for the specific special services.

Specialists from industry, business, agriculture, or health occupation fields may be employed in a consulting capacity to assist with program planning, in-services, or directly in the instructional program. Staff members employed by the Academy may be used as casual resource personnel, outside of their regular assignment, at the discretion of the Administrator.

The Administrator shall prepare Administrative Guidelines to ensure proper implementation of this policy.

Adopted 7/20/11

## **JOB SHARING**

The Board of Directors recognizes the value to the Academy of obtaining the services of highly qualified staff members who may not be available on a full-time basis, but wish to offer their knowledge and skills part-time through a job-sharing process.

The Administrator may consider job-sharing requests. However, the Administrator retains the right to reject job-sharing requests.

Adopted 7/20/11

## CRIMINAL HISTORY RECORD CHECK

Reference: MCL 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 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").<sup>1</sup> 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 Administrator 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.

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<sup>1</sup> Individuals who act on behalf of the Academy, work on a regular or continuous basis in the Academy, are involved in the hiring process of Academy employees, and have successfully undergone a fingerprint-based criminal history record check by the Academy, may continue to submit and receive such criminal history record checks on behalf of the Academy, regardless of their status as employees, contractors, vendors or similar classification.

Individuals working in multiple Schools/Academies may authorize the release of a prior criminal history records check with another 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 Academy in lieu of submitting to a new criminal background check. If this method is used, the Administrator 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 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 Administrator 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 Administrator 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 Administrator 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 Administrator and the Board provide written approval.

The Administrator 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 of Directors 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 Academy, 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 Administrator 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 Academy of a valid criminal history check conducted by another school after January 1, 2006, or the Academy

Administrator may confirm with the Department of Education from results it maintains that the current regular substitute teacher does not have a criminal history.

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

An applicant must provide, at the Academy's expense, 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 provide, at the Academy's expense, 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 not directly involved in evaluating the applicant's qualifications. 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 Freedom of Information Act 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, 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 7/20/11  
Revised 9/16/14



## CRIMINAL CONVICTION REVIEW

Reference: MCL 28.722, 380.1230 et seq., 308.1535a, 38.74

In an effort to maintain a safe environment for students, staff and visitors, the Academy will review the criminal records of those individuals who apply to or work for the Academy or are contracted to work on a regular and continuous basis in the schools.

Individuals convicted of crimes listed in Section 2 of the Sex Offender Registry Act, MCL 28.722, shall not be allowed to work in the Academy.

Individuals convicted of a felony not listed in the Sex Offender Registry Act may not continue to work in the Academy, unless or until they have received written approval from both the Administrator and the Board of Directors. Pending such approval employees shall be placed on administrative leave. Such leave shall be without pay, subject to Board discretion to award pay with reinstatement.

Individuals convicted of a misdemeanor related to sexual abuse, child abuse or controlled substances shall require the written approval of the Administrator and the Board to continue employment.

All other criminal convictions shall require the written approval from the Administrator to obtain or maintain employment in the Academy.

Except for felony convictions, the Administrator shall determine whether the individual will be allowed to work pending review of the criminal convictions and a determination of whether the individual should be allowed to work in the Academy.

The Administrator shall suspend consideration of any applicant and shall determine whether an employee or person contracted to work in the Academy will be allowed to work while felony charges are pending against the individual.

In making the determination regarding whether to hire an applicant or allow an individual to continue working with pending felony charges or after a conviction, the Administrator and the Board will consider the following factors:

- A. the nature of the offense does relate or is related to children, sex, drugs, or violence, etc.
- B. how long ago did the incident occur
- C. were there repeated incidents
- D. nature of assignment in school (access to children, role model, etc.)
- E. whether any treatment or other rehabilitation has occurred
- F. the nature of the employee's work record since offense (likelihood of repeated misbehavior)

Neither the Board nor the Administrator shall consider criminal charges that did not result in conviction, or pending misdemeanor charges in determining whether to hire or continue the employment of any individual.

In making recommendations to the Board on whether to allow individuals with convictions or pending felony charges to work in the Academy, the Administrator shall provide written reasons supporting the recommendation.

The Board shall provide written reasons supporting its determination on whether to allow an individual with a conviction to work in the Academy.

The Administrator shall be responsible for processing the necessary review of criminal convictions, and providing the Board timely notice of its need to act in accordance with this policy.

Adopted 7/20/11

## ANTI-DISCRIMINATION

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

The Academy shall not discriminate in its policies, practices, procedures, or activities on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability/handicap, age, religion, marital/parental/ family status, military status, ancestry, or genetic information and shall comply with all applicable law with respect to equitable treatment of students, employees, and applicants for employment opportunities.

The Academy shall ensure equivalence among buildings within the Academy in teachers, administrators, and other staff, as well as in the provision of curriculum materials and instructional supplies.

In addition, the Academy shall not do any of the following:

- A. Discriminate against an individual in the full utilization of or benefit from the Academy, or the services, activities, or programs provided by the Academy because of religion, race, color, national origin, or sex.
- B. Print or publish or cause to be printed or published a catalog, notice, or advertisement indicating a preference, limitation, specification, or discrimination based on the religion, race, color, national origin, or sex of an applicant for admission to the Academy.
- C. Announce or follow a policy of denial or limitation through a quota or otherwise of educational opportunities of a group or its members because of religion, race, color, national origin, or sex.

Written or unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, reinstatement, and payment under any health or disability insurance or sick leave plan, formal or informal, shall be applied to disability due to pregnancy, childbirth, or related medical conditions on the same terms and conditions as they are applied to other disabilities.

### 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")

[NOTE: Academies are advised to appoint both a male and female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the Academy's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

School Administrator  
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Curtis, MI 49820  
(906) 586-6631

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, and 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 employee or official who receives such a complaint shall file it with the CO) within two (5) school days.

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 Administrator 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 alleged wrongdoing.

#### Investigation and Complaint Procedure (See Form 3122 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 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 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 School District 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 misconduct 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 Administrator or other Academy employee.

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 concern to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 3122 – 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 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.

All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy. (See Policy 8310)

### 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, Administrator, or other Academy employee. 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, Administrator, or other Academy employee, either orally or in writing, about any complaint of discrimination or 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 deem appropriate in consultation with the Administrator.

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 3122 - Non-Discrimination. 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 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 Administrator that summarizes the evidence gathered during the investigation and provide 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. The CO may consult with the Board's legal counsel before finalizing the report to the Administrator.

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

If the Administrator requests additional investigation, the Administrator 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 Administrator must issue a final written decision as described above.

If the Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, she/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.

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

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

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the misconduct 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 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.

#### 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.



All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy.

### 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 Administrator 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 Administrator 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 Administrator 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.

Prior to the beginning of each school year, the Academy shall announce its policy of non-discrimination to students, parents, employees, and the general public, together with a summary of the Academy's program offerings and admissions criteria and contact information for the person designated to coordinate compliance activities. The Compliance officer shall also verify that the Academy's policy of non-discrimination shall be stated in all announcements, bulletins, catalogs, or application forms. All Academy personnel shall adhere to such policies.

The Administrator shall prepare Administrative Procedures to ensure full compliance with the law and this policy.

Adopted 7/20/11  
Revised 11/12/12; 9/16/14

## **DRUG FREE WORKPLACE**

Reference: MCL 37.1211(a); 20 USC §§ 5812, 7114; 41 USC § 702; 42 USC §§ 12114, 12210; 28 CFR § 35.131; 29 CFR §§ 825.112, 1630.3; Drug and alcohol testing for persons who operate commercial motor vehicles, 49 CFR §§ 382.121, 382.401, 382.601

The use, manufacture, possession, distribution, or dispensation of alcoholic liquor or the illegal use, manufacture, possession, distribution or dispensation of drugs or drug paraphernalia is strictly prohibited on Academy property, Academy transportation, or at Academy-sponsored events. The Academy shall maintain a drug-free environment at all times, and shall constitute a drug-free workplace.

Staff found in possession of alcohol or illegal drugs (including drug paraphernalia), or found to be under the influence of such substances, shall be subject to employee discipline, up to and including possible termination of employment, in accordance with applicable law, regardless of whether that employee is presently taking leave pursuant to the Family and Medical Leave Act.

The Academy administration shall establish a drug-free awareness program consistent with this policy and all applicable law. Such a program may include reasonable guidelines and procedures designed to ensure that an individual who has formerly engaged in the illegal use of drugs is no longer engaging in the illegal use of drugs.

Staff shall be provided with a copy of the standards regarding alcoholic liquor and illegal drugs, including drug paraphernalia, and shall be informed that compliance with these standards is mandatory.

If the Academy operates transportation for students, the Academy administration shall prepare guidelines regarding alcohol and illegal drug use applicable to transportation employees, and in conformance with applicable law, which may include drug or alcohol testing.

Adopted 7/20/11

## **NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE**

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

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 Administrator 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 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 7/20/11  
Revised 2/21/12

## **NON-DISCRIMINATION AGAINST STATE UNIVERSITIES IN STUDENT TEACHING, HIRING, AND COUNSELOR RECOMMENDATIONS**

Reference: MCL 388.1764d

The Academy shall not adopt or implement a policy or practice, or to make or issue any public statement or directive, that has the effect of any of the following:

- A. Denies to a student of a particular state university access to the Academy for student teaching purposes solely because the student is enrolled in that state university.
- B. Prevents the hiring of a graduate of a particular state university solely because the individual graduated from that state university.
- C. Discourages or prohibits a counselor employed by the Academy from recommending a particular state university to a pupil of the Academy for reasons other than the suitability of the state university's educational offerings for the particular pupil.

Adopted 7/20/11

## **EMPLOYEE HANDBOOK AND TREATMENT OF SALARIED AND NON-SALARIED EMPLOYEES**

Reference: 29 CFR §§ 541.602, 541.603 [Unpaid disciplinary suspensions must be based on a written policy applicable to all employees. Employers must clearly communicated policy regarding deductions from salary. The best evidence of a clearly communicated policy is a written policy that is distributed to employees at the time of hire, by publishing in an employee handbook, or by publishing on the employer's intranet.]

The Academy administration shall develop an employee handbook for both salaried and non-salaried employees, and shall submit the handbook for approval by the Academy Board.

The handbook shall address disciplinary actions that may be taken against employees, including processes for imposing unpaid disciplinary suspensions and terminations, and policies regarding deductions from salary or pay.

The employee handbook shall be distributed to all employees at time of hire.

Adopted 7/20/11

## **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

The Board of Directors prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"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, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

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 (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the Academy's program and/or activities. A

reasonable accommodation is not required for an individual who is merely regarded as having a disability.

### 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 "Academy 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.]

School Administrator  
P.O. Box 159  
Curtis, MI 49820  
(906) 586-6631

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

The Academy 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 Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Academy Compliance Officer(s).

The Academy 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 Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

### Training

The Academy 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.

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.

### Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the Academy's Compliance Officer 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"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with an Academy Compliance Officer within the time limits specified below. The Academy's Compliance Officer is available to assist individuals in filing a complaint.

### Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. 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.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the Academy Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the Academy Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the Academy Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the Academy Compliance Officer for good cause.
- C. The Academy Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint

procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The Academy Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) work days. If no decision is rendered within ten (10) work days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Administrator. The Academy Compliance Officer shall maintain the Academy's files and records relating to the complaint.

- D. The Administrator will, within ten (10) work days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The Administrator will render his/her decision within ten (10) work days of the hearing.

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

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

#### OCR Complaint

At any time, if an employee 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](mailto: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 discriminate/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 2/21/12  
Revised 9/16/14

## **STAFF DISCIPLINE**

Whenever it becomes necessary to discipline a member of the staff, the Board of Directors directs the Administrator to utilize due-process procedures, to conduct an investigation, as appropriate to the situation, including providing the employee with reasonable notice and the opportunity to respond. If it appears that disciplinary action beyond verbal reprimand may be necessary, the Administrator should determine and take appropriate disciplinary action.

The Administrator shall promptly notify the Board President in writing if the violation(s) resulting in such disciplinary action involved a breach of Board policy. . The notice to the Board President shall also indicate if either the violation or the disciplinary action adversely affected the instruction or well-being of students. The report shall describe the violation(s) resulting in the disciplinary action, the disciplinary action taken, and the action(s), if any, the Administrator has taken, or will take, to prevent such violations in the future.

Adopted 7/20/11

## **TERMINATION AND RESIGNATION**

Reference: MCL 380.1230, et. seq., 380.1535, 380.1535a, 380.1809, 28.722

### ***Termination***

The Administrator shall be responsible for notifying the Board in cases of suspension and/or termination of employment contracts.

Employees and those under individual contract to work regularly and continuously in the schools, whether part-time or full-time, may not continue employment with the Board if a criminal history records check or other authoritative source reveals a conviction of a "listed" offense under MCL 28.722.

Individuals convicted of a non-listed felony may not continue to work unless both the Administrator and the Board give written approval. Such conviction(s) may subject staff to discharge or demotion. The State Board of Education will be notified of the report of conviction(s) as required by law.

### ***Resignation***

The Administrator shall be responsible for establishing suitable resignation procedures.

Adopted 7/20/11

## **EMPLOYEE ABSENCES**

Reference: MCL 37.1211(c) [Policy suggested/referred to but not required]

All employees of the Academy who have been absent from work for more than three (3) days because of illness or injury must submit evidence of the ability to return to work.

Adopted 7/20/11

## PHYSICAL EXAMINATION

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

The Board of Directors or Administrator 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 Administrator'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 Administrator, 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 Discrimination Act (GINA).

In the event of a report of a condition that could influence job performance, the Administrator 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 7/20/11  
Revised 2/21/12

## UNREQUESTED LEAVE OF ABSENCE/FITNESS FOR DUTY

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

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

The Administrator shall develop appropriate procedures to place a staff member on involuntary leave of absence when the staff member is unable to perform assigned duties, considering any legally required accommodation in conformance with state and federal statute.

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

If a staff member refuses to attend the meeting, the Board may order the 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 staff member is found to be unable to perform assigned duties with or without accommodation, the 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 staff member refuse to submit to the examination requested by the Board and the staff member has exercised his/her rights under the provisions hereinabove set forth, such refusal shall subject the staff member to disciplinary action.

Adopted 7/20/11  
Revised 2/21/12



## CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR COMMERCIAL MOTOR VEHICLE (CMV) DRIVERS

Reference: 49 CFR 382.101 et. seq.

### Purpose

The Board of Directors believes that the safety of students, while being transported to and from school or Academy activities, is of utmost importance and is the primary responsibility of the driver of the Academy vehicle. To fulfill such a responsibility, each driver (and any others who perform safety-sensitive functions with Academy vehicles) must be mentally and physically alert at all times while on duty.

To that end, the Board has established this policy, which includes an alcohol and controlled substances testing program. The Board expects all Drivers to comply with Board Policy 3122.01 on Drug Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times.

Further, the Board concurs with the Federal requirement that all Drivers should be free of any influence of alcohol or controlled substance while on duty. Therefore, participation in the alcohol and controlled substances testing program is a condition of employment for all Drivers.

### Covered Employees

This policy covers all commercial driver's license (CDL) holders and regular and substitute bus drivers as well as other staff who operate, inspect, service and condition a commercial motor vehicle (CMV) while on duty, regardless of whether they are required to hold a CDL.

This policy also covers other staff members who drive students in or inspect, service, and condition non-CMV District vehicles.

### Definitions

For purposes of this policy and the guidelines associated with this policy, the following definitions shall apply:

- A. The term *alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. This term is a volume breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test as described herein.
- B. The term *controlled substance* includes any illegal drug, the possession or use of which is unlawful pursuant to Federal, State and local laws and regulations, and any drug being used illegally (such as a prescription drug illegally obtained or used for unintended purposes or in a quantity not prescribed. The term does not include any legally obtained prescription drug used for its intended purpose and in its prescribed quantity unless such use impairs the individual's ability to safely perform safety-sensitive functions. This term includes, but is not limited to,

marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites, phencyclidine (PCP).

- C. The term *controlled substance abuse* includes excessive use of alcohol and/or prescribed drugs not used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes waiting to be dispatched, inspecting equipment, servicing, driving, loading or unloading Academy vehicles, as well as repairing, obtaining assistance, or remaining in attendance upon a disabled Academy vehicle. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.
- E. The term *CDL license holder* means all *Driver* CDL holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty, as well as other staff members who operate, inspect, service and condition a commercial motor vehicle (CMV) while on duty, regardless of whether they are required to hold a CDL.

This policy also covers other staff members who drive students in or inspect, service, and condition non-CMV Academy vehicles.

- F. The term *while on duty* means all time from the time the Driver begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

### Procedures

The Administrator may establish a drug and alcohol testing program whereby each Driver is tested for the presence of alcohol in his or her system and for the presence of the following controlled substances:

- A. marijuana;
- B. cocaine;
- C. opiates;
- D. amphetamines; and/or
- E. phencyclidine (PCP).

The alcohol and controlled substances tests are to be conducted in accordance with Federal and State regulations a.) prior to employment (controlled substances only), b.) reasonable suspicion, c.) upon return to duty after any alcohol or drug rehabilitation, d.) after any accident, e.) on a random basis, and f.) on a follow-up basis.

Any staff member who tests positive as defined in the guidelines shall be:

- A. immediately prohibited from driving any Academy vehicle or conducting a safety sensitive function;
- B. subject to discipline, up to and including discharge, in accordance with Academy guidelines.

Prior to the beginning of the testing program, the Academy may provide training for all employees, including Drivers and their supervisors about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. indicators of probable alcohol misuse and controlled substance abuse;
- C. Board Policy 3122.01 Drug-Free Workplace, Policy 3161 Involuntary Leaves of Absence, and Policy 3170 Substance Abuse
- D. the sanctions that may be imposed for violations of Policy 3122.01.

The Administrator shall arrange for periodic retraining of supervisors and staff members as necessary. The Administrator may provide a copy of this policy and testing guidelines to all Drivers and will include available resources to assist employees with problems related to the use of alcohol and controlled substances.

The Administrator may submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. tests of all first and second test urine samples;
- B. clear and consistent communication with the Administrator's Medical Review Officer (MRO);
- C. methodology and procedures for conducting random tests for controlled substances and alcohol; and
- D. preparation and submission of all required reports to the Administrator's MRO, and to Federal and State governments.

The Administrator may also select the agency or persons to conduct the alcohol breathalyzer tests, the Administrator's MRO, and the drug collection site(s), in accordance with the requirements of the law.

Adopted 7/20/11  
Revised 7/16/13

## **SUBSTANCE ABUSE**

Reference: Rehabilitation Act of 1973, 29USC 794

The Board of Directors recognizes alcoholism and drug abuse as treatable illnesses. When such illnesses impair the performance of staff members, the Board recognizes the Administrator's responsibility to assist in a manner recommended by appropriate specialists in the treatment of those illnesses.

The Administrator will extend to a staff member, having an illness or other problem relating to the use of alcohol or other drugs, the same careful consideration and offer of assistance, which are presently extended to staff members having any other illness.

No staff member will have his/her job security or promotion opportunities jeopardized by his/her request for counseling or referral assistance.

Staff members, who suspect they may have an alcohol or other drug abuse problem, are encouraged to seek counseling and information, on a confidential basis, through the resources available for such service.

In administering its Substance Abuse policy, the Administrator will comply with all applicable state and federal laws and regulations.

Adopted 7/20/11

## STAFF ETHICS

Reference: MCL 750.520b, 750.520c, 750.520d, 750.520e

An effective educational program requires the services of individuals with integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Directors expects all staff members to maintain high standards, both in their working relationships and in the performance of their professional duties, by adhering to the following:

- A. recognize basic dignity of all individuals with whom they interact in the performance of duties;
- B. represent their qualifications accurately;
- C. exercise due care to protect the mental and physical safety of students, colleagues, and subordinates;
- D. seek and apply the knowledge and skills appropriate to assigned responsibilities;
- E. keep in confidence legally confidential information they may have or learn;
- F. ensure their actions, or those of another on their behalf, are not made with specific intent of advancing private economic interests;
- G. avoid accepting anything of value offered by another for the purpose of influencing judgment;
- H. refrain from using position or public property, or permitting another person to use an employee's position or public property, for partisan political or religious purposes. This will in no way limit constitutionally or legally protected rights as a citizen.

In keeping with the ethical responsibilities of the staff, the Board of Directors requires that staff not engage in any romantic or sexual relationship of any kind with students of this Academy, regardless of their age, unless the staff member and student are legally married to each other. Staff should not provide alcohol, drugs, cigarettes, or any other contraband to a student.

Adopted 7/20/11

## STUDENT SUPERVISION AND WELFARE

Reference: MCL 722.621 et seq., 750.520b, 750.520c, 750.520d, 750.520e

Staff members are frequently confronted with situations that could result in liability to the Academy and personal liability to the staff member. The Board of Directors shall direct the preparation of guidelines that would minimize that possibility.

The Administrator shall maintain and enforce the following standards:

- A. Each staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. Each staff member should not volunteer to assume responsibility for duties he/she cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. Each staff member shall provide proper instruction in the safety matters presented in assigned course guides.
- D. Each staff member shall immediately report to the Administrator any accident or safety hazard he/she detects.
- E. Each staff member shall immediately report to the Administrator any knowledge of threats of violence by students.
- F. Each staff member shall not send students on any personal errands.
- G. A staff member shall not associate or fraternize with students at any time in a manner which may give the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve harmful substances such as illegal drugs, alcohol, or tobacco. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.  

This provision should not prevent a staff member from associating with students in private for legitimate or proper reasons. However, dating and/or having a romantic and/or sexual relationship with any student, regardless of the student's age or consent, are absolutely prohibited, unless the staff member and student are legally married to each other.
- H. A staff member shall not transport students in a private vehicle without the approval of the Administrator.
- I. A student shall not be required to perform work or services that may be detrimental to his/her health.

- J. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may attempt to assist the student by facilitating contact with certified or licensed individuals in the Academy or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior, nor should such staff member inappropriately disclose personally identifiable information concerning the student to third persons not specifically authorized by law.
- K. Staff members shall only engage in electronic communication with students via email, texting, social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., when such communication is directly related to curricular matters or co-curricular/extracurricular events or activities with prior approval of the Administrator.
- L. Staff members are prohibited from electronically transmitting any personally identifiable image of a student(s), including video, photographs, streaming video, etc. via email, text message, or through the use of social media and/or online networking media, such as Facebook, Twitter, YouTube, MySpace, Skype, blogs, etc., unless such transmission has been made as part of a pre-approved curricular matter or co-curricular/extracurricular event or activity such as an Academy-sponsored publication or production in accordance with Policy 5722.

Other than directory information described in Policy 8330, most information concerning a child in school is confidential under Federal and State laws. Any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and Board Policy 8462, each staff member shall immediately report any sign of suspected child abuse or neglect to the proper legal authorities.

Adopted 7/20/11

## **STAFF GIFTS**

The Board of Directors considers the presentation of gifts to staff members by students and their parents an undesirable practice because it tends to embarrass students with limited means and gives the appearance of currying favor.

Based on the foregoing premise, the policy of the Board directs that staff members may accept gifts of nominal value from students or parents.

Individual gifts from the staff member to each student are strongly discouraged. If a staff member wishes to give gifts, he/she may give a gift to the whole class (e.g., library books, magazine subscriptions, educational games, or other educational resources for the class).

Adopted 7/20/11



## USE OF TOBACCO BY STAFF

Reference: MCL 333.12601 et seq.

The Board of Directors recognizes the use of tobacco presents a health hazard that 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 Academy premises; in Academy vehicles; in all Academy buildings owned, leased, and/or operated by the Academy; and at all Academy-related activities.

The Board prohibits the use of tobacco product by staff members in Academy buildings, on Academy property (owned or leased), on Academy buses, and at any Academy-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 7/20/11

## WEAPONS

The Board of Directors prohibits staff members 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, the following:

- A. activities or events held on/in property leased, owned, or contracted by the Academy,
- B. activities or events sponsored by the Academy, and
- C. activities or events involving the use of a Academy vehicle.

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 Administrator shall report a staff member who violates this policy to law enforcement officials. The staff member will also be subject to disciplinary action up to, and including, termination.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel;
- B. items approved in writing by the Administrator as part of a class or individual presentation under adult supervision, if used in the approved manner and purpose; **(NOTE: Working firearms and ammunition shall never be approved.)**
- C. firearms, 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.)

Staff members shall report knowledge of dangerous weapons and/or threats of violence by students, staff members, or visitors to the Administrator.

Failure to report such information may subject the staff member to disciplinary action up to, and including, termination.

Adopted 7/20/11

## **STAFF EVALUATION**

Reference: MCL 380.1249 (as amended)

The Board of Directors shall evaluate teachers in accordance with applicable law, including MCL 380.1249(2).

Adopted 7/20/11  
Revised 7/21/15; 8/18/15

## OUTSIDE ACTIVITIES OF STAFF

Reference: MCL 15.321 et seq., 15.401 et seq., 380.1805 (1)

The policy of the Board of Directors that staff members shall avoid situations in which their personal interests, activities, and associations may conflict with the interests of the Academy. If such situations occur, the Administrator shall evaluate the impact of such interest, activity, or association upon the staff member's responsibilities and shall take appropriate action as necessary.

- A. Staff members should not give work time to an outside interest, activity, or association without valid reason to be excused from assigned duties.
- B. Staff members shall not use Academy property or classroom time to solicit or accept customers for private enterprises without Board approval.
- C. Staff members shall not engage in business transactions on behalf of personal or private enterprise in which he/she may profit by virtue of his/her official position or authority - or benefit financially from confidential information the employee has obtained, or may obtain, by reason of his/her position or authority.
- D. Staff members shall not campaign while on Academy property on behalf of any political issue or candidate for local, state, or national office.
- E. Staff members may not accept fees for tutoring, when such tutoring is conducted during the normal work day.
- F. Staff members may not accept fees for tutoring, private lessons, or other activities related to their professional duties for students currently enrolled in one (1) or more of their classes or on their case load without prior written administrative permission.

### ***Research and Publishing***

Staff members are encouraged to contribute articles to professional publications and to engage in approved professional research. Materials that might be considered for publication and/or production, which identify the Academy in any manner, shall be cleared with the Board prior to publication and/or production.

Publications and productions shall be subject to the following copyright provisions:

- A. Rights to copyrights or patents of books, materials, devices, etc. developed by staff members on their own time will be relinquished by the Board upon request of the staff member, with the following provisions:
  - 1. the books, materials, devices, etc. were prepared without the use of Academy data, facilities, and/or equipment;
  - 2. the Academy is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;

3. the staff member does not become involved in any way in the selling of the product to the Academy.

The final decision rests with the Board regarding whether materials were produced independently of any work assignment and/or Academy equipment, facilities, data, or equipment were not used.

The Administrator shall notify the Board of staff members who desire to publish or produce materials on their own time. The notification shall occur prior to the time such work is started, so proper procedures can be established to assure the protection of both the Academy's and the staff member's interests.

- B. All books, materials, devices, or products that result from the paid work time and/or prescribed duties of staff members shall remain the property of the Academy. The Academy shall retain all rights and privileges pertaining to ownership. In the event any of these products have commercial possibilities, the Board may secure copyrights, patents, etc. to ensure ownership of the product by the Academy.

The Board may negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations shall ensure fair and appropriate compensation, including sharing of royalties, for the staff member(s) who developed the products.

Adopted 7/20/11

## PROFESSIONAL MEETINGS

The Board of Directors encourages staff members to take advantage of opportunities to develop and increase their competencies, beyond those attained through the performance of their assigned duties, through attendance at professional meetings.

For purposes of this policy, a *professional meeting* shall be defined as:

- A. any meeting related to the activities, duties, or responsibilities of staff members, as determined by the Administrator;
- B. a meeting through which direct value can be derived for the person in attendance for later use in the performance of Academy duties.

The Administrator shall prepare Administrative Guidelines to implement this policy.

Adopted 7/20/11

## **FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS**

The Board of Directors acknowledges the right of staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the Academy, however, the staff member's expression must be balanced against the interests of this Academy.

To avoid situations in which the staff member's expression could conflict with the Academy's interests, the staff member should ensure the following:

- A. state clearly that his/her expression represents personal views, not necessarily those of the Academy;
- B. refrain from expressions that would disrupt harmony among co-workers or interfere with the maintenance of discipline by Academy officials;
- C. abstain from making threats or abusive or personally-defamatory comments about co-workers, administrators, or officials of the Academy;
- D. refrain from making public expressions that he/she knows to be false or made without regard for truth or accuracy.

Adopted 7/20/11

## 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 USC 621 et seq., Age Discrimination in Employment Act of 1967  
29 U.S.C. 6101, The Age Discrimination Act of 1975  
42 USC 2000e et seq.  
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.  
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 amended  
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 Academy 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, 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. 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 including 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 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 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

"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.

- 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. 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.

[NOTE: Sexual conduct/relationships with students by school employees or any other adult member of the Academy community is prohibited, and any teacher, administrator, coach, or other Academy authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to school employees or other adult members of the Academy community.]

### Race/Color Harassment

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

### Religious (Creed) Harassment

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

### National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin 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, 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 include 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 Administrator 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 Administrator 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 Administrator shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Administrator informed of the status of the 3362 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".

[NOTE: Academies are advised to appoint both a male and a female 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. In addition, the Compliance Officers may also serve as the Academy's Section 504 and Title IX Coordinators.]

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

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 an Academy building administrator. Upon receipt of a complaint either directly or through an Academy 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 Academy 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 3362 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).

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 Administrator.

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 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.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)

### 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 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, the Compliance Officer, Administrator, 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, Administrator, 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 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 Administrator.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Leader will not conduct an investigation unless directed to do so by the Compliance Officer.

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 Administrator 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. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the .

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

If the Administrator requests additional investigation, the Administrator 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 Administrator must issue a final written decision as described above.

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

In an attempt to resolve the complaint, the Board 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 Board'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 Board 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 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.

#### 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 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.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the *Family Educational Rights and Privacy Act* or under Michigan's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.

### 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 Administrator 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 Administrator shall be reasonably calculated to end such conduct, prevent its recurrence, 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 child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) 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 Administrator.

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 Administrator 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 harassment in general, will be age and content appropriate.

Adopted 7/20/11

Revised 1/21/14

## **THREATENING BEHAVIOR TOWARD STAFF MEMBERS**

The Board directs the Administrator to create a work environment free of threatening speech or actions.

*Threatening behavior* is defined as behavior consisting of any words or deeds that intimidates a staff member or causes anxiety concerning his/her physical and/or psychological well-being. Such behavior is strictly forbidden. Any student, parent, visitor, staff member, or agent of this Board found to have threatened a member of the staff will be subject to discipline, exclusion, and/or reported to the authorities.

The Administrator shall implement guidelines to establish procedures for prompt, effective action on any reported incidents and for notification of students, parents, employees, and others regarding this policy.

Adopted 7/20/11

## WORKPLACE SAFETY

All members of the staff are responsible for maintaining a safe work environment and participating in investigations as necessary. Reasonable action will be taken to ensure persons involved in an investigation do not suffer any form of retaliation, because of their good faith participation. Steps to avoid retaliation may include placing a party to the investigation on administrative leave or other reasonable action. Additional steps may be taken to address workplace safety issues.

The Board desires to create and maintain an environment free from disruptive, threatening, and violent behavior. The Board will not tolerate inappropriate or intimidating behavior within the workplace.

The Board directs the Administrator to respond appropriately to every reported incident of disruptive, threatening, or violent behavior.

Examples of inappropriate behavior by staff members include, but are not limited to, the following:

- A. Behavior that distracts, interferes with, or prevents normal work functions or activities. This behavior includes, but is not limited to the following: yelling; using profanity or vulgarity; verbally abusing others; making inappropriate demands for time and attention; making unreasonable demands for action (e.g., demanding an immediate appointment or a response to a complaint on the spot); or refusing a reasonable request for identification.
- B. Behavior that includes physical actions, short of actual contact/injury (e.g., moving closer aggressively), and/or oral or written threats against a person or property, whether in person, over the telephone, or through other means of communication.
- C. Behavior that includes physical assault, with or without weapons; behavior that a reasonable person would interpret as being violent (e.g., throwing things, pounding on a desk or door, or destroying property); and behavior that involves specific threats to inflict physical harm.
- D. Behavior that interferes with an individual's ability or a group's capacity to effectively function in the educational/work environment.

### ***Reporting***

When appropriate, administrative representatives will report complaints under this policy to the local law enforcement agencies. All reports or complaints under this policy will be investigated and include confidentiality when possible. Once an investigation is complete, a recommendation for handling the complaint will be submitted to the Administrator for disposition. Behaviors prohibited under criminal law shall be reported to proper authorities, and the Board shall be informed.

Counseling for staff may be available through the Employee Assistance Program for both the victim and any others within the Academy affected by a violent traumatic incident.

***Protective Orders***

Members of the staff who have obtained a protective order should supply a copy of the order to the Administrator. Other parties may also be informed when deemed necessary for the safety of the Academy personnel.

***Discipline/Corrective Steps***

Staff who violate this policy may be subject to discipline, up to, and including, discharge.

Adopted 7/20/11

## **PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS**

Reference: 29 C.F.R. Part 1635  
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act  
45 C.F.R. 160.102(a), 164.530(g), 164.530(h), 164.530(j), 164.530(k), 164.404  
45 C.F.R. 164.406, 164.408, 164.502, 164.520(a)

The Board of Directors may provide coverage to eligible employees under fully insured group health plans. The Board may establish the following fully insured group health plans:

- A. Medical Plan
- B. Prescription Drug Plan
- C. Dental Plan
- D. Vision Plan
- E. Employee Assistance Plan

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic Protected Health Information in accordance with the HIPAA Security Rule.

The Board hereby appoints the School Administrator to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform an information technology risk analysis and to develop risk management procedures, if necessary.

The Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic Protected Health Information. All of the group health plans' functions are carried out by the insurer and the insurer owns and controls all of the equipment and media used to create, maintain, receive, and transmit electronic Protected Health Information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. The Security Official may elect to utilize, as administrative guidelines, the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information, as appropriate.

The fully insured group health plans established by the Board shall:

- A. Refrain from taking any retaliatory action against any individual ~~from~~ for exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy

Rule provided that the individual has a good faith belief that the practice opposed is unlawful.

- B. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.
- C. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.
- D. Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

- A. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.
- B. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.
- C. Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.

Adopted 9/16/14



## **FAMILY & MEDICAL LEAVES OF ABSENCE ("FMLA")**

Reference: 29 USC 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 professional staff members 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 staff member 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 staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or
- D-1. the staff member'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 3430.01C). 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,

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 one time 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

Professional staff members 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 professional staff members 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 an 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 members -- 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.

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;
  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 staff member shall provide the Administrator with thirty (30) days notice. If there is insufficient time to provide such notice because of unforeseeable events, the staff member shall provide such notice as soon as possible and practical, generally 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 staff member must consult with the Administrator 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 staff member to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave (per the applicable collective bargaining agreement) 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 staff member may request 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 staff member'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 staff member 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 staff member is entitled to shall be unpaid. Whenever a staff member 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 staff member is entitled will run concurrently.

The Administrator may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule 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-leave schedule is foreseeable based on planned medical treatment, the Administrator may require the staff member 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 Administrator for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The Administrator will notify the staff member 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 Administrator does not have sufficient information about the reason for an employee's use of paid leave, the Administrator may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Administrator learns that a paid leave is for an FMLA leave-qualifying reason, the Administrator will promptly notify the staff member that the paid leave will count toward the staff member'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 staff member'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 staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member). When the staff member 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 staff member may either:

- A. submit the completed medical certification to the Administrator; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the Administrator, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

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

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the Administrator 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 staff member 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 staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member 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 staff member 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 Administrator to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

The staff member 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 staff member's leave.

If the staff member 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 staff member or of the staff member's immediate family member, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

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

The Administrator 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 Administrator shall provide a copy of the policy to all staff members, 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.

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 Administrator.

Adopted 7/20/11  
Revised 1/21/14

## MILITARY LEAVE

Reference: 38 USC 4301-4333  
MCL 32.271, 32.273

The Board of Directors provides military leave, reemployment, and other rights as established by the Federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and State law. To qualify:

- A. the employee (or an appropriate officer in the uniformed service in which the employee's military service is performed) gave advance written or verbal notice of his/her military duty unless excused;
- B. the cumulative length of all periods of military service with the employer do not exceed five (5) years, except as provided under State statute;
- C. the employee timely reports to work after the period of military service ends;
- D. the employee has not separated from service with any disqualifying, or other than honorable, conditions.

The Administrator shall post notices of employees' right under USERRA at conspicuous locations within the Academy.

Employees may contact the U.S. Department of Labor or the Michigan Department of Military and Veteran's Affairs to obtain more information regarding their rights under these statutes.

This policy is intended to comply with and explain the service person's rights under USERRA. To the extent there is any conflict, the USERRA and State law regulations prevail.

Adopted 7/20/11

## **JOB RELATED EXPENSES**

Reference: MCL 380.1254; MCL 388.1764b

The Academy Board shall pay the actual and necessary expenses of staff in the discharge of official duties or in the performance of functions as authorized by the administration or Board. The expenditure shall be a public record and shall be made available upon request.

The validity of payments for job-related expenses shall be determined by Administrator.

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 Business Manager for approval prior to reimbursement.

Adopted 7/20/11



5000 **STUDENTS**

<b>5111</b>	<b>Admission of Students</b>	L
<b>5111.01</b>	<b>Homeless Students</b>	L
<b>5111.02</b>	<b>Educational Opportunity for Military Children</b>	L
<b>5112</b>	<b>Entrance Age</b>	L
5113.02	School Choice Options Provided by the <i>No Child Left Behind Act</i>	BP
5114A	Foreign Students on Visa	BP
5130	Withdrawal from the Academy	BP
5136	Personal Communication Devices	BP
5200	Attendance	BP
5215	Missing and Absent Children	BP
5223	Absences for Religious Instruction	BP
5230	Late Arrival and Early Dismissal	BP
5310	Health Services	BP
5320	Immunization	BP
<b>5330</b>	<b>Use of Medications</b>	L
<b>5330.01</b>	<b>Epinephrine Auto-Injectors</b>	L
5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
<b>5340.01</b>	<b>Concussions and Athletic Activities</b>	L
5341	Emergency Medical Authorization	BP
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5451	Student Recognition	BP
5463	Credits from Nonpublic Schools	BP
5500	Student Conduct	BP
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5513	Care of Academy Property	BP
5514	Student Use of Bicycles	BP
5515.01	Safe Operation of Motorized Utility Vehicles by Students	BP
<b>5516</b>	<b>Student Hazing</b>	L
<b>5517</b>	<b>Anti-Harassment</b>	L
<b>5517.01</b>	<b>Bullying</b>	L
5520	Disorderly Conduct	BP
<b>5530</b>	<b>Drug Free Environment</b>	L
<b>5532</b>	<b>Performance-Enhancing Drugs/Compounds</b>	L
5540	Interrogation of Students	BP
5600	Student Discipline	BP
<b>5610</b>	<b>Emergency Removal, Suspension &amp; Expulsion of Students</b>	L
<b>5630.01</b>	<b>Student Seclusion and Restraint</b>	L
5722	Academy-Sponsored Publications and Productions	BP
5730	Equal Access for Non-school Sponsored, Student Clubs and Activities	BP
5771	Search and Seizure	BP
5772	Possession of Weapons	BP

BOARD OF DIRECTORS  
THREE LAKES ACADEMY

STUDENTS  
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5780	Student/Parent Rights	BP
5820	Student Government	BP
5830	Student Fund-Raising	BP
5850	Social Events	BP

Adopted 7/20/11

Revised 2/21/12; 7/17/12; 11/12/12; 7/16/13; 1/21/14; 9/16/14; 7/21/15; 8/18/15

## **ADMISSION OF STUDENTS**

Reference: MCL 380.502(3)(e)(iii); MCL 380.504

The Board of Directors will allow students who reside in Michigan to enroll in the Academy in accordance with limits established by the Board of Directors. Because space is limited, each student must enroll each year. Preferences will be in writing and given to currently-enrolled students and siblings of enrolled students.

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 Board authorizes the Administrator to deny admission to any student who has a record of behavior s/he believes would constitute a threat to the safety and well being of fellow students and staff.

Any pupil enrolled in a school identified as a "Persistently Dangerous School" shall be allowed to attend a safe school within the local District in which a public school academy is located. The Board of Directors shall offer the pupils attending a school identified as a Persistently Dangerous School the opportunity to transfer to a safe public school within the local District within ten days of receiving the official complaint.

The Administrator 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 7/20/11

## HOMELESS STUDENTS

Reference: 42 USC 11431 et. seq.

Children who meet the Federal definition of "homeless" will be provided a free and appropriate public education in the same manner as all other students of the Academy and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on a lack of proof of residency. No Board policy, Administrative Guideline, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Homeless students will be provided services comparable to other students in the Academy, including the following:

- A. transportation services;
- B. educational services for which the homeless student 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;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students; and
- E. Academy nutrition programs.

The Administrator will appoint a Liaison for Homeless Children to perform the duties as assigned. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth and with community and Academy personnel responsible for the provision of education and related services to homeless children and youth.

Adopted 7/20/11

## 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 Administrator 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 7/20/11

## ENTRANCE AGE

Reference: M.C.L. 380.1147, 380.1561, 388.1606, 388.1705 & 1705c  
IDEA, Part B; 34 CFR Part 300  
Dear Colleague Letter, Feb. 29, 2012, U.S.D.O.E., Office of Special Education  
and Rehabilitative Services  
A.C. Rule 340.1754

The Board shall establish student entrance age requirements which are consistent with Michigan Law and sound educational practices which ensure equitable treatment.

A child who turns six (6) years of age before December 1st must be enrolled on the first school day of the school year in which the child's sixth birthday occurs, and a child who turns six (6) years of age on or after December 1st must be enrolled on the first school day of the school year following the school year in which the child's sixth birthday occurs.

A. Prekindergarten

A child is eligible for entrance into the Academy's prekindergarten program if s/he attains the age of four (4) on or before December 1st of the year in which s/he applies for entrance and has not yet attained the age at which s/he will be admitted to kindergarten. Children attending prekindergarten may be charged tuition in accordance with Board policy.

B. Kindergarten

A child who is at least five (5) years of age on or before September 1 of the school year of enrollment thereafter is eligible for entrance to the kindergarten program for that school year. The child may not be placed in an alternative program without permission of the parent.

C. Early Entrance

A child who is a resident but not yet five (5) years of age on or before September 1<sup>st</sup> for the applicable school year will be admitted to kindergarten under the following circumstances:

1. the child will have attained the age of five (5) by December 1st of the school year of enrollment;
2. the parent or guardian provides written notice to the Academy of intent to enroll the child for that school year.

The Academy may make a recommendation to the parent or guardian that the child is not ready to start kindergarten due to age or other factors, but the decision whether to enroll the child will remain with the parent or guardian.

The Academy must allow early entry by nonresident Schools of Choice students, provided the parent/guardian notifies the Academy by the applicable notification date above (C. 2. or 3.) of the intent to participate in the early enrollment option and timely applies for and is selected under the

Academy's Schools of Choice program.

The Academy shall notify the Department of Education by December 31<sup>st</sup> of each school year of the number of students enrolled under the Early Entrance exception for that school year.

D. Preschool – Disadvantaged Children

Readiness and compensatory education programs may be provided for disadvantaged children of preschool age, if they have been certified in accordance with the rules and requirements of the State, such as the Great Start Readiness Program.

All such programs must comply with any applicable State and Federal requirements.

Adopted 1/21/14  
Revised 9/16/14; 8/18/15

## **SCHOOL CHOICE OPTIONS PROVIDED BY THE NO CHILD LEFT BEHIND ACT**

Reference: Title I, Section 1116(b)(1)(E) of the No Child Left Behind Act of 2001  
Title I, Section 1116(e) of the No Child Left Behind Act of 2001  
Title IX, Section 9532 of the No Child Left Behind Act of 2001

The Board of Directors acknowledges that the Federal *No Child Left Behind Act of 2001 (NCLBA)* provides that the parents/guardians of students enrolled in a Title I school that has been listed for "School Improvement" for two (2) or more years, have the right to transfer their children to another school in the Local Educational Agency, if there is a school that provides instruction at the students' grade level(s) and such school has not been identified as being in the process of school improvement, corrective action, or restructuring. If the parent/guardian requests a transfer, but there is not a qualifying school in the Local Educational Agency, the Administrator shall contact neighboring Local Educational Agencies and request that they permit students to transfer to a school in one of those Local Educational Agencies. The Administrator shall also offer Supplemental Educational Services if a transfer within the Local Educational Agency is not possible.

Students attending a "persistently dangerous" school, as defined by State law have the right to transfer to another "safe" school in the Local Educational Agency. If the parent/guardian requests a transfer, but there is not another "safe" school in the Local Educational Agency that provides instruction at the students' grade level(s), the Administrator shall contact neighboring Local Educational Agencies and request permission for students to transfer to a school in one of those Local Educational Agencies.

Furthermore, a student who is a victim of a "violent crime" on Academy property also has the right to transfer to another school. If the parent/guardian requests a transfer, but there is not another school in the attendance area providing instruction at the student's grade level, the Administrator shall contact neighboring Local Educational Agencies and request that they request permission for that student to transfer to a school in one of those Local Educational Agencies providing instruction at the student's grade level. The Board of Directors authorizes such transfers in accordance with AG 5113.02.

Children who transfer in accordance with this policy will be permitted to remain at the school of transfer until completing the highest grade at the school.

Adopted 7/20/11



## **FOREIGN STUDENTS ON VISA**

Reference: MCL 380.1147, MSA 15.41147  
Foreign Students Enrolled in Public School Districts, Mich. Dept. Educ. Pub., 3/17/06

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 residing within the State of Michigan.

Adopted 7/20/11

## **WITHDRAWAL FROM THE ACADEMY**

Reference: MCL 380.1561, 388.1705

Although Michigan law requires attendance of each student until sixteen (16) years of age, the Board of Directors affirms that the best interests of both students and the community are served when they complete the educational program that equips them with skills and increases their chances for a successful and fulfilling life.

Whenever a student wishes to withdraw from the Academy, the Board directs that efforts be made to determine the underlying reason for the desire to withdraw. The Board further directs that the resources of the Academy be used to assist the student in reaching his/her career goals while remaining in the Academy.

The Administrator shall develop Administrative Guidelines for withdrawal from the Academy to accomplish the following:

- A. make every effort to satisfy the student's future educational needs;
- B. assure the timely return of all Academy-owned supplies and equipment in the possession of the student.

Adopted 7/20/11

## **PERSONAL COMMUNICATION DEVICES**

In order to avoid disruption of the educational environment and protect students' right of privacy, student use of personal communication devices (PCDs) is prohibited during school hours.

Technology including, but not limited to, PCDs intended and actually used for instructional purposes (e.g., taking notes, recording classroom lectures, writing papers) will be permitted, as approved by the classroom teacher or the building principal. However, the use of a PCD to engage in non-education-related communications is expressly prohibited.

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.

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 the end of the school day a parent/guardian picks it up, and may be directed to delete the audio and/or picture/video file while the parent/guardian is present. If the violation involves potentially illegal activity the confiscated-PCD may be turned-over to law enforcement.

The use of PCDs in classrooms, gymnasiums, locker rooms, shower facilities, rest/bathrooms and/or swimming pool is 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 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.

Adopted 11/12/12

## 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 students' presence in the classroom enables them to participate in instruction, class discussions, and related learning activities. As such, regular attendance and classroom participation are integral to instilling incentives for students to excel.

Attendance shall be required of all students during the days and hours the Academy is in session.

The Academy shall require a written statement, explaining the cause for any absence, from the parent/guardian of each student or from an adult student who has been absent. The Administrator is authorized to verify such statements and to investigate the cause of each absence.

The Board considers the following factors to be reasonable excuses for time missed:

- A. illness;
- B. recovery from accident;
- C. required court attendance;
- D. professional appointments;
- E. death in the immediate family;
- F. observation or celebration of a bona fide religious holiday; or
- G. such other good cause acceptable to the Administrator.

Attendance need not always be within the Academy facilities, but a student will be considered in attendance if present at any place where school is in session, by authority of the Board.

The Administrator shall develop Administrative Guidelines for the attendance of students to complete the following:

- A. ensure a school session in conformity with the requirements of the law;
- B. ensure the student absent for any excusable reason has an opportunity to make up the work missed;
- C. ensure the student is not given a failing grade or his/her credit unconditionally revoked where lack of attendance is the sole or primary determining factor, but 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 of Education 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 any student with a specifically identifiable physical or mental impairment, who 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, he/she should be disciplined appropriately for the misconduct, but his/her grades should be based upon what the student can demonstrate he/she has learned.

Adopted 7/20/11

## **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 Administrator is instructed to promulgate Administrative Guidelines regarding admittance to the Academy of a student(s) who lacks records. This guideline should provide for notification of the police upon application of the student to the Academy.

Adopted 7/20/11

## **ABSENCES FOR RELIGIOUS INSTRUCTION**

Reference: MCL 380.1561(3c)  
AC Rule R340.71, R340.74

The Board of Directors desires to cooperate with those parents who wish to provide for religious instruction for their children. However, the Board recognizes its responsibility to enforce the attendance requirements of the State.

Given a signed request from a student's parent, the Board will allow exceptions to the student's continuous attendance for religious instruction outside the Academy building for no more than two (2) class hours per week and for attendance at confirmation classes, provided the child is twelve (12) or thirteen (13) years of age and the instructional period is no longer than five (5) months in either of those years.

A student must be properly registered for religious instruction, and a copy of such registration must be filed with the Administrator.

The time of release for religious instruction shall be arranged by the Administrator, in keeping with the regulations of the State Board of Education. The Administrator will also assure the appropriate continuance of the instructional program in the Academy during such release times.

No solicitation for attendance at religious instruction shall be permitted on Academy premises. Members of the staff shall neither encourage nor discourage participation in any program of religious instruction.

Adopted 7/20/11



## **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.

As agent responsible for the education of the children of this Academy, the Administrator shall require that the Academy be notified in advance of such absences by written request of the student's parent stating the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the Administrator.

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 Administrator shall develop Administrative Guidelines to ensure the proper implementation of this policy.

Adopted 7/20/11

## HEALTH SERVICES

Reference: 20 USC 1232(h)

In compliance with law, the Board of Directors may require students to submit to periodic health examinations for the following purposes:

- A. to protect the Academy community from the spread of communicable disease;
- B. to determine that each student's participation in health, safety, and physical education courses meets his/her individual needs;
- C. to ensure that the learning potential of each child is not lessened by a remediable, physical disability.

The Academy shall specify the need for services which may include, but not be limited to the following:

- A. student physical examinations;
- B. vision screenings;
- C. audiometric screenings;
- D. scoliosis screenings.

Any health services program shall also include instruction to staff members on the observance of students for conditions that indicate physical defect or disability.

The Administrator shall directly notify the parents of students, at least annually, at the beginning of the school year, of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening is scheduled or expected to be scheduled for students - if the examination or screening is required as a condition of attendance, administered by the Academy and scheduled by the Academy in advance, and not necessary to protect the immediate health and safety of a specific student or other students.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

Adopted 7/20/11

## 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 in accordance with Administrative Guidelines. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

- A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify 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.

When 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.

Adopted 7/20/11  
Revised 8/18/15

## USE OF MEDICATIONS

Reference: MCL 37.1211(a); 20 USC §§ 5812, 7114; 41 USC § 702; 42 USC §§ 12114, 12210; 28 CFR § 35.131; 29 CFR §§ 825.112, 1630.3; 49 CFR §§ 382.121, 382.401, 382.601

Neither the Board of Directors nor the Administrator 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 Free Environment and of the Student Discipline Code/Code of Conduct.

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.

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.

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 the Academy, on Academy-sponsored transportation, or at any Academy-sponsored activity in accordance 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.

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 Administrator shall prepare Administrative Guidelines to ensure the proper implementation of this policy.

Adopted 7/20/11

## **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 School Administrator 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 call 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 the School Administrator. The report shall include whether the school's or student's Epi-Pen was used, and whether the student was previously known to be subject to severe allergic reaction (anaphylaxis).

The 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 9/16/14

## **STUDENTS WITH SPECIAL DIETARY NEEDS**

The Board of Directors believes all students shall have the opportunity to participate fully in all Academy programs and activities, although necessary accommodations may be required.

In some cases, a student's disability may prevent him/her from eating meals prepared for the general Academy population.

Substitutions to the regular meal will be made for students unable to eat meals at school because of their disabilities, when that need is certified in writing by a physician. Meal service shall be provided in the most integrated setting appropriate to the needs of the student with this disability.

The licensed physician's statement shall specifically describe the following:

- A. the nature of the student's disability;
- B. the reason the disability prevents the student from eating the regular school meals;
- C. foods to be omitted from the student's diet;
- D. the specific diet prescription along with the substitution(s) needed.

In compliance with USDA Child Nutrition Division guidelines, the Academy will provide substitute meals to food-allergic students based upon the physician's signed statement.

The Board recognizes students with documented life-threatening food allergies are considered disabled and are covered by The Disabilities Act and Public Law 93-112 and Section 504 of The Rehabilitation Act of 1973. A clearly-defined "504 Accommodation Plan" shall be developed and implemented for all such identified students making necessary accommodations are made to ensure full participation of the identified student in student activities. This plan shall be signed by the appropriate staff, the parent/guardian of the student, and the student's physician.

The Administrator shall prepare Administrative Guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, strategies for identifying students at risk for life-threatening allergic reactions; means to manage the student's allergy including avoidance measures; designation of typical symptoms; and dosing instructions for medications.

Adopted 7/20/11



## **STUDENT ACCIDENTS**

The Board of Directors believes that Academy personnel have certain responsibilities in case of accidents that occur in school. Such responsibilities include administering first aid by persons trained to do so, summoning medical assistance, notifying administrative personnel, notifying parents, and filing accident reports.

Staff members should administer first aid within the limits of their knowledge of recommended practices. All staff should make an effort to increase their understanding of the proper steps to be taken in the event of an accident. The staff member in charge must submit an accident report on any student accident.

The Administrator shall prepare Administrative Guidelines to assure the prompt reporting of all student accidents.

Adopted 7/20/11

## **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 7/16/13

## **EMERGENCY MEDICAL AUTHORIZATION**

The Administrator will distribute the Emergency Medical Authorization Form annually to parents or guardians of all students. If an emergency medical treatment for a student is necessary, the Academy will adhere to the instructions on the authorization form.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in the Academy office during the year.

Any time a student or a group of students is taken out of the school to participate in a Academy event, the staff in charge of the event must take the Emergency Medical Forms for those students and must return the forms to the office file immediately after the event.

The Administrator shall develop Administrative Guidelines to ensure the prompt return of said form by parents or guardians and the implementation of other provisions of this policy.

Adopted 7/20/11

## **PROMOTION, PLACEMENT, AND RETENTION**

The Board of Directors recognizes the personal, social, physical, and educational growth of children vary, so they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the Board for each student to be moved forward through the grades in a continuous pattern of achievement and growth in harmony with his/her own development.

A student will be promoted to the next grade level when he/she has

- A. achieved the instructional objectives set for the present grade, in the opinion of the professional staff;
- B. demonstrated the degree of social, emotional, and physical maturation necessary for successful learning in the next grade.

The Administrator shall develop Administrative Guidelines for promotion, placement, and retention of students that accomplish the following:

- A. ensure students who are falling seriously behind their peers, or who may not be promoted, receive the special assistance needed to achieve the academic outcomes of the Academy's core curriculum;
- B. require the recommendation of the relevant staff members for promotion, placement, or retention;
- C. require Academy staff to inform parents, well in advance, regarding the possibility of retention of a student at the present grade level;
- D. ensure efforts are made to remediate the student's difficulties before he/she is retained;
- E. assign to the Administrator the final responsibility for determining the promotion, placement, or retention of each student.

Adopted 7/20/11

## **REPORTING STUDENT PROGRESS**

The Board of Directors believes that the cooperation of the Academy and home is a vital ingredient to the growth and education of the whole child. The Board recognizes its responsibility to keep parents informed of student welfare and progress in school.

The Board directs the establishment of a system of reporting student progress that includes written reports and parent conferences with teachers and requires all appropriate staff members to comply with such a system as part of their professional responsibility.

The Administrator shall develop Administrative Guidelines for reporting student progress to parents to achieve the following:

- A. ensure both student and parent receive ample warning of a pending grade of "failure" (F) or a grade that would adversely affect the student's status;
- B. require parent-teacher conferences to be scheduled at times and in places that ensure the greatest degree of convenience to and participation by parents;
- C. specify the time period for report cards to be issued (e.g., every 6 weeks).

Adopted 7/20/11

## GRADING

The Board of Directors recognizes its responsibility for providing a system of grading student achievement to help the student, teachers, and parents judge properly how well the student is achieving the expected learning outcomes for his/her grade and the goals of the Academy's program.

The Board believes the Academy's grading system should be a reliable system that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning outcomes stated for each program at every grade level, kindergarten through twelfth.

The Board directs the Administrator to develop Administrative Guidelines for grading that includes the following:

- A. develop clear, consistent criteria and standards;
- B. in each course of program, help each student understand what behavior and/or achievement is needed to earn each grade and what will result in a failing grade;
- C. provide frequent opportunities for each student to obtain information regarding his/her progress toward the expected learning outcomes of his/her courses or programs;
- D. provide for a pass/fail grade in appropriate programs;
- E. allow and encourage students to assess both their own achievements and their areas of difficulty.

The grading system should not inhibit the professional staff member from learning the strengths and weaknesses of each student on an individual basis.

The grading system should be subject to continual review by staff, students, and parents. Revisions should be made only when such changes will assure a clearer, more valid, and/or more reliable system of grading.

The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may not be changed without the permission of the Administrator.

Adopted 7/20/11

## **STUDENT RECOGNITION**

The Board of Directors values excellence and wishes to instill in students the desire to do their best in all things. It is the policy of this Board, therefore, to recognize outstanding accomplishment in the curricular, co-curricular, and extra-curricular areas.

The Board authorizes the Administrator to develop a plan for recognizing outstanding student achievement based on well-defined, consistent criteria and standards.

Adopted 7/20/11

## **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 7/20/11



## **STUDENT CONDUCT**

Reference: MCL 380.1311, 380.1312

Respect for the law and for those persons in authority shall be expected of all students. Respect includes conformity to Academy rules and general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship are also expected of all members of the Academy community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in this Academy.

The Administrator shall establish Administrative Guidelines to carry out Board policy and philosophy and shall hold all Academy personnel, students, and parents responsible for the conduct of students in the Academy, on Academy vehicles, and at Academy-related events.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct. This Code of Conduct shall be reviewed annually.

Adopted 7/20/11

## **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 all extracurricular activities and activities as designated in writing by the Administrator.

Any exceptions to the above exclusions must be approved by the Administrator.

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 Administrator 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 Administrator. 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 7/20/11  
Revised 7/17/12

## DRESS AND GROOMING

The Board of Directors recognizes each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the Academy.

Accordingly, the Administrator shall establish such grooming guidelines as are necessary to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. Such guidelines shall prohibit student dress or grooming practices that have the following characteristics:

- A. present a hazard to the health or safety of the student himself/herself or to others in the Academy;
- B. interfere with school work, create disorder, or disrupt the educational program;
- C. cause excessive wear or damage to Academy property;
- D. prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement.

Such guidelines shall establish the dress requirements for members of the athletic teams, bands, and other Academy groups when representing the Academy at a public event.

The Administrator shall develop Administrative Guidelines to implement this policy to:

- A. designate the Administrator as the arbitrator of student dress and grooming in his/her building;
- B. instruct staff members to demonstrate, by example and precept, desirable values such as personal neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.

Adopted 7/20/11

## **CARE OF ACADEMY PROPERTY**

Reference: MCL 600.2913

Basic to the philosophy of the Board of Directors is a respect for the rights of others. Students are urged to respect the belongings of others, including Academy property. Each student should realize that vandalism to Academy property is costly to repair and is directly related to increased costs at the Academy.

Attempts should be made to teach students respect for property through the care of textbooks and the use of Academy materials and equipment.

In accordance with law, students who cause damage to Academy property shall be subject to disciplinary measures, and their parents shall be financially liable for such damage to the extent of the law.

The Board authorizes the imposition of fines for the loss, damage, or destruction of Academy equipment, apparatus, musical instruments, library materials, or textbooks and for damage to the building.

The Administrator may report to the appropriate authorities any student whose damage of Academy property has been serious or chronic in nature.

In no case shall such referral to juvenile authorities be made without prior notification to the student's parent.

The Administrator shall develop Administrative Guidelines to implement this policy.

Adopted 7/20/11

## **STUDENT USE OF BICYCLES**

The Board of Directors regards the use of bicycles for travel to and from Academy by students as an assumption of responsibility on the part of those students - a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The Administrator shall develop Administrative Guidelines to ensure the proper implementation of this policy.

Adopted 7/20/11

## **SAFE OPERATION OF MOTORIZED UTILITY VEHICLES BY STUDENTS**

Because of the clear and present danger of accident, the Board of Directors prohibits the use of motorized utility vehicles by students on Academy grounds or for Academy activity purposes.

Adopted 7/16/13

## STUDENT HAZING

The Board of Directors believes 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.

For purposes of this policy, hazing shall be defined 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 does not lessen the prohibitions contained in this policy.

Hazing involves conduct such as, but not limited to the following:

- 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; and/or
- G. undressing or otherwise exposing the person being hazed.

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 that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer regarding the prohibitions contained in this policy and shall be ordered to end all hazing activities immediately. All hazing incidents shall be reported immediately to the Administrator. 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 Administrator 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 7/20/11

## 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 Academy 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, 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. 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 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 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.

### 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.

- 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 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.

[NOTE: Sexual conduct/relationships with students by Academy employees or any other adult member of the Academy community is prohibited, and any teacher, administrator, coach, or other Academy authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to Academy employees or other adult members of the Academy community.]

#### Race/Color Harassment

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

### Religious (Creed) Harassment

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

### National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin 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, 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 an administrator, supervisor or other Academy official so that the Board may address the conduct 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 Administrator 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 Administrator 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 Administrator shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Administrator informed of the status of the 3362 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".

[NOTE: Academies are advised to appoint both a male and a female 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. In addition, the Compliance Officers may also serve as the Academy's Section 504 and Title IX Coordinators.]

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

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 Administrator 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.

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), to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Complaint Coordinator 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.

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 Administrator ; 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.

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.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student records policy. (See Policy 8310 and Policy 8330)

#### 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, Administrator , 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, Administrator , 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 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 Leader .

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Administrator will not conduct an investigation unless directed to do so by the Compliance Officer.

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 Administrator 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. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Administrator.

Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the Administrator must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Administrator's final decision will be delivered to both the Complainant and the Respondent.

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

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

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

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

#### 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 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 Administrator 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 Administrator 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 with a disability who is twenty-six (26) years or younger or a student under the age of eighteen (18) 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 Administrator.

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 Administrator or designee shall provide appropriate training 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.

Adopted 7/20/11  
Revised 1/21/14; 9/16/14

## **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.

### **DEFINITION OF BULLYING**

“Bullying” means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

- A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.
- B. Adversely affecting the ability of a pupil to participate in or benefit from the school district’s or public school’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- C. Having an actual and substantial detrimental effect on a pupil’s physical or mental health.
- D. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

“Cyberbullying” means any electronic communication that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

- A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.
- B. Adversely affecting the ability of a pupil to participate in or benefit from the school district’s or public school’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.
- C. Having an actual and substantial detrimental effect on a pupil’s physical or mental health.

- D. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Since “bullying” also includes “cyberbullying,” any reference in this policy to “bullying” shall also be deemed to refer to “cyberbullying.”

Bullying and cyberbullying are prohibited at school. “At school” is defined as on school premises, at school- sponsored activities or events, in a school-related vehicle, or using telecommunications access device or a telecommunications service provider if the telecommunications access device or telecommunications service provider is owned by or under the control of the school district. “Telecommunications access device” and “telecommunications service provider” mean those terms as defined in Section 219a of the Michigan Penal Code (MCL § 750.219a).

Bullying and cyberbullying that does not occur “at school,” as defined above, but that causes a substantial disruption to the educational environment may be subject to disciplinary action in accordance with this policy and applicable law.

#### REPORTING AND INVESTIGATING REPORTS OF BULLYING

Every student is encouraged to report any situation that he or she believes to be bullying behavior directed toward a student to a teacher, a counselor, administrator, or other staff member. Staff members shall report any reports made by students or situations that they believe to be bullying behavior directed toward a student to the Administrator. Complaints against the Administrator 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 Administrator 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.

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 Administrator 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 Administrator, or the Administrator'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.

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 8/18/15

## **DISORDERLY CONDUCT**

It is the purpose of the Board of Directors, acting within the intent and letter of the laws of the State of Michigan, to provide instruction for students at public expense. Any act of any person(s) that interfere with or thwart this purpose is unlawful or is in violation of Board policy. Therefore, actions by a student(s) to interfere materially or substantially with the operations of the Academy by defacing or destroying Academy property, by rioting, breaking-in, sitting-in, lying-in, smashing-in, or by picketing to force students not to cross picket lines are illegal. Students who engage in such activities may be punished to the full extent of the law and Board policy.

For the purposes of this policy, the term *disorderly conduct* includes any unlawful student assemblage; group acts of violence, disruption, vandalism, or building seizure; or interference with the functioning of Academy personnel, any student, or group of students.

Adopted 7/20/11

## **DRUG FREE ENVIRONMENT**

Reference: MCL 37.1211(a); 20 USC §§ 5812, 7114; 41 USC § 702; 42 USC §§ 12114, 12210; 28 CFR § 35.131; 29 CFR §§ 825.112, 1630.3; 49 CFR §§ 382.121, 382.401, 382.601

The use, manufacture, possession, distribution, or dispensation of alcoholic liquor or the illegal use, manufacture, possession, distribution or dispensation of drugs or drug paraphernalia is strictly prohibited on Academy property, Academy transportation, or at Academy-sponsored events. The Academy shall maintain a drug-free environment at all times.

Students found in possession of alcohol or illegal drugs (including drug paraphernalia), or found to be under the influence of such substances, shall be subject to discipline pursuant to the Academy Code of Conduct.

The Academy administration shall establish a drug-free awareness program consistent with this policy and all applicable law. Such a program may include reasonable guidelines and procedures designed to ensure that an individual who has formerly engaged in the illegal use of drugs is no longer engaging in the illegal use of drugs.

Students of the Academy shall be provided with a copy of the standards regarding alcoholic liquor and illegal drugs, including drug paraphernalia, and shall be informed that compliance with these standards is mandatory.

Adopted 7/20/11



## **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 a part of his/her duties. Furthermore, the staff member, volunteer, or contractor shall not endorse or suggest the ingestion, intranasal application, or inhalation of 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 7/20/11

## 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 State's child protection agency.

Whenever it has been determined that an agency has a legitimate purpose in interrogating a student within the confines of the Academy, the Administrator or representative shall be present throughout the proceedings. S/He should also verify that the student(s) has been informed of his/her rights to refuse to answer questions, to be informed that anything s/he says may be used against him/her in court, and to consult with and be advised by legal counsel.

Such agencies should be encouraged to investigate alleged violations of the law off Academy property if at all possible. An investigation can take place immediately on Academy property at the request of the building administrator 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 building administrator indicating the nature of their investigation and their desire to question a student or students.

Before the student(s) is (are) questioned as a witness to or suspect in an alleged violation of law, the building administrator shall attempt to contact the parent prior to questioning and shall request to remain in the room during the questioning.

If the student is the subject of a child abuse/neglect investigation, the building administrator shall attempt to contact the parent prior to questioning, and s/he 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 building administrator 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 Administrator will record the name of the investigator, the public agency involved and the destination of the student if possible. S/he shall also notify the parent and the Administrator.

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 7/20/11

## STUDENT DISCIPLINE

The Board of Directors acknowledges conduct is closely related to learning and an effective instructional program requires an orderly school environment, as reflected in the behavior of students.

The Board believes the best discipline is self-imposed, with students assuming responsibility for their own behavior and the resulting consequences.

The Board shall require each student of this Academy to adhere to the Code of Conduct established by the administration and submit to such disciplinary measures, appropriately assigned for infraction of those rules. Such rules shall require students to do the following:

- A. conform to reasonable standards of socially acceptable behavior;
- B. respect other persons and their property;
- C. preserve the degree of order necessary for the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey the constituted authority and respond with respect to those who hold that authority.

The Administrator shall develop Administrative Guidelines for student conduct (Code of Conduct) that carry out the purposes of this policy and have the following characteristics:

- A. focus on the need to maintain a school environment conducive to learning;
- B. do not discriminate among students;
- C. do not demean students;
- D. do not violate any individual rights constitutionally guaranteed to students.

The Administrator shall also designate sanctions, excluding corporal punishment, for the infractions of rules in the Code of Conduct. The sanctions shall accomplish the following:

- A. relate in kind and degree to the infraction;
- B. require the student to take responsibility for his/her actions;
- C. reduce the effects of any harm caused by the student's misconduct.

The Academy shall publish to all students and their parents the rules of this Academy regarding student conduct, the sanctions which may be imposed, and the due process procedures to be followed in administering the Code of Conduct.

The Administrator shall have the authority to assign discipline to students, subject to Academy Administrative Guidelines (Code of Conduct) and the student's due process right to notice, hearing, and appeal.

Staff members with authority over students shall have the authority to take the necessary means to control any disorderly conduct of students:

- A. in all situations and in all places where such students are within the jurisdiction of this Board; and,
- B. when such conduct interferes with the educational program of the Academy or threatens the health and safety of others.

Adopted 7/20/11

## EMERGENCY REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS

Reference: MCL 380.1309; MCL 380.1312(8)&(9); MCL 37.1402; 20 USC §§ 5812, 5964, 5965, 7114, 7115, 7151; 42 USC § 290hh; State Board of Education, Resolution to Address School Discipline Issues Impacting Student Outcomes, Adopted June 12, 2012 [Note: MCL 380.1311a was held to be unconstitutionally overbroad in *Smith ex rel. Smith v Mount Pleasant Public Academy*, 285 F Supp 2d 987 (ED Mich, 2003).]

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to Academy rules as well as general provisions of law. Respect for the rights of others, consideration of their privileges, and cooperative citizenship also shall be expected of all members of the Academy community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the Academy.

The Administrator shall establish guidelines to carry out Board policy and philosophy, and shall hold all Academy personnel, students, and parents responsible for the conduct of students at the Academy, in Academy vehicles, and at Academy-related events.

This Policy shall be included in the code of student conduct, which shall be reviewed periodically. This Policy shall comply with all applicable law. Any conflict between this Policy and applicable law shall be resolved in favor of applicable law.

The Board acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly Academy environment which is, in part, reflected in the behavior of students.

The Board requires each student of this Academy to adhere to the Code of Conduct established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. Conform to reasonable standards of socially-acceptable behavior;
- B. Respect the person and property of others;
- C. Preserve the degree of order necessary to the educational program in which they are engaged;
- D. Respect the rights of others;
- E. Obey authority and respond to those who hold authority.

Academy administration shall develop guidelines for student conduct that carry out the purposes of this policy and respect the individual rights constitutionally guaranteed to students.

Academy administration shall designate sanctions, excluding corporal punishment, for the infraction of rules which shall:

- A. Relate in kind and degree to the infraction;
- B. Help the student learn to take responsibility for his/her actions;
- C. Be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

A student may be removed from the classroom, suspended or expelled for persistent disobedience or gross misconduct. A student may not be expelled or excluded from the regular school program based on pregnancy status.

The Academy 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 due process, since exclusion deprives a child of the right to an education. The Academy 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.

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 Administrator 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.

The Administrator may recommend to the Board a long-term suspension or that a student be expelled.

No student, otherwise eligible for attendance, shall be excluded from an Academy program, unless that student has substantially interfered with the maintenance of good order or unless it is necessary to protect that student's or other students' physical or emotional safety and well-being.

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 Administrator. 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 receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions. The Board designates the Administrator as its representative at any hearings regarding the appeal of a suspension.

The Academy Board may either suspend a student for a period longer than ten (10) days or expel him/her.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed.

The Administrator shall develop guidelines 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.

### PERMANENT EXPULSION

The Board will not tolerate behavior that creates an unsafe environment, a threat to safety, or undue disruption of the educational environment.

Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under federal law.

#### Physical and Verbal Assault

The Board 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.

The Board shall suspend or expel a student in grade six or above for up to one hundred eighty (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."

The Board shall suspend or expel a student in grade six or above and may discipline, suspend or expel a 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 school against a Academy employee, volunteer, or contractor or makes a bomb threat or similar threat directed at school building, property, or at a school-related activity.

Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

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

#### Weapons, Arson, Criminal Sexual Conduct

In compliance with state and federal law, the Board shall expel any student (unless as noted below) who possesses a dangerous weapon in the Academy's weapon-free school zone in violation of State law or commits either arson or criminal sexual conduct in a school building or on school property, including school buses and other Academy transportation.

For purposes of this policy, a "dangerous weapon" is defined by law as a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles. This definition also includes other devices designed to (or likely to) inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame, or the bearer of any such weapon, as well as a firearm muffler, firearm silencer, or any such destructive device.

The Board need not expel a student for possession of a dangerous weapon if the student can establish the following to the satisfaction of the Academy Board:

- A. The 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;
- B. The weapon was not knowingly possessed;
- C. The student did not know (or have reason to know) that the object or instrument in his/her possession constituted a dangerous weapon; or
- D. The weapon was possessed at the suggestion, request, direction of, or with the express permission of the Administrator or the police.

The above exceptions will not apply to student misconduct involving sexual conduct or arson.

For expulsions for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor, the Administrator 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 Administrator shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with federal law, the Administrator 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 Administrator 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, adult student, or emancipated minor may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.
- C. If the student is in grade six (6) or above at the time of the expulsion, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Administrator.
- E. Within ten (10) school days, the Administrator shall submit the request, together with any other information he/she deems pertinent, to a Academy Board appointed committee consisting of two (2) Board members, an Academy administrator, a teacher, and an Academy-parent representative.



- F. Within ten (10) school days after being appointed, the committee shall review all pertinent information and submit its recommendation to the Academy Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of the following:
1. The extent to which reinstatement would create a risk of harm to students or Academy staff;
  2. The extent to which reinstatement would create a risk of Academy or individual liability for the Academy Board or Academy staff;
  3. The age and maturity of the student;
  4. The student's school record before the expulsion incident;
  5. The student's attitude concerning the expulsion incident;
  6. The student's behavior since the expulsion and the prospects for remediation;
  7. The degree of cooperation and support the parent has provided and will provide if the student is reinstated (if the request was filed by a parent), including, but not limited to the parent's receptiveness toward any conditions placed on the reinstatement. Such conditions, for example, might include a written agreement by the student and/or a parent who filed the reinstatement request to accomplish the following:
    - a. abide by a behavior contract involving the student, his/her parents, and an outside agency;
    - b. participate in an anger management program or other counseling activities;
    - c. cooperate in processing and discussing periodic progress reviews;
    - d. meet other conditions deemed appropriate by the committee;
    - e. accept the consequences for not fulfilling the agreed upon conditions.
  8. The committee may also allow the parent, adult student, or emancipated minor to propose conditions as part of the request for reinstatement.

The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Academy Board's decision shall be final and is not subject to appeal.

In the event a student who has been permanently expelled from another school requests admission to this Academy, in making its decision, the Academy 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 or upon any standards and with any procedures it determines appropriate under the circumstances.

The Administrator 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 Administrator for offenses found in the Student Code of Conduct.

The Administrator is to establish guidelines for the proper operation of such a program and to ensure appropriate due-process procedures are followed as applicable. (See BP 5630.01)

### DUE PROCESS RIGHTS

The Academy 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 Academy Board establishes the following:

#### 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 Administrator 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 Administrator whose decision will be final.

#### 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 Academy 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 Academy Board, and a summary of the facts to which the witnesses will testify. At the student/parent's request, the hearing shall be held in closed session, but the Board must act publicly. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another school.

The Administrator shall develop guidelines 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 Academy 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.

The Administrator 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 7/20/11  
Revised 7/16/13

## **STUDENT SECLUSION AND RESTRAINT**

Reference: MDE Standards for the Emergency Use of Seclusion and Restraint (2006)

Professional staff members may need to restrain and seclude students under certain emergency circumstances. This must be done only as a last resort if students pose a threat to themselves or others.

All such intervention shall only be done in accordance with guidelines developed by the Administrator, which shall be based on the Standards adopted by the State Board of Education regarding the use of student restraint and seclusion.

Training will be provided to all professional staff and to substitute teachers, as well as the support staff determined appropriate by the Administrator. Training will be in accordance with the State's Standards.

Adopted 7/20/11

## **ACADEMY-SPONSORED PUBLICATIONS AND PRODUCTIONS**

All Academy-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, Academy-related reasons.

Adopted 7/20/11

## **EQUAL ACCESS FOR NON-ACADEMY-SPONSORED STUDENT CLUBS AND ACTIVITIES**

Reference: MCL 380.1299  
Equal Access Act of 1984, 20 USC 4071 et seq.  
Americans with Disabilities Act of 1990, 42 USC 12101 et seq.  
Civil Rights Act of 1964, 42 USC 2000e

The Board of Directors will not permit the use of Academy facilities by non-Academy-sponsored student clubs and activities or Academy-sponsored extra-curricular clubs and activities during instructional hours. During non-instructional time, however, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of religion, politics, philosophy, or other basis.

An application for permission for non-Academy-sponsored student clubs and activities to meet on Academy premises shall be made to the Administrator, who shall grant permission, provided he/she determines the following:

- A. the activity is initiated by students;
- B. attendance at the activity is voluntary;
- C. no agent or employee of the Academy is promoting, leading, or participating in the activity;
- D. the activity does not materially and substantially interfere with the orderly conduct of instructional activities in the Academy;
- E. non-Academy persons are not directing, conducting, controlling, or regularly attending the activity.

A student-initiated group granted permission to hold an activity on Academy premises shall be provided the same rights and access and shall be subject to the same Administrative Guidelines that govern the activities of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated activity must be available to all students who wish to attend and cannot be denied on the basis of a student's gender, religion, race, color, national origin or ancestry, age, disability, height, weight, marital status, social or economic status, and/or any other legally protected characteristic. In addition, there shall be no discrimination on the basis of the religious, political, philosophical, or other content of the speech at the activity.

A professional staff member may be assigned to attend a student initiated activity in a custodial capacity but shall not participate directly in the activity. No professional staff member shall be compelled to attend a student-initiated activity if the content of the speech at the activity is contrary to his/her beliefs. The Administrator may take such actions as may be necessary to maintain order and discipline on Academy premises and to protect the safety and well-being of students and staff members.

The Board will not permit the organization of a fraternity, sorority, or secret society. The Administrator may exclude non-students from directing, controlling, or attending any such activities of students.

Adopted 7/20/11

## 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 Academy 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 an Academy official. The Board directs the Administrator 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 Administrator 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 guidelines shall be subject to disciplinary action and may result in the communication device being confiscated.

Administrators are authorized to arrange for a breath-test instrument, according to the Administrator's guidelines, for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the Administrator. 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 Administrator 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 Administrator 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 Administrator shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The Administrator shall prepare Administrative Guidelines to implement this policy.

Adopted 7/20/11  
Revised 2/21/12



## 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 Academy 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, or in an Academy vehicle without the permission of the Administrator.

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 air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

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 Administrator is authorized to establish instructional programs on weapons that require students to immediately report knowledge of weapons and/or threats of violence by students or staff to the Administrator. Failure to report such knowledge may subject the student to discipline up to, and including, suspension or expulsion from the Academy.

The Administrator 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.

Policy exceptions include weapons under the control of law enforcement personnel.

Working firearms and any ammunition will never be approved as part of any presentation.

This policy will be published annually in all Academy student and staff handbooks. Publication is not a precondition to enforcement of this policy.

Adopted 7/20/11

## STUDENT/PARENT RIGHTS

Reference: 20 USC 1232(h)

The Board of Directors recognizes that students possess both the right to an education and the rights of citizenship.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, including respect for the rights of others, obedience to properly constituted Academy authority, and compliance with the guidelines and rules of the Academy.

The Board realizes as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, he/she may authorize those Academy matters previously handled by his/her parents, but, as an adult, he/she also assumes the responsibility for his/her performance in the Academy, attendance, and compliance with Academy rules.

Administrators, counselors, and teachers shall not provide a supporting affidavit for students who have petitioned the court to grant them the status of emancipated minors unless prior approval has been obtained from the Administrator.

Parents also have the right to know about their student's educational experience, emancipated or not. Specific rights are listed in topic areas of these policies.

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

The Administrator, in consultation with parents, shall develop a procedure addressing the rights of parents and procedures, assuring timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials.

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

Adopted 7/20/11

## **STUDENT GOVERNMENT**

The Board of Directors acknowledges the importance of offering students the opportunity to participate in self-government within the Academy.

Students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board.

The Board will recognize the Student Council (specify name of organization) as the official voice of the student body and for the purpose of:

- A. giving students practical experience in organizing, planning, and affecting outcomes;
- B. developing student leadership;
- C. providing a learning experience in democratic decision making;
- D. offering another avenue toward the realization of the goals of this Academy.

The Administrator shall establish Administrative Guidelines to implement this policy

Adopted 7/20/11

## STUDENT FUNDRAISING

Reference: 7 CFR Parts 210 and 220

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 Academy property, or at any Academy sponsored event only when the profit is to be used for Academy 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 Administrator. Such fundraising off Academy grounds may also be permitted by the Administrator. For any fundraisers, including those operated by student clubs and organizations, parent groups, or boosters clubs, that involved the sale of food items and/or beverages to students that will be consumed on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day), the food items and/or beverages to be sold shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, and also be consistent with requirements set forth in Policy 8500—Food Services.

Fundraising by students on behalf of Academy-related organizations (with funds not managed by the Academy) may be permitted on Academy grounds by the Administrator. All other fundraising shall be done in accordance with Board Policy 9700.

The Administrator shall establish Administrative Guidelines for the solicitation of funds which 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;
- D. ensure proper distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded;
- E. limit the number of fundraising events.

The Administrator shall distribute this policy and the guidelines that implement it to each organization granted permission to solicit funds.

Adopted 7/20/11  
Revised 7/21/15

## **SOCIAL EVENTS**

Reference: AC Rule 340.241 et. seq.

The Board of Directors recognizes the value of student social events to enhance and enrich the educational experience for the children of this community.

The Board will make Academy facilities available and provide appropriate staff for the conduct of social events within the Academy facilities as approved by the Administrator.

Academy social events taking place outside Academy facilities must be approved by the Administrator.

As voluntary participants in Academy social events, students shall be held responsible for compliance with the rules set forth for their conduct. Infractions of those rules will be subject to the same disciplinary measures applicable during the regular Academy program.

Participation in Academy events is not a right and may be denied to any student who has demonstrated disregard for the rules of the Academy.

The Administrator shall develop Administrative Guidelines for the conduct of student social events which shall include the following:

- A. designation of a staff member to be the Board employee responsible for the event;
- B. provision for chaperonage, adult supervision, and/or police protection required by the circumstances of the event;
- C. provisions for the safety of all students and adults involved.

Adopted 7/20/11

6000 **FINANCES**

6107	Authorization to Accept and Distribute Electronic Records and to Use Electronic Signatures	BP
6110	Grant Funds	BP
<b>6144</b>	<b>Investments</b>	<b>L</b>
6151	Bad Checks	BP
6152	Student Fees, Fines, and Supplies	BP
6160	Check Signing	BP
6210	Fiscal Planning	BP
6220	Budget Preparation	BP
6230	Budget Hearing	BP
6231	Budget Implementation	BP
<b>6320</b>	<b>Purchasing</b>	<b>L</b>
6321	New Academy Construction, Renovation	BP
6350	Prevailing Wage Coordinator	
<b>6420</b>	<b>Conflict of Interest – Legal Counsel, Advisors, or Consultants</b>	<b>L</b>
6423	Use of Credit/Debit Cards	BP
6440	Cooperative Purchasing	BP
6460	Vendor Relations	BP
6470	Payment of Claims	BP
6510	Payroll Authorization	BP
6520	Payroll Deductions	BP
6550	Travel Payment & Reimbursement	BP
6620	Petty Cash	BP
6621	Change Fund	
6670	Trust and Agency Fund	BP
6680	Recognition	BP
<b>6700</b>	<b>Fair labor Standards Act (FLSA)</b>	<b>L</b>
6800	System of Accounting	BP
<b>6850</b>	<b>Public Disclosure and Reporting</b>	<b>L</b>

Adopted 7/20/11

Revised 2/21/12; 11/12/12; 7/16/13; 1/21/14

## **AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURES**

Reference: 15 U.S.C. 7001 et seq  
M.C.L. 450.831-450.849

Unless a provision of law specifically prohibits the use of an electronic record for the specified purpose, the Board of Directors authorizes the acceptance and distribution/transmission of electronic records and electronic signatures to and from Academy staff and other persons, as well as between Academy staff members. The Board further authorizes Academy staff to create, generate, send, communicate, receive, store, process, use, and rely upon electronic records and electronic signatures.

The Administrator is authorized to develop administrative guidelines concerning the acceptance and distribution/transmission of electronic records and electronic signatures. After giving due consideration to security, the Administrator may specify the following:

- A. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored, and the systems established for those purposes.
- B. If electronic records must be signed by electronic means, the type of electronic signature that is required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by any third party used by a person filing a document to facilitate the process.
- C. Control processes and procedures as appropriate to provide for adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.
- D. Any other required attributes for electronic records that are specified for nonelectronic records or reasonably necessary under the circumstances.

Adopted 1/21/14

## GRANT FUNDS

Reference: Compliance Supplement for Single Audits of State and Local Governments  
20 USC 7906

The Board of Directors shall 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 Administrator shall review new Federal education legislation and prepare proposals for programs s/he deems would be of aid to the students of this Academy. The Board shall approve each proposal prior to its submission and all grants resulting from such proposals.

The Board regards Federal aid to schools as a public trust. The Board forbids the use of Federal monies for partisan political activities or for any use that is not in accord with Federal guidelines on discrimination.

No Federal funds received by the Academy shall be used to develop or distribute materials to operate 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.

### Grant Proposal Internal Review

- A. Each grant proposal shall be reviewed and approved by the Board prior to submission to the funding source.
- B. The Administrator shall present Government-funded proposals, regardless of the amount, to the Board for approval:

### Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, and grantor rules and regulations as well as Academy policies and



administrative procedures/guidelines.

- B. The Administrator is responsible for the efficient and effective administration of grant awards through the application of sound management practices.
- C. The Administrator is responsible for administering grant funds in a manner consistent with underlying agreements, 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 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. The Administrator shall require that each draw of Federal monies is 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.
- F. The Administrator is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.
- G. Written amendments requiring signature shall be presented to the Board for approval.
- H. Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.
- I. Program reports including but not limited to audit, site visits and final reports shall be submitted to the Administrator for review and distribution to appropriate parties.

#### Fiscal Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, and grantor rules, regulations, and assurances as well as Academy policies and administrative procedures/guidelines.

The Administrator shall provide for the following:

- A. Accurate, current, and complete disclosure of the financial results of each Federally-sponsored project in accordance with the reporting requirements of the grant.
- B. Effective control over and accountability for all funds, property, and other assets in their use solely for authorized purposes.
- C. Recordkeeping and written procedures as may be required by Federal, State, and grantor rules and regulations pertaining to the grant award and

accountability, including such provisions as may be applicable as cost sharing and matching requirements, budget revisions, audit requirements, reasonableness, allocability, and allowability of costs, procurement, property management and disposition, and payment/repayment requirements.

- D. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Adopted 7/20/11  
Revised 11/12/12

## 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 of Directors authorizes the Business Manager 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 (M.C.L.A. 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 U.S.C. 1813, or one or more insured credit unions, as defined in 12 U.S.C. 1752, for the account of the school
  3. the financial institution acting as custodian for the school is insured by an agency of the United States
  4. the financial institution acts as custodian for the school with respect to each certificate of deposit
  5. at the same time that the funds are deposited and the certificate or certificates of deposit are issued, the financial institution receives an amount of deposits from customers of other insured depository institutions equal to or greater than the amount of the funds initially invested by the school through the financial institution

- D. commercial paper rated prime 1 or prime 2 at the time of purchase and maturing not more than 270 days after the date of purchase;
- E. 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;
- 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.

When there is a possibility that interest changes could adversely affect the fair value of a 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. weighted average maturity
- B. duration

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)
- 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 Business Manager is authorized to contract with a depository for the operation of a cash management system if the contract is awarded using the Academy's bidding procedure

All investments must mature or be redeemable within one (1) year of the date of purchase.

An obligation purchased in accordance with Section 380.1223(2), when received by the Business Manager, 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 Business Manager acting within the law.

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 7/20/11

## **BAD CHECKS**

When the Academy receives a check from a student or parent that, when deposited, is returned marked "insufficient funds," the Administrator shall provide an opportunity for the payer to make proper payment or to arrange for a satisfactory payment schedule. If payment is not received within thirty (30) days, the payment schedule is not adhered to, or the monies do not appear to be collectable, the Board of Directors authorizes the Administrator to remove the fee or charge from the Academy's Accounts Receivable and to take appropriate action against the student and/or the parents.

Adopted 7/20/11

## **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 Academy-sponsored trips and activities.

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 Administrator (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 Academy Secretary 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 Administrator 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 7/20/11

## **FISCAL PLANNING**

The Board of Directors shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the Academy and shall plan for the financial needs of the educational program. The Board will strive to maintain both short and long range projections of the Academy's financial requirements.

Accordingly, the Board directs the Administrator to accomplish the following:

- A. prepare a long range plan for the cost of maintaining the alignment of the Academy's curriculum with the Michigan Curriculum Frameworks, including the costs of textbooks, computer software, computer replacement, and professional development.
- B. include cost estimates in all ongoing financial requirements;
- C. prepare a long range, year-by-year plan for the maintenance and replacement of facilities and equipment;
- D. report to the Board any serious financial implications that emerge from the Academy's ongoing fiscal planning.

In addition, the Board directs the Administrator to maintain annually a detailed two (2) year forecast of estimated expenditures and revenues.

Adopted 7/20/11



## BUDGET PREPARATION

Reference: MCL 141.434 et. seq.

The Academy's operational and educational plans are reflected in its budgets. Each year, the Board of Directors will have prepared, then review and approve the following Fund budgets:

- A. General Fund
- B. Hot Lunch

Each budget shall be designed to carry out Academy operations in a thorough and efficient manner, to maintain Academy facilities properly, and to honor the continuing obligations of the Board.

The Board shall ensure that adequate funds are reserved for the General Fund to maintain a secure financial position whereby the fund equity shall not fall below \_\_\_\_\_% of the preceding year's expenditures.

A proposed budget requires the critical analysis of every member of the Board prior to approval. Once adopted, the budget deserves the support of all members of the Board, regardless of their position before its adoption.

The Board directs the Administrator to present the budgets to the Board, along with all available information associated with each budget, in sufficient time to allow for proper analysis and discussion prior to the budget hearing.

When presented to the Board for review and/or adoption, the information shall include the following items, as appropriate:

- A. the number and category of staff members for the current and the ensuing year;
- B. the proposed expenditure and revenue in each financial category for the ensuing year;
- C. the anticipated expenditure and revenue in each financial category for the current year;
- D. the actual expenditure, the approved budget, and the revenue in each financial category for the previous year;
- E. an estimate of the student enrollment by grades for the ensuing year;
- F. the amount of fund equity anticipated at the end of the current year;
- G. an appropriations resolution.

Adopted 7/20/11

## **BUDGET HEARING**

Reference: MCL 141.411 et. seq.

The annual budget adopted by the Board of Directors represents the Board's position on the allocation of resources required to operate an appropriate system of education. All reasonable means shall be employed by the Board to present and explain that position to all interested parties. The public budget hearing will be conducted in accordance with law.

Each member of the Board and the Administrator shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The budget approved by this Board will be made available to the public in the form and places required by law. A simplified form of the budget may also be prepared annually and may be sent to appropriate parties and/or distributed to persons attending the annual budget hearing.

A simplified budget may include the expenditures and the anticipated receipts in each major category for the current and the coming years. Such a budget may also provide a brief explanation of significant increases and decreases from the previous year.

The final adoption of the proposed annual budget shall be made by the Board after completion of the public hearing, but in no case later than June 30<sup>th</sup>.

Adopted 7/20/11

## **BUDGET IMPLEMENTATION**

Reference: MCL 141.436 et. seq.

The Board of Directors places the responsibility of administering the budget, once adopted, with the Administrator. As the budget is being implemented, the Administrator shall keep the Board informed regarding budgetary problems or concerns.

The Administrator shall be authorized to proceed with financial commitments, purchases, and other expenditures, within the limits provided in the budget, stated in Board policies, and expressed in State statutes.

Lists of expenditures, appropriate financial reports, and budget comparison reports shall be submitted monthly to the Board to keep members informed as to the status of the budget and overall financial condition of the Academy.

During the fiscal year, if the Administrator deems that actual revenues are less than estimated revenues (including the available equity upon which the appropriations from the fund were based), the Administrator shall recommend to the Board amendments to the General Appropriations Act in order to prevent expenditures from exceeding revenues.

Adopted 7/20/11

## PURCHASING

Reference: MCL 380.1267, 380.1274 et seq.

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 Administrator adhere to the following:

- A. Seek informal price quotations on purchases that are under fifty percent (50%) 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 fifty percent (50%) of the amount allowed by State Statute, the Administrator 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 to purchase.

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 authorized requestor in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:

- A. the quality of the item(s) to be supplied;
- B. its conformity with specifications;
- C. suitability to the requirements of the Academy;
- 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:

- 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.

The Board reserves the right to reject any and all bids.

Contracts may be awarded by the Authorized Requestor without Board approval for any single item or group of identical items costing less than the State statute. All other contracts require Board approval prior to purchase.

The Board shall be informed of the terms and conditions of all competitive bids and shall award contracts as a consequence of such bids.

The Administrator is authorized to purchase all items within budget allocations.

The Board should be advised, for prior approval, of all purchases of equipment, materials, and services when the purchase exceeds the function by ten (10) percent.

The Administrator is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the Academy 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 Academy, the Board requires that the Administrator 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 Administrator 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 Academy. 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 Academy;
- B. where the requisitioner has recommended a supplier, the Administrator 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;
- C. upon the placement of a purchase order, the Administrator shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

The Administrator 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.

Adopted 7/20/11

## NEW ACADEMY CONSTRUCTION, RENOVATION

Reference: MCL 380.1267

Before beginning construction of a new school building, or an addition, repair or renovation of an existing school building, except emergency repairs, 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 school building which exceeds the State statutory limit (\$20,959 for 2009).

This policy does not apply to buildings, renovations, or repairs costing less than the statutory limit or to repair work normally performed by Academy employees.

The Board shall advertise for the bids required under subsection:

- A. By placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the Department of Management and Budget website on a page on the website maintained for this purpose or on a website maintained by a school organization and designated by the Department of Management and Budget for this purpose.
- B. By submitting the request for bids for placement on the Michigan Department of Management and Budget's website for school organizations, including a link to the Academy's 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 Administrator of the Academy. A Board shall not accept a bid that does not include this sworn and notarized disclosure statement.
- D. The Board shall require each bidder for a contract under this policy, to file with the Board security in an amount not less than 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 C of this policy.
- F. At a public meeting identified in the advertisement for bids described in subsection C 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.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L.A. 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.

- G. The competitive bid threshold amount specified in this policy (\$20,959 for 2009) is adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the twelve (12) months ending August 31<sup>st</sup> of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31<sup>st</sup> 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 repair which exceed the amount listed in this policy.

Adopted 7/20/11



## **PREVAILING WAGE COORDINATOR**

Reference: MCL 408.551 et. seq.

The purpose of this policy is to comply with State and Federal regulations concerning the prevailing wage rate. The Wage and Hour Division of the Michigan Department of Consumer and Industry Services will determine the prevailing wage rate in the locality where the work is to be performed. The Administrator shall serve as the Prevailing Wage Coordinator for the Academy.

The Prevailing Wage Coordinator will submit to the Board of Directors, for its approval, procedures for monitoring compliance with prevailing wage laws. He/She will request the Wage and Hour Division of the Michigan Department of Consumer and Industry Services to establish the prevailing wage rate in this Academy for school construction or renovation projects. A schedule of those wages must be attached to the specifications for the work, and printed on any bidding blanks. A copy of the bidding blank must be filed with the Wage and Hour Division of the Michigan Department of Consumer and Industry Services prior to awarding any contract. Thereafter, any contract awarded must include a provision that each laborer, workman, or mechanic employed by the contractor be paid at a rate not less than the prevailing wage rate. On the first pay date, the contractors and subcontractors must provide each employee with written notification of his/her job classification and the prevailing wage rate for his/her job classification, unless the employee is covered by a collective bargaining agreement.

Adopted 7/20/11

## **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 1/21/14

## **USE OF CREDIT/DEBIT 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/debit cards. The authorization, handling, and use of credit/debit cards have been established to provide a convenient and efficient means to purchase goods and services. Credit/Debit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms credit/debit cards shall be used only for those expenditures incurred for Board-approved or Academy-related activities or for those expenditures that serve the benefit of the Academy and a valid public purpose. Under no circumstances shall credit/debit cards be used for personal purchases or the purchase of alcoholic beverages, even if the purchase of such beverages is made in connection with a meal.

The Administrator shall develop Administrative Guidelines that specify persons authorized to use Academy credit/debit cards, the types of expenses that can be paid by credit/debit cards, and the proper supervision and use of such cards. Inappropriate or illegal use of the credit/debit 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/debit card privileges; disciplinary action, up to, and including, termination; personal responsibility to reimburse 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 Administrator shall annually request the Board to approve the position titles authorized to use Academy credit/debit cards in the conduct of Academy business.

The Administrator shall be responsible for supervising and giving direction to employees authorized to use Academy credit/debit cards.

Adopted 7/20/11

## **COOPERATIVE PURCHASING**

Reference: MCL 124.1 et. seq.

The Board of Directors recognizes the advantages of centralized purchasing since buying in volume tends to maximize value for each dollar spent. The Board, therefore, encourages the Administrator to seek advantages in savings that may accrue to the Academy through joint agreements with the governing body of other governmental units for the purchase of supplies, equipment, or services.

The Board authorizes the Administrator to negotiate joint purchase agreements with governmental contracting units for services, supplies, and equipment required from time to time by the Board, which the Board may otherwise lawfully purchase for itself. Such purchase agreements must be in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

Cooperative or joint purchases require an agreement, approved by the Board and the participating contracting body, that specifies the categories of equipment and supplies to be purchased; the manner of advertising for bids and of awarding contracts; the method of payment by each participating party; and such other matters as may be deemed necessary to carry out the purposes of the agreement. Such agreements are subject to all legal bidding requirements.

Adopted 7/20/11

## VENDOR RELATIONS

Reference: MCL 15.321 et. seq.

Neither the Board of Directors nor the Administrator shall knowingly enter a contract with any supplier of goods or services with which any Board member or officer, staff member, or agent of this Academy has any financial or beneficial interest (direct or indirect), unless that person has neither solicited the contract nor participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any textbook that he/she has authored and/or that has been approved for use in the Academy.

For the purpose of this policy *beneficial interest* shall be determined in accordance with MCL 15.321 et seq.

Board members and Academy personnel shall not accept any gifts or favors from vendors that might influence the eventual purchase of equipment, supplies, or services.

All sales persons, regardless of product, shall register with the Administrator's office before contacting any teachers, students, or other personnel of the Academy. Purchasing personnel shall not show any favoritism to any vendor. In accordance with the policies of the Board, each order shall be placed on the basis of quality, price, and delivery (with past service a factor if all other considerations are equal).

Adopted 7/20/11

## **PAYMENT OF CLAIMS**

Reference: MCL 380.1274

The Board of Directors directs the prompt payment of legitimate claims by suppliers of goods and services to the Academy.

Each bill or obligation of this Board must be fully itemized and verified before a warrant can be drawn for its payment.

When an invoice is received, the Administrator shall verify the following: a voucher is submitted properly; acceptable goods were received or satisfactory services rendered; the expenditure is included in the Board's budget and funds are available for its payment; and the amount of the invoice is correct.

The Administrator is authorized to approve electronic funds transfers (EFTs) in the completion of prompt payment of legitimate claims. Such payments shall comply with the provisions of Policy 6107 and Michigan Statute.

All payments shall be submitted for Board review in the form of a list, including the vendor's name; the number and amount of the payment check; and a description of the item.

Adopted 7/20/11  
Revised 1/21/14

## **PAYROLL AUTHORIZATION**

Reference: M.C.L. 408.476

The most substantial payment of public funds for the operation of the Academy is that which is made to the employees of the Board of Directors for services rendered. To ensure that each person so compensated is validly employed by this Academy and that the compensation remitted fairly represents the services rendered, this policy is promulgated.

Employment of all Academy personnel whether by the year, term, month, week, day, or hour in contract, temporary, or substitute form must be approved by the Board, except where authority to appoint certain personnel of the Academy has been delegated to the Administrator.

Each motion of the Board to employ or reemploy a staff member shall include the name of the individual, the position title, and the compensation to be paid as prescribed in a negotiated, collective-bargained agreement, or determined by a wage guideline.

### **Direct Deposit – Payroll Check**

Payment of wages shall be by use of direct deposit or payroll check.

Employees' selection between payment by direct deposit or electronic transfer and any subsequent change in election shall be done freely, without intimidation, coercion, or fear of discharge or reprisal for the choice.

The Employee shall pay any fees or costs incurred in connection with paying wages or establishing a process for paying wages by direct deposit and payroll debit card.

Adopted 7/20/11  
Revised 2/21/12

## PAYROLL DEDUCTIONS

Reference: MCL 380.1224, 408.477  
Michigan OAG 7187 (2006)  
Michigan Education Ass'n v. Sec. of State. 489 Mich.194 (2011)

The Board of Directors authorizes, in accordance with the provisions of law or upon proper authorization on the appropriate form that deductions 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. Michigan Public School Employment Retirement System (MPSERS) Tax Deferred Payment (TDP) plan;
- F. Section 125 deductions (cafeteria plans);
- G. Direct deposit in a chartered credit union and/or bank;
- H. Contributions to political action committees (PACs), provided all associated administration costs for processing the deductions and directing the payments are pre-paid by the employee or another person or entity;
- I. Payment of group insurance premiums for a plan in which at least ten percent (10%) of the Academy's employees participate;
- J. Payment for benefits of part-time employees who elect to participate in benefits provided to full-time staff; or
- K. 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 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.

The Board, by providing employees with payroll deduction services for annuities, is not providing any financial advice to employees, and is not vouching for the suitability of any investment or any annuity provider. The School assumes no responsibility or liability for any investment decisions or losses with respect to employee annuity purchases.

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 Administrator's Office in writing if they wish to participate in such a program.

Adopted 7/20/11  
Revised 2/21/12; 1/21/14

## **TRAVEL PAYMENT & REIMBURSEMENT**

Travel expenses incurred for official business travel on behalf of the Board of Directors shall be limited to those expenses necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with administrative guidelines.

Payment and reimbursement rates for per diem meals, lodging, and mileage shall be approved by the Board annually. The Board shall establish mileage rates not exceeding 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.

All travel shall comply with the travel procedures and rates established in the administrative guidelines.

Adopted 7/16/13

## **PETTY CASH**

The Board of Directors recognizes the convenience afforded the day-by-day operation of the Academy by the establishment of a petty cash fund. The Board shall require the imposition of such controls necessary to prevent possible abuse of this fund.

The custodian of the petty cash fund shall ensure that the funds in his/her care shall be disbursed only for minor expenditures not readily deferred. The petty cash fund may not be used to circumvent the purchasing procedures required by law and by the policies of this Board. A request for petty cash funds must be made in writing, must be signed by the person making the request, and must include appropriate supporting documentation. The petty cash box must be secured daily.

The custodian of the petty cash fund shall prepare a schedule of disbursements, when the funds available in petty cash have declined to less than twenty-five percent (25%) of the full amount authorized, and shall show the disbursements by line account numbers. The custodian of the fund shall submit the schedule to the Administrator, with a voucher requesting replenishment of the same amount.

The petty cash fund will be closed out for audit at the end of each school year, and unused funds will be returned to the depository.

Adopted 7/20/11

## **CHANGE FUND**

The Board of Directors recognizes the convenience of a change fund in the day-to-day operation of the Academy.

The Board authorizes the establishment of a change fund to be in the care of the designated building cashier, who is responsible for providing change as needed.

Adopted 7/20/11

## **TRUST AND AGENCY FUND**

The Board of Directors directs the establishment of a Trust and Agency Fund for the financial administration of scholarships and other trusts approved by the Board and operated for the benefit of students.

The Administrator shall be responsible for the administration of the Trust and Agency Fund. The Fund will be audited annually and administered under appropriate accounting controls. The books of account will record income and expenses separately for each approved area.

Adopted 7/20/11

## RECOGNITION

Reference: MCL 380.634

The purpose of this policy is to permit the Board of Directors to honor the Academy staff, former Board members, and other persons, with plaques, pins, token retirement gifts and awards, and other amenities.

The Board wishes to appropriately recognize and honor various people and groups (e.g., members of the Academy staff, students, volunteers, citizens, and advisory groups) for their contributions to the Academy. Such expenditures require Board approval prior to actual expenditure. The use of public funds for the purchase of a plaque, medal, trophy, or other award for the recognition of an employee, volunteer, or student may not exceed \$25.00 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.

The Board authorizes expenses incurred as listed above only when they serve a public purpose. Public purposes include, but are not limited to, the following: the promotion of education; rapport with the business community; community relations; and the encouragement of non-employees to serve as volunteers.

The funds shall be made available from the General Fund.

Adopted 7/20/11

## **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 Administrator or a supervisor may be subject to disciplinary action up to, and including, termination.

To the extent that an employee's individual contract or collective bargaining agreement provides for greater benefits than those mandated by the FLSA, the contract or bargaining agreement will be honored.

Notwithstanding the fact that exempt school 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, which 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 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.

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 an

improper deduction has been made to his/her salary, the employee should immediately report this information to the Administrator, or his/her immediate supervisor. 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 Web site <[www.dol.gov](http://www.dol.gov)>.

This policy is intended to comply with and explain the employees' rights under the Fair Labor Standards Act. If the policy results in any conflict or exceeds the statutory requirements, the statute and its implementing regulations prevail.

The Board directs the Administrator or his/her designee to distribute this policy to all employees upon initial hire and on an annual basis.

The Administrator is directed to prepare Administrative Guidelines to implement this policy.

Adopted 7/20/11



## SYSTEM OF ACCOUNTING

Reference: MCL 41.422 et seq., 141.421 et seq., 380.503  
AC Rule R340.351 et seq.

The Board of Directors shall establish a chart of accounts, in accordance with the requirements of the State Department of Education, for the accounting of all Academy funds. To protect the financial investment of the Academy against catastrophic loss, the Administrator is responsible for an accounting of all capital assets. Further, the Administrator will establish procedures and regulations necessary to properly account for capital assets, to comply with generally accepted accounting principles (GAAP), and to ensure the School's capital assets are properly insured.

The Administrator shall also be responsible for the proper accounting of all Academy funds. He/She shall ensure expenditures are budgeted under, and charged against, those accounts that most accurately describe the purpose for which such monies are to be spent or have already been spent. Wherever appropriate and practicable, salaries of individual employees, expenditures for single pieces of equipment, and the like shall be prorated under the several accounts that most accurately describe the purposes for which such monies are to be spent or have already been spent.

The Administrator is responsible for implementing procedures and practices to determine the following: capitalization policies for assets (i.e., which assets will be capitalized and depreciated over their estimated useful life versus which assets will be expensed in year of purchase); methods for calculating annual and accumulated depreciation expense for assets (including estimates for asset lives, residual asset values, and depreciation methodology); and procedures for recording gain or loss on sale of capital assets and proceeds from the sale of capital assets, in compliance with GAAP Reporting of estimated cash values or replacement values to Academy insurance providers.

The Administrator shall make a monthly report to the Board on the revenues and expenditures in the General Fund.

The Board's annual financial statements will include information such as the following: beginning and ending balances of capital assets; beginning and ending balances of accumulated depreciation; and total depreciation expense for the fiscal year. These reports shall include the following items: description of significant capital asset activity during the fiscal year (including acquisitions through purchase or donation); sales or dispositions (including the proceeds and gains or losses on the sale); and changes in methods of calculating depreciation expense or accumulated depreciation (such as estimates of useful life, residual values, and depreciation methodology, such as straight line or other method).

Before implementing or changing procedures, the Administrator will review the proposed procedure with the CPA appointed by the Board of Directors to conduct the Board's financial audit. The procedures established shall comply with all statutorily required standards and generally accepted accounting procedures.

Adopted 7/20/11

## PUBLIC DISCLOSURE AND REPORTING

Reference: MCL 4.415, 388.1618, 388.1619, 388.1651a, 15.231 to 15.246, 380.1204a(1)  
20 USC 6311

Within thirty (30) days after the Board of Directors adopts its annual operating budget for the following school fiscal year, or adopts a subsequent revision to that budget, the 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:

- 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
  3. links to all of the following:
    - a. the current collective bargaining agreement for each bargaining unit within the School
    - b. each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the School

- c. the audit report of the audit for the most recent fiscal year for which it is available
- d. the total salary and a description and cost of each fringe benefit included in the compensation package for the Administrator of the Academy and for each employee of the Academy whose salary exceeds \$100,000.00
- e. the annual amount spent on dues paid to associations
- f. the annual amount spent on lobbying or lobbying services

As used in this subdivision, "lobbying" means that term as defined in Section 5 of 1978 PA 472, MCL 4.415.

The Board shall have an audit of the School's financial and pupil accounting records conducted at least annually at the expense of the School.

The School's annual financial audit shall include an analysis of the financial and student accounting data used as the basis for distribution of State school aid. The student accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the State Department of Education.

Not later than 120 days after the end of each school fiscal year, the Academy shall file its annual financial audit report with all appropriate agencies.

The annual financial audit reports and student accounting procedures reports shall be available to the public in compliance with the Freedom of Information Act.

By November 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 School'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 State Department of Education posts this financial information.

By September 30th of each year, the Academy shall file with the State Department of Education 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 State Department of Education 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 the center for educational performance and information (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.

Adopted 7/20/11

7000 **PROPERTY**

<b>7217</b>	<b>Weapons</b>	<b>L</b>
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	BP
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
<b>7434</b>	<b>Use of Tobacco on School Premises</b>	<b>L</b>
7440	Facility Security	BP
7440.01	Video Surveillance and Electronic Monitoring	BP
7450	Property Inventory	BP
7455	Accounting System for Fixed Assets	BP
7460	Conservation of Natural and Material Resources	BP
7510	Use of Academy Facilities	BP
7530	Loan of Academy-Owned Equipment	BP
7530.01V5	Staff Use of Wireless Communication Devices	BP
7530.02	Staff Use of Personal Communication Devices	BP
<b>7540</b>	<b>Computer Technology and Networks</b>	<b>L</b>
7540.01	Technology Privacy	BP
7540.02	School Web Page	BP
<b>7540.03</b>	<b>Student Education Technology Acceptable Use and Safety</b>	<b>L</b>
<b>7540.04</b>	<b>Staff Education Technology Acceptable Use and Safety</b>	<b>L</b>
7540.05	Electronic Mail	
<b>7540.07</b>	<b>Personal Internet Account Privacy—Students</b>	<b>L</b>
<b>7540.08</b>	<b>Personal Internet Account Privacy—Staff</b>	<b>L</b>
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP
<b>7542</b>	<b>Access to Academy Technology Resources from Personal Communication Devices</b>	<b>L</b>
7543	Remote Access to the School's Network	BP
7545	Electronic Communications	BP

Adopted 7/20/11  
Revised 7/17/12; 11/12/12; 7/16/13; 7/21/15

## 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 that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

State law establishes a "Weapon-Free School Zone" that extends 1,000 feet from the boundary of any Academy property.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns, (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

The Administrator shall refer a visitor who violates this policy to law enforcement officials and may take any necessary steps to exclude the visitor from Board property and Board-sponsored events.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel;
- B. items approved by a Administrator 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. firearms that are lawfully stored inside a locked vehicle in school parking areas, if the Academy adopts appropriate safeguards to provide for student safety.

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 Academy property, if s/he is dropping the student off at the school or picking up the child from the school.

- 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 Administrator shall take the necessary steps to prosecute for a violation of the Weapon-Free School Zone.

Adopted 7/20/11

## **GIFTS, GRANTS, AND BEQUESTS**

The Board of Directors is duly appreciative of public interest in and good will toward the Academy, manifested through gifts, grants, and bequests. The Board reserves the right, however, to specify the manner in which gifts are made; to define the type of gift, grant, or bequest it considers appropriate; and to reject those it deems inappropriate or unsuitable. If accepted, the Board will attempt to carry out the wishes of the donor.

All accepted gifts, grants, or bequests shall be acknowledged by the Board.

Gifts, grants, and bequests shall become the property of the Board and will be subject to use by the Academy, as determined by the policies and the administrative guidelines applying to all properties, equipment, materials, and funds owned by the Board.

Before any equipment is purchased by a parent organization for use in the Academy or at a Academy-related event, a written proposal shall be submitted to the Board for approval prior to purchase, so the Board can determine if the Academy would incur any liability by the use of the equipment. The Board reserves the right to not accept such liability and, thus, deny approval of the proposed purchase.

Adopted 7/20/11



## **DISPOSITION OF SURPLUS PROPERTY**

Reference: MCL 380.143, 380.1262

The Board of Directors requires the Administrator 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 Administrator is authorized to dispose of obsolete instructional and other property through sale to the highest bidder, donation to appropriate parties, or proper waste removal. Disposal of surplus property purchased with Federal funds shall be made in accordance with Federal guidelines.

Adopted 7/20/11

## **MAINTENANCE**

Reference: Public Act 225 of 1993

The Board of Directors recognizes that the fixed assets of this Academy represent a significant investment, and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection, maintenance, and rehabilitation for the preservation of the Academy buildings and equipment. Wherever possible and feasible, maintenance shall be preventive.

For implementation by the custodial and maintenance staff, the Administrator shall develop a maintenance program that includes the following:

- A. a regular summer program of repairing and conditioning the facilities;
- B. the maintenance of a critical spare parts inventory;
- C. a long-range plan for equipment replacement;
- D. a long-range plan for building modernization;
- E. repair or replacement of equipment or facilities for energy conservation, safety, and/or other environmental concerns.

The Administrator shall develop and make known to the custodial and maintenance staff whatever guidelines are necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of conditions that threaten the safety of the occupants or the integrity of the plant. Such guidelines are to include provision for Handicapped Parking signs that conform to State law.

Adopted 7/20/11

## **HYGIENIC MANAGEMENT**

Reference: AC Rule R340.1301

The Board of Directors recognizes the health and physical well-being of the students of this Academy depend, in large measure, upon the cleanliness and sanitary management of the Academy.

The Board directs a program of hygienic management be instituted in the Academy and explained annually to all staff members.

The Board shall request each facility be inspected for cleanliness and sanitation by the Administrator.

The Administrator shall prepare procedures for handling and disposing of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomit, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and any other body parts that contact such matter.

The Administrator shall develop and supervise a program for the cleanliness and sanitary management of the Academy's buildings, grounds, and equipment pursuant to law.

The cleanliness of the Academy building shall be the responsibility of the Administrator.

Adopted 7/20/11

## **SAFETY STANDARDS**

Reference: MCL 380.1288  
AC Rule 29.1 et. seq., 340.1301 et. seq.

The Board of Directors believes that the staff 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 the law, the Board will provide reasonable and adequate protection to the lives, safety, and health of its employees.

The Administrator shall be responsible for the maintenance of standards in the facilities to prevent accidents and minimize their consequences. He/She shall designate a staff member to 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 shall take appropriate action on any violations to the Administrator. This staff member shall also have the authority to organize and direct the activities of an Academy Safety Committee.

At the beginning of each school year and as frequently thereafter as deemed necessary by the Administrator, he/she shall check the Academy's playground for safety. A record of each inspection shall be on file in the Academy office.

The Administrator shall assure that the staff members 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 Administrator shall report the results to the Board at the meeting following the receipt of the State report.

Adopted 7/20/11

## USE OF TOBACCO ON ACADEMY PREMISES

Reference: 20 USC § 6083; 20 USC § 7183; MCL 333.12605; MCL 333.12607; SBOE Policy on 24/7 Tobacco-Free Schools

The use of tobacco products of any kind, including but not limited to cigarettes, cigars, pipes, and chewing tobacco, and by any person, is prohibited on Academy property (including grounds, buildings, and vehicles) and during any Academy-sponsored activity or event.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco products on Academy premises (owned or leased), in Academy vehicles, at all Academy sponsored events and in all Academy 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 advertising or promotion is prohibited on signs, clothing (including hats or bags), or sponsorship of Academy events.

The Administrator shall:

- A. Communicate the Academy's Tobacco-Free Policy to students, staff, family members, and visitors, at Academy events, through signage, and in the student code of conduct;
- B. Develop and implement procedures for consistent and fair enforcement;
- C. Develop educational alternatives to suspension;
- D. Treat violators who are students or staff with disciplinary action in the same magnitude and manner as violations of other Academy policies;
- E. Ensure that visitors who violate the policy discontinue using the tobacco product or leave the premises;
- F. Include the expectation that the prohibition will be enforced in contracts with outside groups who use the building; and

- G. Coordinate with local law enforcement agencies on enforcement of the Youth Tobacco Act and the Michigan Penal Code related to tobacco use.

The Academy may provide access to developmentally-appropriate tobacco cessation programs or information about community cessation programs.

Adopted 7/20/11

## **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 Administrator shall develop and supervise a program for the security of the Academy's students, staff, visitors, Academy buildings, Academy grounds, and Academy 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 Academy 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 Administrator is authorized to install metal detectors and video surveillance/electronic monitoring equipment on Academy property in order to protect the health, welfare, and safety of students, staff, visitors and Board property, and other security devices that would assist in the detection of guns and dangerous weapons:

- A. in Academy buildings;
- B. on Academy property;

The Administrator 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 7/20/11

## **VIDEO SURVEILLANCE AND ELECTRONIC MONITORING**

Reference: FERPA, 20 U.S.C. 1232g  
34 C.F.R. 99.1-99.67  
Title I of the Electronic Communication Privacy Act of 1986  
18 U.S.C. 2510-2521

The monitoring of actions and behavior of individuals who come onto Academy property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and Academy and student property. Video surveillance/electronic monitoring systems serve to complement other means being employed in the Academy to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance of the Academy staff assigned by the building principal to monitor and supervise the Academy building. Rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The building principal is responsible for verifying that due diligence is observed in maintaining general campus security.

The Administrator is responsible for approving where and when to install and operate fixed-location video surveillance/electronic monitoring equipment in the Academy. The building principals and administrators responsible for other facilities shall be responsible for recommending use of video surveillance/electronic monitoring. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Video surveillance/electronic monitoring equipment may be placed in common areas in Academy buildings (e.g., Academy hallways, entryways, the front office where students, employees and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries), the school parking lots and other outside areas, and in Academy buses. Except in extraordinary circumstances and with the written authorization of the Administrator, video surveillance/electronic monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g., restrooms, locker rooms, changing areas). The Administrator shall carefully consider and consult with Academy legal counsel before authorizing placement in, private offices (unless there is express consent given by the office occupant), or conference/meeting rooms, or in individual classrooms during instructional times

Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Legible and visible signs shall be placed at the main entrance to buildings and in the areas where video surveillance/electronic monitoring equipment is in use. Signs shall be reasonably designed to notify people that their actions/behavior are being monitored/recorded. Additionally, the Administrator is directed to annually notify parents and students via Academy newsletters and the Student Handbook, and staff via the Staff Handbook, of the use of video surveillance/electronic monitoring systems in their schools.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the Academy and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to Board



policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file.

Ordinarily video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on Academy grounds or property.

The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring.

Recordings of students will be treated as confidential, to the extent allowed by law. Copies of video recordings containing personally identifiable information about students shall not be released except as required or authorized by law. Parents or guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any other students whose images appear on the recording). Likewise, Academy personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recording). Absent a clear legal obligation, confidential recordings will only be released through subpoena or court order.

The Board shall maintain video surveillance/electronic monitoring recordings for a limited period. Any request to view a recording under this policy must be made within thirty (30) days of the event/incident. Unless an investigation is being conducted, recordings shall be destroyed after thirty (30) days. If, however, action is taken by the Board/administration, as a result of a formal complaint or incident, recordings shall be kept for a minimum of one (1) year from the date of the action taken. Recordings may also be kept beyond the normal retention period if they are going to be utilized for training purposes.

This policy does not address or cover instances where Academy officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting), or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

The Administrator is directed to develop administrative guidelines to address the use of video surveillance/electronic monitoring equipment in Academy buildings, Academy buses and on property owned and/or operated by the Board.

Video surveillance is to be implemented in accordance with this policy and the related guidelines. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

Periodically, the Administrator shall conduct a review to verify that this policy and its implementing guidelines are being adhered to, and report to the Board on the use of video surveillance/electronic monitoring equipment in the Academy.

Adopted 7/20/11

## 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 maintain a continuous inventory of all Academy-owned equipment and supplies annually.

For purposes of this policy, *equipment* shall mean a unit of furniture or furnishings; an instrument; a machine; an apparatus; or a set of articles that retains its shape and appearance with use, is nonexpendable, costs at least \$500 to replace, and does not lose its identity when incorporated into a more complex unit.

The duty of the Business Manager 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.

The Business Manager shall maintain a system of property records that show the following, as appropriate to the item recorded:

- A. description and identification;
- B. year of purchase;
- C. initial cost;
- C. location;

Adopted 7/20/11

## ACCOUNTING SYSTEM FOR FIXED ASSETS

The Board of Directors shall maintain an accounting system for fixed assets. The fixed asset system shall maintain sufficient information to permit the preparation of year-end financial statements in accordance with generally-accepted accounting principles;

The Business Manager shall be responsible for the development and maintenance of the fixed-asset accounting system. The Business Manager shall develop procedures to ensure compliance with all fixed-asset policies.

*Fixed assets* are defined as those tangible assets of the Academy with a useful life in excess of one (1) year and an initial cost equal to or exceeding \$5,000. Some items may be identified as "controlled" assets that are to be recorded on the fixed-asset system to maintain control, although they may not meet all fixed-asset criteria.

The following items shall be classified as fixed assets:

- A. land;
- B. building;
- C. improvements other than building;
- D. machinery and equipment;
- E. furniture and fixtures;
- F. vehicles;
- G. plant (aerator);
- H. underground lines;
- I. construction-in-progress;
- J. computers (identified as "controlled" and monitored in the fixed asset management system).

Leased fixed assets and assets jointly owned shall also be identified and recorded on the fixed asset system.

Fixed assets shall be recorded at historical cost or, if that amount is not practicably determinable, at estimated historical cost. The method(s) to be used to estimate historical cost shall be established by the Business Manager.

The purchase of fixed assets, the transfer of fixed assets between buildings, and the disposal of fixed assets shall be initiated by the Business Manager and shall require the prior written approval of the Board. An asset to be disposed of by sale with a current value in excess of \$1,000 shall be sold at auction. An auction shall be held at the discretion of the Board when sufficient assets have accumulated to warrant the cost. The Board shall establish minimum acceptable prices for assets sold at auction.

Depreciation shall be recorded for fund fixed assets, using the method(s) agreed upon by the Administrator and District's auditors.

Accumulated depreciation shall be calculated on a straight line basis and recorded for general fixed assets.

The following information shall be maintained for all fixed assets:

- A. description;
- B. asset classification (land, building, equipment, etc.);
- C. location;
- D. purchase price;
- E. vendor;
- F. date purchased;
- G. voucher number;
- H. estimated useful life;
- I. estimated salvage value;
- J. replacement cost;
- K. accumulated depreciation;
- L. method of acquisition (purchase, trade-in, lease, donated, etc.);
- M. appropriation; and
- N. manner of asset disposal.

Adopted 7/20/11

## **CONSERVATION OF NATURAL AND MATERIAL RESOURCES**

The increasing costs and scarcity of natural energy resources coupled with the mandate to inhibit pollution, necessitates that the Academy implement strategies to conserve all forms of energy used and ensure proper recycling of reusable materials.

The Board of Directors directs the Administrator to develop and implement both immediate and long range plans to meet these concerns. It expects that the administrative guidelines and procedures established will be properly observed by all members of the staff and strongly supported, both in the educational program and in staff interactions with students.

Adopted 7/20/11

## **USE OF ACADEMY FACILITIES**

The Three Lakes Academy Board of Directors has entered into a lease agreement with Portage Township for the use of an existing building located at:

W17540 Main Street  
Curtis, MI 49820

The lease is renewable on or before June 30<sup>th</sup> of each calendar year, commencing on July 1<sup>st</sup>. The lease agreement between Portage Township, and Three Lakes Academy, Lessee, is for the purpose of providing instructional space for the Academy. The Lessee shall not use the Leased Premises for any purpose other than for school purpose without the prior written consent of the Township which consent shall not be unreasonably withheld.

Specific terms of the Lease and a signed agreement are on file in the Administrative Office of the Academy.

Adopted 7/20/11

## **LENDING OF ACADEMY-OWNED EQUIPMENT**

The Board of Directors believes that Academy-owned equipment is a valuable resource that may be loaned for community use under certain conditions only, provided that such use does not infringe on the original and necessary purpose of the equipment or interfere with the educational program of the Academy.

The Board may lend specific items of equipment on the written request of the user and approval granted by the Administrator and only when such equipment is unobtainable elsewhere.

The user of Academy-owned equipment shall be fully liable for any damage or loss occurring to the equipment during its use and shall be responsible for its safe return.

Academy equipment may be removed from Academy property by students or staff members only when such equipment is necessary to accomplish tasks arising from their Academy or job responsibilities. The consent of the Administrator is required for such removal.

Personal use of Academy equipment or facilities by staff or students will be in accordance with the Administrator's administrative guidelines.

Adopted 7/20/11

## **STAFF USE OF WIRELESS COMMUNICATION DEVICES**

The Administrator is authorized to designate those staff members who will be issued a Board-owned WCD and provided with a wireless service plan.

The Board of Directors requires the staff members listed below to be accessible by telephone for Board business and emergencies when and if need arises. 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 may be issued to the Administrator.

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.

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 school-related 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 Administrator's recommendation regarding the type and level of wireless service appropriate for each staff member listed above. In all cases, the Administrator 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 Administrator 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 staff members are expected to use them appropriately and responsibly. Employees are responsible for managing the cost 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.

The Administrator shall develop Administrative Procedures to ensure the proper implementation of this policy. The procedures shall encompass the following:

- A. Employees' responsibilities;
- B. Changing or ending a wireless service contract; and
- C. Safe use of wireless communication devices;
- D. Duty to maintain confidentiality of student personally identifiable information – public and student record requirements;
- E. Privacy issues;
- F. Use of Board-owned WCD's for personal use;
- G. Use of a personal WCD while at work;
- H. Potential disciplinary action/cancellation of Board-owned WCD; and;
- I. Reimbursement for business calls made on personal WCD.

Adopted 7/17/12

## **STAFF USE OF PERSONAL COMMUNICATION DEVICES**

Use of personal communication devices (“PCDs”) has become pervasive in the workplace. 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. Whether the PCD is Board-owned and assigned to a specific employee, or personally-owned by the employee (regardless of whether the Board pays the employee an allowance for his/her use of the device, the Board reimburses the employee on a per use basis for their business-related use of his/her PCD, or the employee receives no remuneration for his/her use of a personally-owned PCD), the employee is responsible for using the device in a safe and appropriate manner.

### Safe and Appropriate Use of Personal Communication Devices, Including Cell Phones

Employees may not use a PCD in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

### 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 PCDs.

Cellular and wireless communications, including calls, text messages, instant messages, and e-mails sent from PCDs, may not be secure. Therefore, employees should use discretion in relaying confidential information, particularly as it relates to students.

Additionally, cellular/wireless communications, including text messages, instant messages and e-mails sent and/or received by a public employee or school official using his/her PCD may constitute public records if the content of the message concerns Academy business, or an education record if the content includes personally identifiable information about a student. Cellular/wireless communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. Cellular/wireless communications that are student records should be maintained pursuant to Policy 8330 – Students Records. Finally, cellular/wireless communications and other electronically stored information (ESI) stored on the staff member's PCD 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 cellular/wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold.

### Privacy Issues

Except in emergency situations or as otherwise authorized by the Administrator or as necessary to fulfill their job responsibilities, employees are prohibited from using PCDs 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 in the school or while attending a school-related activity. 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.

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, classrooms, gymnasiums, 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 Administrator and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

#### Personal Use of PCDs While at Work

During work hours personal communications made or received, regardless of whether on a PCD or a regular telephone or network computer, can interfere with employee productivity and distract others. Employees are expected to use discretion in using PCDs while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, and to inform friends and family members of the Board's policy in this regard.

#### Potential Disciplinary Action

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of a PCD in any manner contrary to local, State or Federal laws may also result in disciplinary action up to and including termination.

Adopted 11/12/12

## COMPUTER TECHNOLOGY AND NETWORKS

The Board of Directors is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of operations within the school system.

However, the use of the Academy's network and technology resources by students is a privilege, not a right. As a prerequisite, students and their parents must sign and submit a *Student Network and Internet Acceptable Use and Safety* form annually. (See also, Policy 7540.03)

The Administrator shall develop and recommend for approval by the Board a written School Technology Plan (STP). Procedures for the proper acquisition of technology shall be set forth in the STP. The STP shall also provide guidance to staff and students about making safe, appropriate and ethical use of the Academy's network(s), as well as inform both staff and students about disciplinary actions that will be taken if Board technology and/or networks are abused in any way or used in an inappropriate, illegal, or unethical manner.

Further safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Academy policy, and learning appropriate responses if they are victims of cyberbullying.

Social media shall be defined as internet-based applications (such as Facebook, My Space, Twitter, etc.) that turn communication into interactive dialogue between users. The Board authorizes the instructional staff to access social media from the Academy's network, provided such access has an educational purpose for which the instructional staff member has the prior approval of the Administrator.

However, personal access and use of social media, blogs, or chat rooms from the Academy's network is expressly prohibited and shall subject students and staff members to discipline in accordance with Board policy.

The Board authorizes the access and use of social media from the Academy's network to increase awareness of Academy programs and activities, as well as to promote achievements of staff and students, provided such access and use is approved in advance by the Administrator.

The Administrator shall review the STP and report any changes, amendments or revisions to the Board annually.

Adopted 7/20/11

## **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 computers, telephone systems, electronic mail (e-mail) systems, and voice mail systems are the Board's property and are to be used solely for business purposes. The Board retains the right to access and review all 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, telephone system, electronic mail system, and voice mail system. Staff members should not expect any information contained on such systems to be confidential or private.

Review of such information may be done by the Board with or without the staff member's knowledge. The use of passwords does not guarantee confidentiality, and the Board retains the right to access information in spite of a password. All passwords or security codes must be registered with the Board. A staff member's refusal to permit such access may be grounds for discipline up to, and including, discharge.

Computers, electronic mail, and voice mail are to be used only for the Academy's business and educational purposes.

Personal messages via Board-owned technology should be limited.

Staff members are prohibited from sending offensive, discriminatory, or harassing messages via Board-owned technology: computer, electronic mail, or voice mail.

The Board requires the proper use of its resources. 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 Board's interests have been compromised. The administrators and supervisory staff members authorized by the Administrator have the authority to search and access information electronically.

All computers and any information or software contained therein are property of the Board. Staff members shall not copy, delete, or remove any information or data contained on the Board-owned computers or servers without the express permission of the Administrator or designee. Further, staff members shall not communicate any such information to unauthorized individuals. In addition, staff members may not copy software from or onto any Board computer and may not bring software from outside sources for use on Board equipment without the prior approval of the Administrator. Such pre-approval will include a review of any copyright infringements or virus problems associated with such outside software.

Adopted 7/20/11

## **ACADEMY WEB PAGE**

The Board of Directors authorizes the creation of Web sites by employees and students of the Academy to be published on the Internet. The creation of Web sites by students must be done under the supervision of a professional staff member. These Web sites must reflect the professional image of the Academy, its employees, and students. The content of all pages shall be consistent with the Board's Mission Statement and subject to prior approval of the Administrator.

The purpose of such Web sites is to educate, inform, and communicate. The following criteria should be used to guide the development of Web sites:

- A. Content should be suitable and usable for students and teachers to support the curriculum and the Board's educational goals and objectives as listed in the Board's Strategic Plan.
- B. Content should inform the community about the Academy, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.
- C. Content should provide an avenue to communicate with the community.

The information contained on the Web site should reflect and support the Board's Mission Statement, Educational Philosophy, and the Academy Improvement Process. When the content includes a photograph or information relating to a student, the Board will abide by the provisions of Policy 8330 - Student Records.

All links included on the pages must also meet the above criteria and comply with State and Federal laws (e.g., copyright laws, Children's Internet Protection Act), ADA, Children's Online privacy Protection Act (COPPA)). Nothing in this paragraph shall prevent the Academy from linking the Board's website to (1) recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites) or (2) to websites that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party websites may contain age appropriate advertisements that are inconsistent with the requirements of Policy 9700.01, AG 9700B, and State and federal Law.

Under no circumstances is a Web site to be used for commercial purposes advertising, political lobbying, or providing financial gains for any individual. Included in this prohibition is the fact no webpages contained on the Academy's website may: (1) include statements or other items that support or oppose a candidate for public office or a ballot proposal, the investigation, prosecution or recall of a public official, or passage of a tax levy or bond issue; (2) link to a website of another organization if the other website includes such a message; (3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization; or communicate a political position or advocate for an issue.

Under no circumstances is a staff member-created webpage/site, including personal webpages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. The Board maintains its own website (e.g., [Progressbook]) that employees are required to use for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal webpages/sites (including, but not limited to, their Facebook or MySpace pages) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

If a staff member creates a webpage/site related to his/her class, it must be hosted on the Board's server.

Such Web sites should address both internal and external audiences who will view the information. Academy Web sites must be located on Board-affiliated servers.

The Board retains all proprietary rights related to the design of Web sites and/or pages hosted on the Board's servers, absent written agreement to the contrary.

Students who want their class work to be displayed on the Board's Web site must have written parental permission and must expressly license the display without cost to the Board. Prior written parental permission is necessary for a student to be identified by name anywhere on the Board's Web site.

The Administrator shall prepare Administrative Guidelines defining the standards permissible for Web site use.

Adopted 7/20/11  
Revised 7/21/15

## **STUDENT EDUCATION TECHNOLOGY ACCEPTABLE USE AND SAFETY**

Reference:: P.L. 106-554, Children's Internet Protection Act of 2000  
P.L. 110-385, Title II, Protecting Children in the 21st Century Act  
18 U.S.C. 1460  
18 U.S.C. 2246  
18 U.S.C. 2256  
20 U.S.C. 6777, 9134 (2003)  
20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965,  
as amended (2003)  
47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)  
47 C.F.R. 54.520

Technology 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 provides Education Technology so that students can 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 to enhance the instruction delivered to its students. The Academy's 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.

This policy and its related administrative guidelines and the Student Code of Conduct govern students' use of the Academy's computers, laptops, tablets, personal communication devices (as defined by Policy 5136), network, and Internet connection and online educational services ("Education Technology" or "Ed-Tech"). The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Education Technology. Users have no right or expectation to privacy when using the Ed-Tech (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity while on the network and Internet).

This policy and its related administrative guidelines and the Student Code of Conduct also govern students' use of their personal communication devices (that is, according to Policy 5136, computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, and any other web-enabled device), when connected to the Academy's network, the Academy's Internet connection, and online educational services ("Education Technology" or "Ed-Tech"). The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Education Technology. Users have no right or expectation to privacy when using the Ed-Tech (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity while on the network and Internet).

First, and foremost, the Board may not be able to technologically limit access to services through its Educational Technology 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 which 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 Administrator, 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 Administrator. The Administrator may temporarily or permanently unblock access to websites or online education services 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/guardians are advised that a determined user may be able to gain access to services 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/guardians may find inappropriate, offensive, objectionable or controversial. Parents/Guardians assume risks by consenting to allow their child to participate in the use of the Internet. Parents/Guardians of minors are responsible for setting and conveying the standards that their children should follow when using Education Technology. The Board supports and respects each family's right to decide whether to apply for independent student access to the Education Technology.

The technology protection measures may not be disabled at any time that students may be using the Education Technology, 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 Administrator 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;

- C. the consequences of unauthorized access (e.g., "hacking") cyberbullying and other unlawful or inappropriate activities by students online.; and
- D. unauthorized disclosure, use, and dissemination of personal information regarding minors.

The Administrator 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 the Internet. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. All Internet users (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.

The Board directs staff members to provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above. Furthermore, staff members will monitor 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 Administrator is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Education Technology. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. All Internet users (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying procedures.

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 and staff members are responsible for good behavior on the Board's computers/network and the Internet just as they are in classrooms, school hallways, and other Academy premises and Academy sponsored events. Communications on the Internet are often public in nature. General Academy rules for behavior and communication apply. The Board does not sanction any use of the Education Technology that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Students shall not access social media for personal use from the Academy's network but shall be permitted to access social media for educational use 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 of the

Board's Education Technology are personally liable, both civilly and criminally, for uses of the Education Technology not authorized by this Board policy and its accompanying procedures.

The Board designates the Administrator as the persons responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to the use of the Academy's Education Technology and the Internet for instructional purposes.

Adopted 7/20/11  
Revised 7/17/12; 7/21/15

## **STAFF EDUCATION 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 C.F.R. 54.520

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Directors provides staff with access to the Internet for limited educational purposes only and utilizes online educational services to enhance the instruction delivered to its students and to facilitate the staff's work. The Academy's 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.

This policy and its related administrative guidelines and any applicable employment contracts and collective bargaining agreements govern the staffs' use of the Academy's computers, laptops, tablets, personal communication devices (as defined by Policy 7530.02), network and Internet connection and online educational services ("Education Technology" or "Ed-Tech"). The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Education Technology. Users have no right or expectation to privacy when using the Ed-Tech Technology. Users have no right or expectation to privacy when using the Ed-Tech (including, but not limited to, privacy in the content of their persona files, e-mails, and records of their online activity while on the network and Internet).

Staff are expected to utilize Education Technology in order 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 the Board's policy on Instructional Materials.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the 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, the Education Technology provides students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, and foremost, the Board may not be able to technologically limit access to services over its Education Technology to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past

when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures, which 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 Administrator the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board 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 Administrator.

The technology protection measures may not be disabled at any time that students may be using the Education Technology, 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 will be subject to disciplinary action, up to and including termination.

The Administrator or Office Secretary may temporarily or permanently unblock access to websites 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 Administrator or Office Secretary may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

The Administrator 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.

The Board directs staff members to participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;

- C. the consequences of unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by students or staff online; and
- D. unauthorized disclosure, use, and dissemination of personal information regarding minors.

Furthermore, the Board directs staff members to provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor online activities while students are at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above.

The disclosure of personally identifiable information about students online is prohibited.

The Administrator 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 Education Technology. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. All Internet users 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 an Academy email address that they are required to utilize for all Academy-related electronic communications, including those to students and their parents and other staff members.

With prior approval from the Administrator or Office Secretary, 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 the Academy's Education Technology just as in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature.

Staff members shall not access social media for personal use on the Academy's network, and shall access social media for educational use only after submitting a plan for that educational use and securing the Administrator's approval of that plan in advance.

General school rules for behavior and communication apply. The Board does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures. Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users of the Academy's technology are personally responsible and liable, both civilly and criminally, for uses of the Education Technology not authorized by this policy and its accompanying procedures.

### Social Media Use

Personal or private use of social media, such as Facebook, Twitter, MySpace, blogs, etc., may result in unintended consequences. While the Board respects employees First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the Academy's Mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes Academy personnel online conduct that occurs off school property, including from the Academy's personal or private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

In addition, Federal and State confidentiality laws forbid schools and 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.

The Board designates the Administrator and Technology Coordinator as the person responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to the use of the Academy's Education Technology.

Adopted 7/20/11

Revised 7/17/12; 7/21/15

## **ELECTRONIC MAIL**

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, as well as any guidelines developed pursuant to it, are not meant to limit or discourage the use of e-mail for conducting the official business of the Academy, but rather, this policy and any corresponding guidelines are intended to establish a framework for the proper use of e-mail as an official business tool.

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 due to concerns for network security, SPAM, or virus protection. 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 shall not send or forward mass e-mails, even if the e-mails concern Academy business, without prior approval of the Administrator.

Academy staff may join list serves or other e-mail services (e.g. RSS feeds) that pertain to their responsibilities in the Academy, provided these list serves or other e-mail services do not exceed the staff member's e-mail storage allotment. Staff members are required 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, 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 (IT staff). Similarly, 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 Administrator.

### 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 should 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, 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. E-mails sent or received using the Academy's e-mail service ( ) are retained ( ) may only be 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.

### Unauthorized E-mail

The Board does not authorize the use of its proprietary computers and 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.

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 7/20/11



## 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 7/16/13

## 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.
  - 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 7/16/13

## **ELECTRONIC DATA PROCESSING/INFORMATION SYSTEM DISASTER RECOVERY PLAN**

The Board of Directors is committed to maintaining and protecting the Academy's Information System. The Board believes that a complete and accurate Information System, including educational, student, fiscal and personnel information, is vital to the Board's ability to deliver uninterrupted educational service to the community it represents. To that end, the School Leader is directed to develop, test, and maintain an *Electronic Data Processing/Information System Disaster Recovery Plan* for use in the event a disaster should disable the Academy's electronic data processing equipment.

The Disaster Recovery Plan may include the following:

- A. a reciprocal agreement with a neighboring school or data acquisition site that outlines the scope and costs of reciprocal services (e.g., access to the computer facility of the other site, computer time, personnel assistance, etc.);
- B. equipment insurance;
- C. a list of the applications used by the Academy;
- D. procedures and personnel used to backup all programs and data on a daily, monthly, quarterly, and year-end basis;
- E. backup storage off-site;
- F. maintenance agreements for hardware and software (including, but not limited to the operating system);
- G. a list of vendor contacts to be called for immediate replacement of disabled equipment or corrupted software;
- H. as a last resort, the emergency procedures to be used to manually create the Academy's payroll checks and budgetary checks and to manually perform other necessary accounting functions.

Adopted 7/20/11

## **ACCESS TO ACADEMY TECHNOLOGY RESOURCES FROM PERSONAL COMMUNICATION DEVICES**

The Board permits employees, students, Board members, guests, as well as contractors, vendors, and agents to use their personal communication devices ("PCDs") to wirelessly access the Academy's technology resources (guest or business networks, servers, projectors, printers, etc.) while they are on-site at any Academy facility. Access to the business/guest network shall require authentication.

For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phone (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, etc.), and/or other web-enabled devices of any type.

If the user wants to access the Academy's technology resources through a hard-wired connection, the user's PCD must first be checked by the Administrator to verify it meets the established standards for equipment used to access the network.

The Technology Coordinator is charged with developing (or, is directed to develop) the necessary standards for connecting PCDs to the Academy's technology resources. The standards shall be available upon request.

The standards shall be designed and enforced to minimize the Board's exposure to damages, including, but not limited to, the loss of sensitive District data, illegal access to confidential data, damage to the Academy's intellectual property, damage to the District's public image, and damage to the Academy's critical internal systems, from unauthorized use.

The use of PCDs must be consistent with the established standards for appropriate use as defined in Policy 7540.03 and AG 7540.03 – Student Network and Internet Acceptable Use and Safety, Policy 7540.04 and AG 7540.04 – Staff Network and Internet Acceptable Use and Safety, Policy 5136 and AG 5136 - Personal Communication Device, Policy 7530.02 - Staff Use of Communication Devices. When an individual connects to and uses the Academy's technology resources, s/he must agree to abide by all applicable policies, administrative procedures and laws (e.g., the user will be presented with a "splash screen" that will set forth the terms and conditions under which s/he will be able to access the Academy's technology resource(s); the user will need to accept the stated terms and conditions before being provided with access to the specified technology resource(s)).

In order to comply with the Children's Internet Protection Act ("CIPA"), the Board has implemented technology protection measures that protect against (e.g., filter or block") access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors. The Board also utilizes software and/or hardware to monitor online activity to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors.

Any user who violates the established standards and/or the Board's Acceptable Use policy, or who accesses the Academy's technology resources without authorization may be prospectively denied access to the Academy's technology resources. If the violation is committed by a contractor, vendor or agent of the Academy, the contract may be subject to cancellation. Further disciplinary action may be taken if the violation is committed by a student or employee.

The owner of a PCD bears all responsibility and assumes all risk of theft, loss, or damage to, or misuse or unauthorized use of the device while it is on Board property. This provision applies to everyone, regardless of their affiliation or connection to the Academy.

Adopted 7/20/11  
Revised 11/12/12



## REMOTE ACCESS TO THE ACADEMY'S NETWORK

Access to the Academy's Website ([www.threelakesacademy@gmail.com](http://www.threelakesacademy@gmail.com)) is encouraged.

The following resources shall be available on the Academy's website:

- A. the Academy's calendar of events
- B. (grade book program)
- C. (required State report)
- D. Board agendas and minutes

The Board encourages employees, parents, students, and community members to check the 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, information shall be provided on the website explaining who is eligible for a user name and password, how to obtain a user name and password, and detailed instructions concerning the login process.

### Access to the Academy Network through Server

Board members, Academy employees, students, well as contractors, vendors, and agents of the Academy, are not 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 or facilities) access the Academy's server and connect to the Academy's Network.

Any exceptions to this policy must be approved in advance, in writing, by the Administrator.

Any employee who violates this policy may be disciplined, up to and including termination; any contractor, vendor or agent who violates this policy may have his/her contract with the Academy terminated; and any student who violates this policy may be disciplined up to and including suspension or expulsion.

Adopted 7/20/11

## **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 during work time shall only be allowed for work-related matters or personal emergencies. Work time is defined as all paid work time that is not a designated break or meal period.
- D. Communications with students are not to occur through electronic methods. This does not apply to students to whom you are related or over whom you have guardianship.
- E. Electronic communications with students are only to occur through Academy maintained e-mail accounts or websites.

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 Administrator.

Adopted 7/20/11

8000 **OPERATIONS**

<b>8120</b>	<b>Iran Economic Sanctions Act Compliance</b>	<b>L</b>
8142	Criminal History Record Check	BP
8210	Academy Calendar	
8220	School Day	
<b>8310</b>	<b>Public Records</b>	<b>L</b>
8315	Information Management	BP
8320	Personnel Files	BP
8321	Criminal Justice Information Security	BP
8330	Student Records	BP
8350	Confidentiality	BP
8351	Breach of Confidential Information	BP
<b>8390</b>	<b>Animals on Academy Property</b>	<b>L</b>
<b>8400</b>	<b>Academy Safety Information</b>	<b>L</b>
<b>8401</b>	<b>Fire Safety and Fire Department Notification</b>	<b>L</b>
8405	Environmental Health and Safety Issues	BP
<b>8405.01</b>	<b>Integrated Pest Management</b>	<b>L</b>
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	BP
<b>8431</b>	<b>Preparedness for Toxic Hazards and Asbestos Hazard</b>	<b>L</b>
8442	Reporting Accidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	BP
8462	Student Abuse and Neglect	BP
<b>8500</b>	<b>Food Services</b>	<b>L*</b>
<b>8510</b>	<b>Wellness</b>	<b>L</b>
8531	Free and Reduced–Priced Meals	BP
8660	Transportation by Private Vehicle	BP
8710	Insurance	BP
8740	Bonding	BP
8760	Student Accident Insurance	BP
<b>8800</b>	<b>Religious/Patriotic Ceremonies and Observances</b>	<b>L</b>

Adopted 7/20/11

Revised 7/17/12; 11/12/12; 7/16/13; 1/21/14; 9/16/14; 7/21/15; 8/18/15

\*This policy is only legally required if the Academy serves food to students and receives direct or indirect federal aid for the program.

## 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:

- 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 1/21/14

## 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").<sup>1</sup> 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 Administrator 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 Administrator may use a report

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<sup>1</sup> Individuals who act on behalf of the Academy, work on a regular or continuous basis in the Academy, are involved in the hiring process of Academy employees, and have successfully undergone a fingerprint-based criminal history record check by the Academy, may continue to submit and receive such criminal history record checks on behalf of the Academy, regardless of their status as employees, contractors, vendors or similar classification.

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.

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

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the Academy in lieu of submitting to a new criminal background check. If this method is used, the Administrator 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 Administrator 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 Administrator 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 Administrator 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 Administrator shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

An applicant must provide, at the Academy's expense, a set of fingerprints, prepared by an entity approved by the Michigan State Police, upon receiving an offer of employment, or as required by State law for continued employment.

Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications. 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 1/21/14  
Revised 9/16/14



## ACADEMY CALENDAR

Reference: MCL 380.1284, 1284(a), 1284(b), 1175, 388.1701  
AC Rule R340.10 et. seq.

The Board shall determine annually the total number of days the Academy will be in session for instructional purposes. For purposes of receiving state school aid, the number of days and hours will be in accordance with Michigan law. The Board shall ensure the Academy is not in session for students before Labor Day.

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 Administrator 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. The board shall adopt annually a five (5) year school calendar that identifies dates for each school year when school will not be in session for at least a winter holiday break and a spring break. The calendar will identify these dates specifically for at least the next five (5) school years.

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<sup>th</sup>, Independence Day; the first Monday in September (Labor Day); the fourth Thursday of November (Thanksgiving Day); and December 25 (Christmas Day).

If any 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 of pupil instruction per school year. If the Academy's school year is scheduled to begin before Labor Day the ISD may provide programs or services according to the Academy's calendar;

- A. If the ISD contracted with the Academy to provide programs or services for pupils of the Academy; or
- B. If the ISD operated a program or service within a building owned by the Academy; and
- C. If the building/program/service is within the ISD's boundaries, or otherwise provided instructional programs or services for pupils of the Academy.

No more than thirty (30) hours of student instruction lost due to conditions not within the control of the Academy such as severe storms, fires, epidemics, and health conditions can be counted as a part of the required minimum hours of instruction. All subsequent hours lost for instruction cannot be counted for state school aid, unless they occur after April 1, are due to unusual and extenuating occurrences resulting from conditions not within the control of the Academy authorities such as those conditions described above and are approved by the State Superintendent of Instruction. Hours lost due to strikes by Academy staff or to teacher conferences shall not be counted as hours of instruction.

The Administrator 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.

### **PUBLIC ACADEMY SCHOOL SERVICES CHECKLIST**

In 2007, the Legislature passed, and the Governor signed, SB 549: a bill to amend the Michigan Revised School Code. That bill, now Public Act 101 of 2007, requires ISDs, in cooperation with their constituent school districts, to adopt a common calendar applicable to all constituent school districts by July 1, 2008. The Act defines a “constituent district” as a “constituent district of the ISD or a public school academy that is located within the bounds of the intermediate school district and that receives services from the intermediate school district.” MCL 380.1284a (emphasis added).

Below is a checklist for the types of services that a Public School Academy (“PSA”) may receive from an intermediate school district (“ISD”). An affirmative answer to any of these questions **may** indicate that the PSA is a “constituent district” for purposes of the common calendar requirement contained in Public Act 101. Further analysis may be required, however, to determine whether the PSA actually does qualify as a “constituent district.”

#### **A. Services Provided by an ISD Under Section 627 of the Revised School Code**

Has the PSA ever received any of the following services or items from an ISD? Please check all that apply.

1. \_\_\_\_\_ Core-curriculum development services
2. \_\_\_\_\_ Core-curriculum evaluation services
3. \_\_\_\_\_ Academy improvement plan preparation services
4. \_\_\_\_\_ ISD dissemination of information concerning Academy improvement plans
5. \_\_\_\_\_ Annual education report preparation services
6. \_\_\_\_\_ Professional development services
7. \_\_\_\_\_ Educational research services
8. \_\_\_\_\_ Compilation of data regarding instructional objectives, instructional resources, pupil demographics, and pupil academic achievement
9. \_\_\_\_\_ Assistance in obtaining accreditation
10. \_\_\_\_\_ General technical assistance
11. \_\_\_\_\_ Data processing services
12. \_\_\_\_\_ Payroll services
13. \_\_\_\_\_ Class scheduling services
14. \_\_\_\_\_ Distance learning services, including coordination and delivery of those services
15. \_\_\_\_\_ Transportation services

#### **B. Services Provided by an ISD Under Section 671 of the Revised School Code**

Has the PSA ever received any of the following services or items *from a regional educational center* operated by an ISD? Please check all that apply.

16. \_\_\_\_\_ Instructional materials
17. \_\_\_\_\_ Duplication services for such items as transparencies, slides, filmstrips, charts, audio tapes, and video tapes

- 18. \_\_\_\_\_ Training services
- 19. \_\_\_\_\_ Coordinated use of instructional materials
- 20. \_\_\_\_\_ Technical and maintenance services
- 21. \_\_\_\_\_ Library services
- 22. \_\_\_\_\_ Central purchasing services
- 23. \_\_\_\_\_ Production services for instructional materials

**C. Other Services that May be Provided by an ISD.**

Has the PSA ever received any of the following services or items from an ISD? Please check all that apply.

- 24. \_\_\_\_\_ Participation in an area career and technical education program operated by an ISD or a local school district
- 25. \_\_\_\_\_ Any comprehensive Academy improvement support services not previously mentioned
- 26. \_\_\_\_\_ Any business services not previously mentioned
- 27. \_\_\_\_\_ Any services from a regional educational media center operated by an ISD not previously mentioned
- 28. \_\_\_\_\_ Special education services
- 29. \_\_\_\_\_ Any other services for which the PSA has paid or contracted

Adopted 7/20/11

## **SCHOOL DAY**

Reference: MCL 380.1284

The Board of Directors authorizes the school day to be arranged and scheduled by the Administrator. It is to offer the maximum education for the time spent within the limitations of School facilities and the laws and regulations of the State.

The Administrator may close the Academy, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. The Administrator shall prepare rules for the proper and timely notification of concerned persons and parents in the event of any emergency closing of the Academy.

The Administrator shall have the authority to determine which Academy-related activities may be conducted if the Academy is closed for a period of time. The Administrator shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and conduct of such activities.

Adopted 7/20/11

## 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 public records of this Academy include any writing or other means of recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the Academy, its Board, officers, or employees, 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 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 chooses not to provide for enhanced access to any of its public records.

The Board has determined that personal and confidential information provided to and retained by the 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 in the performance of his/her official duties any record of this Academy, except student records and certain portions of personnel records.

The Administrator 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.

The Administrator 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 Eastern Upper Peninsula Intermediate School District and the Center for Educational Performance and Information (CEPI).

The Administrator shall establish administrative guidelines to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

Adopted 7/20/11

## 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, labor union, or other person of an intent to file a claim against the Board, its members, employees or agents at an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;
- E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;

- F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation against that third party;
- G. when the Administrator recommends the termination of an employee to the Board pursuant to a labor contract;
- H. when the Board explores, contemplates or initiates litigation.

### **Definitions**

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic media" includes, but is not limited to, hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" – including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the 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 Administrator may initiate a "Litigation Hold" under this policy. If the Administrator initiates a "Litigation Hold," s/he or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Administrator may utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure" outlined in AG 8315.



A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" once the "Litigation Hold" is removed.

The Administrator shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

Adopted 7/20/11

## **PERSONNEL FILES**

The Administrator, as the employer of record for all staff, shall be responsible for establishing and maintaining appropriate personnel files.

Adopted 7/20/11

## **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 have the Michigan State Police (MSP) 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 those contractors who work on a regular and continuous basis in the Academy. To assure the security, confidentiality, and integrity of the CHRI background check information received from the MSP/FBI the following standards are established.

Employees who fail to comply with this policy and any guidelines issued to implement this policy will be subject to discipline for such violations. Discipline will range from counseling and retraining to discharge, based on the nature and severity of the violation. All violations will be recorded in writing, with the corrective action taken. The Administrator shall review, approve, sign and date all such corrective actions.

### Local Agency Security Officer (LASO)

The Administrator shall be designated as the Academy's Security Officer and shall be responsible for overall implementation of this policy and for data and system security. This shall include:

- A. ensuring that personnel security screening procedures are being followed as set forth in this policy;
- B. ensuring that approved and appropriate security measures are in place and working as expected;
- C. supporting policy compliance and instituting the CSA incident response reporting procedures;
- D. ensure the CSA ISO is promptly informed of any security incidents involving the abuse or breach of the system and/or access to criminal justice information;
- E. to the extent applicable, identifying and documenting how Academy equipment is connected to the Michigan State Police system;
- F. to the extent applicable, identify who is using the Michigan State Police approved hardware, software and firmware, and ensuring that no unauthorized individuals have access to these items.

The Academy's LASO shall be designated on the appropriate form as prescribed and maintained by the Michigan State Police.

### Agency User Agreements

The Academy shall enter into any User Agreement required, and future amendments, by the Michigan State Police necessary to access the required CHRI on applicants, volunteers, and all other statutorily required individuals, such as contractors and vendors and their employees assigned to the Academy. The LASO shall be responsible for the Academy's compliance with the terms of any such User Agreement.

### Personnel Security

All individuals that have access to any criminal justice information shall be subject to the following standards.

- A. Background Checks - A Michigan (or state of residency if other than Michigan) and a national fingerprint-based criminal history record check shall be conducted within thirty (30) days of assignment to a position with direct access to criminal justice information or with direct responsibility to configure and maintain computer systems and networks with direct access to criminal justice information.
  1. A felony conviction of any kind will disqualify an individual for access to criminal justice information.
  2. If any other results/records are returned, the individual shall not be granted access until the LASO reviews and determines access is appropriate. This includes, but is not limited to, any record which indicates the individual may be a fugitive or shows arrests without convictions. Such approval shall be recorded in writing, signed, dated and maintained with the individual's file.
  3. Support personnel, contractors and custodial workers with access to physically secure locations or controlled areas (during criminal justice information processing) are subject to the same clearance standards as other individuals with access, unless they are escorted by authorized personnel at all times when in these locations or areas.
- B. Subsequent Arrest/Conviction - If an individual granted access to criminal justice information is subsequently arrested and/or convicted, access shall be suspended immediately until the matter is reviewed by the LASO to determine if continued access is appropriate. Such determination shall be recorded in writing, signed, dated and maintained with the individual's file. In the event that the LASO has the arrest/conviction, the Administrator (if not the designated LASO) shall make the determination.
- C. Public Interest Denial - If the LASO determines that access to criminal justice information by any individual would not be in the public interest, access shall be denied whether that person is seeking access or has previously been granted access. Such decision and reasons shall be in writing, signed, dated and maintained in the individual's file.
- D. Approval for Access - All requests for access to criminal justice information shall be as specified and approved by the LASO. Any such designee must

be an employee of the Academy.

- E. Termination of Employment/Access - Upon termination of employment, all access to criminal justice information shall be terminated for that individual, and steps taken to assure security of such information and any systems at the Academy to access such information.
- F. Transfer/Re-assignment - When an individual who has been granted access to criminal justice information has been transferred or re-assigned to other duties, the LASO determine whether continued access is necessary and appropriate. If not, s/he shall take such steps as necessary to block further access to such information.
- G. Contractors and Vendors<sup>1</sup> - Prior to granting access to criminal justice information to a contractor or vendor, identification must be verified via a Michigan (or state of residency if other than Michigan) or national fingerprint-based criminal history record check. A felony conviction of any kind, as well as any outstanding arrest warrant, will disqualify a contractor or vendor for access to criminal justice information. A contract or vendor with misdemeanor offense(s) may be granted access if the LASO determines the nature or severity of the misdemeanor offense(s) does not warrant disqualifications. If any other results/records are returned, the individual shall not be granted access until the LASO reviews and determines access is appropriate.

### Media Protection

Access to electronic and physical media in all forms, which contains criminal history background information provided by the Michigan State Police through the statutory record check process, is restricted to authorized individuals only. Only individuals involved in the hiring process of Academy employees, including contractors and vendors who act on behalf of, and work on a regular and continuous basis in, the Academy, shall be authorized to access electronic and physical media containing CHRI.

- A. Media Storage and Access – All electronic and physical media shall be stored in a physically secure location or controlled area, such as locked office, locked cabinet or other similarly secure area(s) which can only be accessed by authorized individuals. If such security cannot be reasonably provided, then all electronic CHRI background data shall be encrypted.
- B. Media Transport –Electronic and physical media shall be protected when being transported outside of a controlled area. Only authorized individuals shall transport the media. It shall be directly delivered to the intended person or destination and shall remain in the physical control and custody of the authorized individual at all times during transport. Access shall only be allowed to an authorized individual.

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<sup>1</sup> For purposes of Section 4(G), contractors and vendors are individuals who act on behalf of the Academy, work on a regular or continuous basis in the Academy, and are involved in the hiring process of Academy employees. For example, this might be a third-party provided manager or support staff person working in the personnel department. It does authorize third party contractors or vendors to directly perform the criminal background checks in lieu of the Academy, or to access criminal justice information for the contractor's or vendor's own review.

To the extent possible, electronic media (e.g., hard drives and removable storage devices such as disks, tapes, flash drives and memory cards) shall be either encrypted and/or be password protected during the transport process.

- C. Media Disposal/Sanitization – When the CHRI background check is no longer needed, the media upon which it is stored shall either be destroyed or sanitized. The LASO and the Administrator shall approve in writing the media to be affected. This record shall be maintained by the LASO for a period of at least five (5) years. [Note: the regulations do not specify a specific period for maintaining this information. This time period is suggested as it will likely cover most all statutes of limitation and can be retained in electronic format.]
1. Electronic Media - Sanitization of the media and deletion of the data shall be accomplished by either overwriting at least three (3) times or by degaussing, prior to disposal or reuse of the media. If the media is inoperable or will not be reused, it shall be destroyed by shredding, cutting, or other suitable method to assure that any data will not be retrievable.
  2. Physical Media – Disposal of documents, images or other type of physical record of the criminal history information shall be cross-cut shredded or incinerated. Physical security of the documents and their information shall be maintained during the process by authorized individuals. Documents may not be placed in a waste basket or burn bag for unauthorized individuals to later collect and dispose of.

All disposal/sanitization shall be either conducted or witnessed by authorized personnel to assure that there is no misappropriation of or unauthorized access to the data to be deleted. Written documentation of the steps taken to sanitize or destroy the media shall be maintained for ten (10) years, and must include the date as well as the signatures of the person(s) performing and/or witnessing the process. (See also, AG 8321.)

#### CHRI Background Check Consent and Documentation

All individuals requested to complete a fingerprint-based CHRI background check must have given written consent – properly signed and dated – at time of application and be notified fingerprints will be used to check the criminal history records of the FBI, prior to completing a fingerprint-based CHRI background check. The Livescan form (RI-030) will satisfy this requirement and must be retained. Individuals subject to a fingerprint-based CHRI background check shall be provided the opportunity to complete or challenge the accuracy of the individual's criminal history record.

Some type of documentation identifying the position for which a fingerprint-based CHRI background check has been obtained must be retained for every CHRI background check conducted, such as an offer letter, job posting indicating successful candidate, Board minutes of approved hiring for particular position, etc.

### Controlled Area

All CHRI obtained from the Michigan State Police pursuant to the statutorily required background checks shall be maintained in a controlled area, which shall be a designated office, room, area or lockable storage container. The following security precautions will apply to the controlled area:

- A. Limited unauthorized personnel access to the area during times that criminal justice information is being processed or viewed.
- B. The controlled area shall be locked at all times when not in use or attended by an authorized individual.
- C. Information systems devices (e.g., computer screens) and physical documents, when in use, shall be positioned to prevent unauthorized individuals from being able to access or view them.
- D. Encryption shall be used for electronic storage of criminal justice information. (See AG 8321.)

### Passwords (Standard Authentication)

All authorized individuals with access to computer or systems where processing is conducted or containing criminal justice information must have a unique password to gain access. This password shall not be used for any other account to which the individual has access and shall comply with the following attributes and standards.

- A. at least eight (8) characters long on all systems
- B. not be a proper name or a word found in the dictionary
- C. not be the same as the user identification
- D. not be displayed when entered into the system (must use feature to hide password as typed)
- E. not be transmitted in the clear outside of the secure location used for criminal justice information storage and retrieval
- F. must expire and be changed every ninety (90) days
- G. renewed password cannot be the same as any prior ten (10) passwords used (See also, AG 8321.)

### Security Awareness Training

All individuals who are authorized by the Academy to have access to criminal justice information or to systems which store criminal justice information shall have basic security awareness training within six (6) months of initial assignment/authorization and every two (2) years thereafter. The training shall, to the extent possible, be received through the Michigan State Police or a program approved by the Michigan State Police. At a minimum, the training shall comply with the standards established by U.S. Department of Justice and Federal Bureau of Investigation for Criminal Justice Information Services. (See AG 8321.)

### Secondary Dissemination of Information

If criminal history background information received from the Michigan State Police is released to another authorized agency under the sharing provision designated by The Revised School Code, a log of such releases shall be maintained and kept current indicating:

- A. the date of release;
- B. record disseminated;
- C. method of sharing;
- D. agency personnel that shared the CHRI;
- E. the agency to which the information was released;
- F. whether an authorization was obtained.

A log entry need not be kept if the receiving agency/entity is part of the primary information exchange agreements between the Academy and the Michigan State Police.

If CHRI is received from another Academy, district or outside agency, an Internet Criminal History Access Tool (ICHAT) background check shall be performed to ensure the CHRI is based on personal identifying information, including the individual's name, sex, and date of birth, at a minimum.

### Audit Retention

The Academy shall retain audit records (Position description, consent, and CHRI for both applicants that are hired and those that are not) for at least 365 days. Audit records must continue to be maintained until it is determined they are no longer needed for administrative, legal, audit, or other operational purposes. This includes, for example, retention and availability of audit records subject to Freedom of Information Act (FOIA) requests, subpoena, litigation hold and law enforcement actions.

Adopted 11/12/12  
Revised 9/16/14



## 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 by Board employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. samples of student work
- C. information obtained from professionally acceptable standard instruments of measurement such as:
  - 1. interest inventories and aptitude tests
  - 2. achievement tests
  - 3. standardized intelligence tests
- D. authenticated information provided by a parent or eligible student concerning achievements and other school activities which the parent or student wants to make a part of the record
- E. verified reports of serious or recurrent behavior patterns

- F. 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 Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board. The Board further designates the following individuals as entities as "school officials" for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online Educational Service Providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 CFR 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered an "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 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 Academy officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district 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. 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;
- C. 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 against the student to the authorities and Academy officials for their consideration;
- D. release de-identified records and information in accordance with Federal regulations;
- E. 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;

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.

- F. 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 used to audit or evaluate a federal or state supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)
- G. 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*).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for

the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

#### DIRECTORY INFORMATION

Each year the Administrator shall provide public notice to students and their parents of the Academy's 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. date and place of birth;

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 application/apps that will be utilized by the student educational purposes and for inclusion in internal email address books. Academy-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.

Parents and eligible students may refuse to allow the Academy to disclose any or all of such "directory information" upon written notification to the Academy within seven (7) 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 the right to refuse disclosure of any or all "directory information" including to the armed forces of the United States and the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the high school, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to the Academy Records Officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a time for the access. Requests should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Administrator 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 Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose.)

The 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 nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Administrator 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's policy and administrative guidelines on student records.

The Administrator shall also develop procedural guidelines for the proper storage and retention of records including a list of the type and location of records and informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this 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, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Directors. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Adopted 7/20/11  
Revised 7/17/12; 7/21/15

## **CONFIDENTIALITY**

Reference: Freedom of Information Act 1976, paragraph 15.243 et seq.  
MCL 445.83, 445.84

Neither the Administrator 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 parties authorized in accordance with proper procedures.

When the Academy, in trust from public agency, receives 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.

The Board shall not permit the release of the social security number of an employee, student, or other individual, except as authorized by law (see AG 8350). Access to 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 Administrator is approached to provide information inappropriately, the Administrator shall refuse to release the requested information and shall refer the requestor to the Academy's legal counsel.

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) or by pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Administrator will attempt to notify the sending public agency about the request for release of such information prior to complying with the request.

The Board shall hold the Administrator accountable for any inappropriate release of information or for any uses of confidential information for personal reasons.

Employees who intentionally violate this policy are subject to discipline up to, and including, discharge.

The Administrator shall assure that employees receive a copy of, and have readily available access to, this policy.

Adopted 7/20/11



## **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 Administrator in writing. The Administrator 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 7/20/11

## 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.

### 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., ~~who has a~~ 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 Administrator 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 otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 4120.09.

#### 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 Administrator 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 Administrator 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 Administrator'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 Administrator 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 Administrator an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor, at the student's feet.

Situations that would cause cessation of transportation privileges for the service animal include:

- A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or
- B. the service animal urinates or defecates on the bus.

The student and 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 Administrator.

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 Administrator 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 8/18/15

## ACADEMY SAFETY INFORMATION

Reference: Title IX, Section 9532 of the No Child Left Behind Act of 2001  
MCL 380.1308 and 380.1310a, 771.2a

The Board of Directors is committed to maintaining a safe school 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 school, at a school-sponsored activity or while en route to or from the school or a school-sponsored activity. The Board also believes the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote safety and minimize the likelihood of crime and violence at the Academy.

Michigan law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons, drugs and registered sex offenders. Individuals are prohibited from engaging in these activities at any time on school property, within the Student Safety Zone, or at any school-related event.

The Academy will work with local officials in arranging signage defining the 1,000 foot boundary.

The Administrator shall take the necessary steps so that an individual eighteen (18) years of age or older, who is a registered sex offender and resides, works, or loiters in violation of the Student Safety Zone, is reported to the local authorities.

The Administrator, shall hold a meeting for the purpose of reviewing the provisions of the *School Safety Information Policy Agreement* and making modifications deemed necessary and proper by the participants in the meeting. The agenda will also include discussion of additional training needed and any other such related matters. Participants in this meeting shall include the Administrator, 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 Administrator shall make a report to the Board about this annual review 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 Administrator as the Academy contact person who shall receive information from law enforcement officials, prosecutors and the court officials, and in turn, notify the staff members who need to know the information within twenty-four (24) hours of its receipt.

The Administrator 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*. Reporting such information is subject to Section 444 of subpart 4 of part C of the General Education Provisions Act, Title IV of Public Law 90-247, 20 USC 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

If a student is involved in an incident reported to law enforcement officials, pursuant to the *School Safety Information Policy Agreement*, then, upon request by Academy officials, the

student's parent or legal guardian shall execute any waivers or consents necessary to allow Academy officials access to Academy, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

#### Academy Contact Person

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The Administrator 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 Administrator shall also 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 minimally include crimes involving any of the following:

- A. physical violence;
- B. gang related acts;
- C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;
- D. trespassing;
- E. property crimes, including, but not limited to, theft and vandalism, as well as an estimate of the cost to the Academy that results from the property crime.

Each Administrator shall collect weekly and keep current the information required for the report on incidents of crime, and must provide that information, within seven (7) days, upon request.

#### Law Enforcement Information Network (LEIN)

The Board authorizes the Administrator to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

#### Persistently Dangerous Schools

The Board recognizes the requirement of State and Federal law for the Academy to annually report to the Michigan Department of Education incidents, meeting the statutory definition of violent criminal offenses that occurred in the Academy, on school grounds, on a school conveyance, or at a school-sponsored activity. The State Department of Education will then

use this data to determine if a school is considered “persistently dangerous,” as defined by State policy.

Pursuant to the Board’s stated intent to provide a safe school environment, Academy administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in the Academy exceed the threshold number established in State policy, the Administrator shall discuss this problem 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 to reduce the number of these incidents in the subsequent year.

The Administrator shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the Academy is identified as “persistently dangerous,” students attending the Academy shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Administrator shall

- A. discuss at the annual meeting the Academy’s designation as a “persistently dangerous” school, review the Academy Safety Plan, and suggest a plan of corrective action to be developed and implemented to reduce the number of these incidents in the subsequent year.
- B. convene a meeting of the building administrator, representative(s) of the local law enforcement agencies and any other individuals deemed appropriate for the purpose of developing a plan of corrective action to reduce the number of these incidents in the subsequent year.
- C. If a school in a neighboring Local Educational Agency is identified as “persistently dangerous” and there is not another school in that Local Educational Agency, the Academy will admit students from that school in accordance with Board Policy 5113.02.

#### Victims of Violent Crime

Despite the diligent efforts of the Administrator and staff to provide a safe school environment, the Board recognizes that an individual student may be a victim of a violent crime in the Academy, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law, the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02, if applicable.

Adopted 7/20/11  
Revised 8/18/15



## **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:

- A. The designation of a [staff/ESP staff] member on each shift to be responsible for notifying the local fire department in the event of a fire;
- B. The availability at all times of a non-pay telephone for designated employees to notify the local fire department;
- C. The conspicuous posting of the telephone number of the local fire department near the telephone;
- D. A requirement that notification of the fire department is incorporated into all fire drills.

Adopted 7/20/11

## 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 Administrator 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 an 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.

***Phase-out/Banned Products***

The Administrator 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 Administrator shall develop Administrative Guidelines for properly monitoring factors that contribute to excessive moisture and for developing mitigation plans when, and if, problems with IEQ are identified.

***Diesel Exhaust and School Bus Idling***

In accordance with the Environment Protection Agency's initiative to reduce pollution caused by buses on 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 Administrator 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.

*See also the following related Policies:*

Policy	7430	Safety Standards
Policy	8410	Crisis Intervention
Policy	8420	Emergency Evacuation of Schools
Policy	8431	Preparedness for Toxic Hazard and Asbestos Hazard
Policy	8442	Reporting Accidents
Policy	8450	Control of Casual-Contact Communicable Diseases
Policy	8453	Direct Contact Communicable Diseases
Policy	8453.01	Control of Blood-Borne Pathogens

Adopted 7/20/11

Revised 1/21/14

## 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 Academy 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:

- A. Site evaluation, including site description, inspection, and monitoring and the concept of threshold levels;
- B. Consideration of the relationship between pest biology and pest management methods;
- C. Consideration of all available pest management methods, including population reduction techniques, such as mechanical, biological, and chemical techniques and pest prevention techniques, such as habitat modification;
- D. Pest controls methods selection, including consideration of the impact on human health, especially for children, and the environment; and
- E. Continued evaluation of the integrated pest management program.

The Administrator 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.

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 Administrator 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 Administrator will report to the Academy Board on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Administrator is responsible to develop guidelines for the implementation of this policy.

Adopted 7/20/11

## **CRISIS INTERVENTION**

The Board of Directors believes the Academy's employees, students, and visitors are entitled to function in a safe environment. In this regard, the Board has adopted policies that relate to conduct in the Academy setting and address various crisis situations.

The Administrator shall develop Administrative Guidelines for responding to a crisis situation, developing a prevention plan, and providing effective intervention for students who may show signs warning of potentially violent or other troubling behaviors.

Adopted 7/20/11

## 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 1<sup>st</sup> 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 1<sup>st</sup> of the school year, and at least one (1) shall be conducted after January 1<sup>st</sup> 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 Administrator shall seek input from local public safety officials on the nature of the drills to be conducted under this subsection.



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 15<sup>th</sup> of each school year, the Administrator 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 Administrator shall notify the county emergency management coordinator of the rescheduled date for the drill.

C. Drill Result Publication

1. The Administrator 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 Administrator 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 Administrator.

D. Cardiac Emergency Response Plan

1. Use and regular maintenance of the automated external defibrillators, if available.

2. Activation of a cardiac emergency response team during an identified cardiac emergency.
3. A plan for effective and efficient communication throughout the school campus.
4. If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.
5. Incorporation and integration of the local emergency response system and emergency response agencies with the school's plan.
6. An annual review and evaluation of the cardiac emergency response plan.

Adopted 7/20/11  
Revised 9/16/14

# 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 School Hazard Abatement Act of 1984  
Asbestos School Hazard Abatement Reauthorization Act of 1990

The Board of Directors is concerned for the safety of the students and staff members and will comply with all Federal and State statutes and regulations concerning hazards resulting from industrial accidents beyond the control of Academy officials and/or from the presence of asbestos materials used in previous construction.

## ***Toxic Hazards***

These hazards exist in chemicals, pesticides, and other substances used in Academy settings such as laboratories, science classrooms, and kitchens. Such toxins are also found in the cleaning supplies for the Academy's rooms and equipment. The Administrator will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will be responsible for the following:

### *Hazard Determination*

Identifying 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 Administrator 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 making certain 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 at the main office, with additional copies for employees' use will be located at the main office.

MSDSs will be available for review by all employees. Copies will be available upon request of the Toxic Hazard Preparedness Officer. Posters will be displayed, identifying the person responsible for monitoring MSDSs and where MSDSs are located at the main office. When new MSDs are received, notification posters for employees will be displayed in the same location.

The Toxic Hazard Preparedness Office shall contact the supplier, in writing, if a required MSDS is not received and shall promptly procure the MSDS before releasing the material for use.

If he/she is unable to obtain an MSDS from a supplier, he/she should contact MIOSHA's Occupational Health Division (OHD) or General Industry Safety Division for assistance in obtaining the MSDS.

### ***Multi-Employer Work Sites – Informing Contractors***

Informing contractors and their employees of any hazardous substances to which they may be exposed; determining measures to be employed to control or eliminate exposure; labeling system for container and pipes used onsite; and informing staff 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 to the chemicals brought on-site, and the measures that should be taken to control or eliminate exposure the chemicals.

### ***Employee Information and Training***

Providing information and conducting a training program for all Academy employees on topics such 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 and labeling. Information given to employees shall include the following:

- A. regulations of MIOSHA's hazardous communication standard;
- B. all operations in the employee's work area in which hazardous chemicals are present;
- C. location and availability of written hazardous communication policy and program, with the list of hazardous chemicals and the MSDSs in the Academy.

Employee training should include the following:

- A. techniques used to detect the presence or release of hazardous chemicals in a work area;
- B. physical and health hazards of hazardous chemicals;
- C. measures the employees should take to protect themselves from these hazards;
- D. details of the hazardous communication program including an explanation of the 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 the Michigan Department of Industry and Consumer Services, Bureau of Safety Regulation and Occupational Health for assistance in obtaining an MSDS if he/she 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 with which they may potentially have contact as part of their job.

***Hazardous non-routine tasks (optional) –***

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, including specific chemical hazards, the procedures for protection or safety to lessen the hazard, and measures the company has taken to eliminate or control the hazard.

Any staff member or contractor who applies pesticides on Academy property shall meet the requirements of AG 8413A, in addition to requirements established by the State. He/She shall provide written notification each year, prior to any application, to all parents and staff members regarding the pesticide to be applied; the type of pesticide; its potential side effects; the location of the application; and the scheduled date of the application.

**END OF OPTION**

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

At its discretion, the Board may appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

***Asbestos***

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA) and the Michigan Occupational Safety and Health Act (MIOSHA), the Board recognized its responsibility to:

- A. inspect the building for the existence of asbestos or materials containing asbestos;
- 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 materials containing asbestos.

The Administrator shall appoint a person to develop and implement the Academy's Asbestos-Management Program to ensure proper compliance with Federal and State laws and 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.

When conducting asbestos abatement projects, the Administrator shall also ensure 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 may be a consequence of an accident, an equipment failure, a negligent act, or a deliberate act beyond the control of the Board or its officers and employees.

However, the Board may provide legal representation and indemnification against civil liability regarding claims or actions resulting from, or arising out of, negligence (or alleged negligence) of persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos or supervising these activities -- provided the employee was performing the duties while in the course of his/her employment or while acting within the scope of his/her authority. The Board reserves the right to deny representation and indemnification in those circumstances wherein the employee's actions demonstrate gross negligence or willful and wanton misconduct.

This policy may apply to work performed by authorized employees prior to the date of its adoption.

Adopted 7/20/11

## **CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES**

Reference: MCL 380.1169

The Board of Directors recognizes control of communicable diseases spread through casual contact is essential to the well-being of the community and the efficient operation of the Academy.

For purposes of this policy, *casual-contact communicable disease* shall include the following:

- A. diphtheria;
- B. scarlet fever and other strep infections;
- C. whooping cough;
- D. mumps;
- E. measles;
- F. rubella;
- G. and others diseases designated by the Michigan Department of Community Health.

To protect the health and safety of students, Administrator personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations pertaining to immunization and other means for controlling casual contact communicable diseases spread through normal interaction (casual contact) in the Academy setting.

If a student exhibits symptoms of a communicable disease, the Administrator will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

The Administrator shall develop Administrative Guidelines for the control of casual-contact communicable diseases to provide for the following:

- A. instruction of professional staff members about the detection of these common diseases and the measures to be taken for their prevention and control;
- B. removal of students from Academy property and into the care of a responsible parent;
- C. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. submission of reports, as required by statute State Department of Education and the State Department of Community Health.

Adopted 7/20/11

## **PEDICULOSIS (HEAD LICE)**

Whenever a student is found to be infested with head lice, he/she shall be sent home immediately for treatment and shall not be readmitted until the parent completes form 8450A F3 and confirmation has been made by the Academy that the child is free of nits.

The necessary treatment is contained in Form 8450A F1 which is to be sent to the parent along with the cover letter (Form A F2).

The other students in the infested student's classroom and the student's sibling(s) should be examined for evidence of either lice or lice eggs (nits). The examinations should be done by one or more of the following:

- A. each student's parents;
- B. the classroom teacher;
- C. the Academy secretary;
- D. the Administrator.

Adopted 7/20/11



## DIRECT-CONTACT COMMUNICABLE DISEASES

Reference: MCL 380.1169

The Board of Directors directs the Administrator to provide a safe, healthy environment for students and staff. This can best be accomplished when all persons within the Academy community understand the method of transmission and prevention of diseases not contracted through air-borne pathogens, but rather through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board also assures the confidential status of individuals who may be diagnosed with a blood-borne communicable disease.

For purposes of this policy, these *direct-contact communicable diseases* shall include the following: HIV (human immunodeficiency virus); AIDS (acquired immune deficiency syndrome); AIDS-related complex (condition); HAV, HBV, HCV (Hepatitis A, B, C); and other diseases specified by the Michigan Department of Community Health as contact communicable diseases.

The Administrator recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware they have the disease. However, these individuals are able to transmit the disease to other individuals.

With this in mind, the Board of Directors directs the Administrator to develop educational programs for students and staff about the manner in which these diseases may be prevented and the manner in which they are transmitted. These programs should specify risk factors involved and ways to deal with those risks and should emphasize that these diseases are preventable if basic precautions are taken.

The Board of Directors directs the Administrator to assure that any students or staff members who reveal the fact that they have contracted one of these diseases will have their status safeguarded in accordance with Federal and State statutes dealing with confidentiality, and that their civil rights will be respected. Staff members will have access to leave policies in accordance with Administrative Guidelines and opportunities for reasonable accommodation, as described by the Americans with Disabilities Act. Should a student be unable to attend school as a result of illness, an alternative education program shall be provided, in accordance with the Board's policy and Administrative Guidelines dealing with Homebound Instruction.

Additionally, the Board directs the Administrator to develop an educational program in accordance with Michigan law to ensure proper instruction by guidance counselors, nurses (need not be included if the nurse is licensed), teachers, and/or other Academy personnel who teach students about HIV and AIDS. Such an educational program shall include information about the following:

- A. the nature of the disease;
- B. its causes and effects;

- C. the means of detecting its presence and preventing its transmission;
- D. the availability of appropriate sources of counseling and referral; and
- E. any other appropriate information, considering the age and grade levels of students.

The Administrator shall develop Administrative Guidelines that establish procedures to fulfill the intent of this policy.

Adopted 7/20/11

## **CONTROL OF BLOOD-BORNE PATHOGENS**

Reference: 29 CRF 1910.1030

The Board of Directors directs the Administrator to protect staff members who may be exposed to blood-borne pathogens and other potentially infectious materials in their performance of assigned duties.

The Administrator shall implement Administrative Guidelines that will do the following:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for reporting, evaluating, and following-up any and all incidents of exposure;
- E. provide for record-keeping of all of the above that complies with both Federal and State laws;
- F. develop an exposure control plan.

Adopted 7/20/11

## **STUDENT ABUSE AND NEGLECT**

Reference: MCL 722.621 et. seq.

The Board of Directors is concerned with the physical and mental well-being of the students in this Academy and will cooperate in identifying and reporting cases of child abuse or neglect, in accordance with law.

Any staff with reasonable cause to suspect child abuse or neglect shall be responsible for immediately reporting every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The employee shall immediately call the local office of the Department of Human Services. He/She shall also notify the appropriate administrator, according to the Academy's Reporting Procedure for Student Abuse or Neglect.

The identity of the reporting person shall be confidential, subject to disclosure only by consent or court order. A reporting employee shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the Academy is a violation of law and subjects the disseminator to civil liability for any resulting damages.

The Administrator should be mindful of the possibility of physical or mental abuse inflicted on a student by a staff member. Any such instances, whether real or alleged, should be handled in accordance with the Administrative Guidelines established by the Administrator.

Adopted 7/20/11

## FOOD SERVICES

Reference: 7 CFR 210, 215, 220, 240

The Board of Directors may provide food service for the purchase and consumption of lunch for all students.

The Board may also provide a breakfast program in accordance with procedures established by the State Department of Education.

The provided 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 Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, and to the fiscal management of the program. Operation of such a program shall be as follows.

Substitutions to the standard meal requirements shall be made, at no additional charge, for students who are certified by a licensed physician to have a disability which restricts his/her diet, in accordance with the criteria set forth in 7 CFR 15(b)(3). To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- A. an explanation of why the disability affects the students diet; and
- C. the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

On a case by case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who are not "disabled persons", but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet; and
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.

For non-disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent or guardian is required.

Lunches sold by the Academy may be purchased by students, staff members, and volunteers in accordance with the Administrative Guidelines established by the Administrator.

The operation and supervision of the food-service program shall be the responsibility of the Food Service Manager. 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 Business Manager and such accounts shall be audited as part of the Academy's annual audit.

The Administrator shall establish Administrative Guidelines for the conduct of the Academy lunch program that shall provide for the following:

- A. the maintenance of sanitary, neat premises, free from fire and health hazards;
- B. the preparation and consumption of food;
- C. the purchase of foods and supplies, in accordance with law;
- D. complying with food holds and recalls in accordance with USDA regulations;
- E. the management (accounting and deposition) of food-service funds;
- F. the safety and safekeeping (storage) of food and food equipment.
- G. safety of students with allergies;

No foods or beverages, other than those associated with the Academy's food-service program, are to be sold during food-service hours. The Academy shall serve only nutritious food as determined by the Food Service Program in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food-service program must comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may be vended in accordance with Board Policy 8540.

Adopted 7/20/11  
Revised 7/21/15

## 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 Administrator as the individual(s) charged with operational responsibility for verifying that the Academy meets the goals established in this policy.

The Administrator shall appoint an Academy wellness committee that includes parents, students, representatives of the Academy food authority, educational staff (including physical education teachers), 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.

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 Administrator any revisions to the policy it deems necessary.

The Administrator 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 Administrator 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 Administrator shall include and post the policy on the Academy's website, including the Wellness Committee's assessment of the implementation of the policy.

Adopted 7/20/11  
Revised 7/21/15



## **SPECIFIC GOALS FOR NUTRITION**

Select one or more of the following:

- A. Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
- B. Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.
- C. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.
- D. The Academy shall provide information to parents that is designed to encourage them to reinforce at home the standards and benchmarks being taught in the classroom.

Adopted 7/21/15

## **SPECIFIC GOALS FOR PHYSICAL ACTIVITY**

It is recommended that one (1) or more of the following be selected from both categories:

### Physical Education

- A. All students in grades K-7, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for thirty (30) minutes 1-3 days per week for the entire school year.
- B. Planned instruction in physical education shall require students to be engaged in moderate to vigorous physical activity for at least fifty percent (50%) of scheduled class time.
- C. Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
- D. Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- E. Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, or harassment of any kind.
- F. Planned instruction in physical education shall include cooperative as well as competitive games.
- G. Planned instruction in physical education shall take into account gender and cultural differences.

### Physical Activity

- A. Physical activity should not be employed as a form of discipline or punishment.
- B. The Academy shall encourage families and community organizations to institute programs that support physical activity of all sorts.

Adopted 7/21/15

## **SPECIFIC GOALS FOR OTHER ACADEMY-BASED ACTIVITIES DESIGNED TO PROMOTE STUDENT WELLNESS**

- A. The schools shall provide at least twenty (20) minutes daily for students to eat.
- B. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
- C. The Academy shall provide attractive, clean environments in which the students eat.
- D. Students at Three Lakes Academy are permitted to have bottled water only in the classroom.
- E. Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
- F. The schools may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
- G. The schools may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the Academy dining areas.
- H. Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.

Adopted 7/21/15

## **SPECIFIC GOALS FOR NUTRITION PROMOTION**

- A. With regard to nutrition promotion, the Academy shall:
  - 1. encourage students to increase their consumption of healthful foods during the school day;
  - 2. 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. a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy;
    - b. whole grain products - half of all grains need to be whole grain-rich upon initial implementation and all grains must be whole grain-rich within two (2) years of implementation;
    - c. require students to select a fruit or vegetable as part of a complete reimbursable meal;
- C. The Academy nutrition department will promote and encourage Farm to School efforts in order to provide the healthy foods identified above.
- D. Promotions/Partnerships:
  - 1. Through partnership with 100 Mile Club each school has the opportunity to earn rewards for miles collected.

Adopted 7/21/15

## **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. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- F. The school food service program may involve
  - 1. students,
  - 2. parents,
  - 3. staff,

4. school officials

in the selection of competitive food items to be sold in the schools.

- G. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.

Adopted 7/21/15

## **FREE AND REDUCED-PRICED MEALS**

Reference: 380.1272 et seq.  
42 USC 1751 et seq.  
42 USC 1771 et seq.

The Board of Directors recognizes the importance of good nutrition to each student's educational performance. The Board [shall/may] provide eligible students with breakfast and lunch at a reduced rate or at no charge to the student. A student's eligibility for free or reduced-price meals shall be determined by the criteria established by the Child Nutrition Program. These criteria are issued annually by the Federal government through the MDE.

The Board designates the Administrator to determine in accordance with Board standards, the eligibility of students for free and/or reduced-price meals. The Academy shall annually notify all families of the availability, eligibility requirements, and/or application procedure for free and reduced-price meals by distributing an application to the family of each student enrolled in the Academy and [shall/may] seek out and apply for such Federal, State, and local funds as may be applied to the Academy's program of free and reduced-price meals.

Adopted 7/20/11

## **TRANSPORTATION BY PRIVATE VEHICLE**

Reference: AC Rule 340.279, 340.282

The Board of Directors authorizes the transportation, by private vehicle, of students of the Academy.

Any such transportation must be approved in advance and in writing by the Administrator, in accordance with the Academy's Administrative Guidelines.

On request, the parent of the participating student will be given the name of the driver and the description of the vehicle.

No person shall be approved for the transportation of students in a private vehicle who is not

- A. an employee of this Board or the Administrator;
- B. an approved volunteer;
- C. the parent of a student enrolled in this Academy.

The driver must hold a current, valid license to operate a motor vehicle in the State of Michigan and must have automobile liability and personal injury insurance in the amount required by Academy's Administrative Guidelines. The Administrator may withdraw the authorization of any private vehicle driver whose insurance is not adequate.

Any private vehicle used for the transportation of students must be owned by the approved driver or the spouse of the approved driver and must conform to registration requirements of the State.

The responsibility of professional staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not staff members are requested to report student misconduct to the Administrator.

Adopted 7/20/11



## INSURANCE

Reference: MCL 129.51, 380.124, 380.1269, 380.1332

The Board of Directors shall purchase with Academy funds the type and amount of insurance necessary to protect the Academy from major financial losses.

Insurance purchased shall include, but need not be limited to, the following:

- A. negligent acts or omissions that cause personal injury or wrongful death;
- B. fire and extended coverage on buildings and contents;
- C. comprehensive bodily injury, property damage on automobiles, buses, and trucks;
- D. boiler and machinery;
- E. special coverage for equipment not ordinarily covered under a standard policy;
- F. employee insurance coverage as specified or by Board action;
- G. worker's compensation coverage;
- H. legal liability for Board members and employees.

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming service and company reliability are satisfactory. The Administrator shall administer the insurance program.

Adopted 7/20/11

## **BONDING**

Reference: MCL 380.85, 380.124, 380.243, 380.317

The Board of Directors recognizes that prudent trusteeship of the resources of this Academy dictates that Academy employees be bonded, if they are responsible for the safekeeping of Academy monies and property.

The Academy shall be indemnified against loss of money and property by bonding Academy employees who hold the responsible positions. The amounts of the bonds shall be determined by the Board, in accordance with State law.

The Academy shall bear the cost of bonding each employee required to be bonded by this policy.

Adopted 7/20/11

## **STUDENT ACCIDENT INSURANCE**

Reference: MCL 1522

The Board of Directors recognizes the need for insurance coverage for injuries to students caused by accidents that occur while students are in the educational, athletic, and co-curricular programs of the Academy. Therefore, at the beginning of each school year, the Board shall offer parents the opportunity to participate in group accident insurance for students, at the expense of the parents.

A signed statement of insurance coverage on the part of the student's parent/guardian shall be a prerequisite for student registration in any Academy activity having a potential for personal injury.

The Administrator may recommend suitable and qualified insurance carriers and notify all parents of their availability.

Adopted 7/20/11

## 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 Academy property by any party shall be prohibited in accordance with Policy and Administrative Guidelines 7510 - Use of Academy 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 conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any Academy-sponsored event.

The United States Flag and Pledge of Allegiance

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.

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 7/20/11  
Revised 7/16/13

## **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 School Leader 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;

- 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 School Leader 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: 9/18/2012

9000 **RELATIONS**

9111	Telephone Communications	BP
9120	School Information Program	BP
9130	Public Complaints	BP
9150	Academy Visitors	BP
9160	Public Attendance at Academy Events	BP
9211	Academy Support Organizations	BP
<b>9250</b>	<b>Parent/Guardian Review of Instructional Materials and Observation of Instructional Activities</b>	<b>L</b>
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP
9700	Relations with Special Interest Groups	BP
9700.01	Advertising and Commercial Activities	Bp
9710	Volunteers	BP

Adopted 7/20/11

Revised 2/21/12; 7/17/12; 1/21/14; 7/21/15



## **TELEPHONE COMMUNICATIONS**

The Board of Directors is vitally interested in maintaining effective communication with parents, members of the community, vendors, and others who have dealings with the Academy. The Board realizes that, although advances in technology provide the possibility of enhancing communications, some innovations can also inhibit effective contact between the public and Academy personnel.

The Board directs incoming calls during regular school hours to be answered by an Academy staff member or volunteer, not by a computer-generated voice to ensure that each caller's concern is handled in an expeditious, personal manner.

Under certain rare circumstances, if it is not possible for a staff member or volunteer to be available to answer a telephone call to a main office number, a computer message may be substituted, provided the message tells the caller how to contact an Academy staff member who will personally respond to the caller's need.

Telephone calls to extension numbers within the Academy may be answered by voice mail provided the caller is offered the alternative of dialing "0" and talking to a staff member or volunteer.

Under no circumstances is the telephone system to operate in such a way that a caller is unable to talk directly to someone who can assist the caller. In cases of emergency, lack of effective telephone contact could be critical.

Adopted 7/20/11

## **ACADEMY INFORMATION PROGRAM**

The Board of Directors directs the Administrator to employ reasonable means to keep parents and other interested parties informed on matters of importance regarding Academy policies, finances, programs, personnel, and operations. The Administrator shall develop Administrative Guidelines for this purpose.

Adopted 7/20/11

## **PUBLIC COMPLAINTS**

Reference: 20 USC 1232 (h)

Any person or group having a legitimate interest in the operations of this Academy shall have the right to present a request, suggestion, or complaint concerning staff, the curriculum, or operations of the Academy. At the same time, the Board of Directors has a duty to protect staff from unnecessary harassment. The purpose of this policy is to provide the means for judging each public complaint in a fair, impartial manner and to seek a remedy, when appropriate.

The Board desires to rectify any misunderstandings between the public and the Academy by direct, informal discussions among the interested parties. More formal procedures shall be employed only when such informal meetings fail to resolve the differences.

Any requests, suggestions, or complaints reaching the Board, Board members, and/or the administration shall be referred to the Administrator or the Board for consideration, according to the procedures detailed below.

### ***Matters Regarding a Staff Member***

#### **First Step**

The complainant must first address the matter to the staff member, who shall discuss it promptly with the complainant and shall make every effort to provide a reasoned explanation or take appropriate action within his/her authority and Administrative Guidelines.

This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by Academy officials.

As appropriate, the staff member shall report the complaint to the Administrator and explain whatever action may have been taken.

#### **Second Step**

If the complaint cannot be satisfactorily resolved, the complainant shall discuss it with the staff member's supervisor and/or Administrator.

#### **Third Step**

If a satisfactory solution is not achieved by discussion with the Administrator, the complainant may submit a written request for a conference to the Administrator. This request should include the following:

- A. the specific nature of the complaint and a brief statement of the factors giving rise to it;
- B. the manner in which the complainant (or child of the complainant) alleges he/she has been affected adversely;
- C. the reason(s) the matter could not be resolved in discussions with the Administrator;

- D. the relief sought by the complainant and the reasons such relief is needed.

Should the matter be resolved in conference with the Administrator, the Board shall be advised of the matter and its resolution.

#### Fourth Step

If the matter is still unresolved or still requires a Board decision or action, the complainant shall request, in writing, a hearing by the Board.

After reviewing all material relating to the case, the Board may provide the complainant with its written decision grant a hearing before the Board or a committee of the Board.

The complainant shall be advised, in writing, of the Board's decision no more than ten (10) business days following the Board's decision or action. The Board's decision will be final on the matter, and the Board will not provide a meeting to other complainants on the same issue.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that he/she has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy.

#### ***Matters Regarding the Administrator***

##### First Step

The complainant must first address the matter to the Administrator, who shall discuss it promptly with the complainant and shall make every effort to provide a reasoned explanation or take appropriate action within her/his authority and the Academy's Administrative Guidelines.

##### Second Step

If the complaint regarding the Administrator cannot be resolved through discussion, the complainant may submit a written request to the Board for a conference. This request should include the following:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the manner in which the complainant (or child of the complainant) alleges he/she has been affected adversely;
- C. the reason(s) the matter was not able to be resolved with the Administrator;
- D. the relief sought by the complainant and the reasons such relief is needed.

The complainant shall be advised, in writing, of the Board's decision within ten (10) business days. The Board's decision will be final and not subject to appeal.

***Matters Regarding the Educational Program, Services, or Operations***

If the request, suggestion, complaint, or grievance relates to a matter of educational program, services, or operations, it should first be addressed to the Administrator. Should the matter still not be resolved, or if it is one beyond the Administrator's authority and requires a Board decision or action, the complainant shall request, in writing, a hearing by the Board.

After reviewing all material relating to the case, the Board may provide the complainant with its written decision grant a hearing, before the Board or a committee of the Board.

The complainant shall be advised, in writing, of the Board's decision no more than ten (10) business days following the next regular meeting. The Board's decision will be final on the matter, and the Board will not provide a meeting to other complainants on the same issue.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that s/he has no authority to act as an individual member of the Board and that the complainant must follow the procedure described in this policy

***Matters Regarding Instructional Materials***

The Administrator shall prepare Administrative Guidelines to ensure students and parents are adequately informed each year regarding their right to inspect instructional materials and regarding the procedure for completing such an inspection per Policy 2210.01.

If the request, suggestion, complaint, or grievance relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the Academy, the following procedure shall be followed:

- A. The criticism is to be addressed to the Administrator, in writing, and shall include:
  1. author;
  2. title;
  3. publisher;
  4. the complainant's familiarity with the material;
  5. sections objected to, by page and item;
  6. reasons for each objection.
  
- B. Upon receipt of the information, the Administrator shall appoint a review committee, consisting of any/all of the following:
  1. one (1) or more professional staff members;
  2. one (1) or more Board member;
  3. one (1) or more lay persons knowledgeable in the area;
  4. The Administrator (as an ex official member of the committee).

- C. In evaluating the questioned material, the committee shall be guided by the following criteria:
1. the appropriateness of the material for the age and maturity level of the students with whom it is being used;
  2. the accuracy of the material;
  3. the objectivity of the material;
  4. the instructional use being made of the material.

The material in question may be withdrawn from use, pending the committee's recommendation to the Administrator.

The committee's recommendation shall be reported to the Administrator, in writing, within thirty (30) business days following the formation of the committee. The Administrator will advise the complainant, in writing, of the committee's recommendation and will advise the Board of the action taken or recommended.

Within thirty (30) business days, the complainant may appeal this decision to the Board, through a written request. The Administrator shall forward to the Board all written material relating to the matter.

The Board shall review the case and advise the complainant, in writing, of its decision within ten (10) business days.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

Adopted 7/20/11

## **ACADEMY VISITORS**

The Board of Directors welcomes and encourages visits to school by parents, other adult residents of the community and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to establish visitor guidelines.

The Administrator 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 Administrator 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 Administrator. 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.

Non-staff access to students and classes must be limited and only in accordance with a schedule which has been determined by the Administrator after consultation with the teacher whose classroom is being visited. Classroom visitations must be non-obtrusive to the educative process and learning environment and should not occur on an excessive basis.

Parent concerns about any aspect of his/her child's educational program should be presented through the procedure set forth in Board Policy 9130 - Public Complaints, a copy of which is available at the Board office and at each school.

Except as set forth in Academy policy, canines brought on the premises by law enforcement personnel for law enforcement purposes, or in the case of "service animals" required for use by a person with a disability.

The Administrator 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 Administrator. 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 Administrator as soon

as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board.

Adopted 7/20/11



## **PUBLIC ATTENDANCE AT ACADEMY EVENTS**

Reference: 28 C.F.R. Part 35

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, or distributed nor any betting occur at any function sponsored by the Academy or at any function occurring on Academy premises.

Raffles and similar forms of fund-raising by Academy-related organizations may be permitted by the Administrator in accordance with Policy 9211 - Academy 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 8390)

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.

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 Academy grounds and any Academy-related event;

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, recording can be made if the appropriate license authorizing such recordings has been secured in advance by the 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 Administrator 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 Administrator.

The Administrator shall ensure that all notices, signs, schedules, and other communications about school events contain the following statement:

"Upon request to the Administrator, the Academy shall make reasonable accommodation for a disabled person to be able to participate in this activity."

Adopted 7/20/11  
Revised 2/21/12; 1/21/14

## **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.

Upon request by an organization that wishes to affiliate with the Academy, the Administrator shall do the following and make a recommendation related to same to the Academy Board:

- A. review the objectives of a volunteer group to determine that relevant, genuine educational needs are being addressed;
- B. provide assistance to support organizations in planning their activities;
- C. monitor the plans and activities of support organizations to ensure compliance with laws, Board policies, and Administrative Guidelines;
- D. communicate the needs and concerns of the Academy to the support organizations and the needs and concerns of these organizations to the Board;
- E. approve in-school fund-raising activities of support organizations;
- F. establish and maintain procedures related to proposed monetary and other gifts to the Academy that will provide for proper screening, acceptance, acknowledgement, and use.

A volunteer support organization recognized by the Academy Board shall work in cooperation with the Administrator and other staff members and, in the event it ceases to do so, its affiliation may be revoked by the Academy Board. The support organization shall abide by the policies of the Board and the procedures established by the Administrator.

By the end of May of each year, each volunteer support organization shall submit its tentative goals and objectives, along with its fund-raising plans for the next school year, to the Administrator. Should the goals and objectives or fund-raising plans change during the year, the Administrator is to be advised before any final revisions are made.

The Administrator shall implement Administrative Guidelines which ensure that each group's fund-raising activities are in compliance with Board policies and the funds are used for School-related projects that have the approval of the Administrator.

The Administrator shall ensure that the Board receives an annual accounting of each volunteer support organization's receipts and expenditures. However, neither the Academy nor the Academy Board are, or shall be, fiduciaries of such funds, nor shall the Academy or the Academy Board be responsible for auditing such receipts and expenditures.

IN NO EVENT SHALL A SUPPORT ORGANIZATION USE THE ACADEMY'S FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN) FOR ANY PURPOSE WHATSOEVER, NOR SHALL IT HOLD ITSELF OUT AS AFFILIATED WITH THE ACADEMY FOR ANY REASON OTHER THAN AS A "BOOSTER" ORGANIZATION OR PTA/PTO, PROVIDED SUCH QUALIFICATIONS, IN FACT, EXIST.

Adopted 7/20/11  
Revised 7/21/15

## **PARENT/LEGAL GUARDIAN REVIEW OF INSTRUCTIONAL MATERIALS AND OBSERVATION OF INSTRUCTIONAL ACTIVITY**

Reference: MCL 380.1137

Where the term “parent” or “parents” is used in this policy, it shall include legal guardians.

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

Parents also have the right to be present, to a reasonable degree, and at reasonable times and subject to reasonable restrictions, to observe instructional activity (excluding testing) in a class or course in which the parent’s pupil is enrolled and present.

The Administrator shall develop guidelines for addressing the rights of parents and to assure timely response to parental requests to review instructional material or to observe instructional activity. The guidelines also shall address reasonable notification to parents and students of their rights pursuant to this policy.

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

Adopted 7/20/11

## **RELATIONS WITH EDUCATIONAL INSTITUTIONS AND ORGANIZATIONS**

The Board of Directors directs that strong lines of communication be maintained by the Academy with other schools, institutions, and organizations that provide Academy students with programs, training, or services not available in the Academy.

The Administrator may recommend for Board approval such cooperative ventures with institutions or organizations for the purpose of providing programs correlated to the Academy's curriculum and helping students better accomplish the educational outcomes established by the Board.

Before entering into any agreements, the Administrator shall keep the Board advised of any arrangements that would affect the use of Academy resources or require any additional resources of the Academy.

Adopted 7/20/11

## **PARTNERSHIPS WITH BUSINESS**

The Board of Directors is well aware of the role that education plays in increasing the nation's productivity and future well-being. To ensure success requires the combination of talent and resources within the region between business and education. The Board also recognizes the Academy needs to operate as an integral part of the economic community, if students are to receive the type of education and training they will need to function effectively in the twenty-first century.

The Board may establish partnerships between the Academy and individual companies. The purpose of such partnerships will be to seek opportunities for students and staff to share in new strategies and technologies being created in the business world and to offer, in exchange, the knowledge and skill of Academy personnel in creating more effective continuing education for employees and members of the community. Properly planned and implemented, such partnerships could have significant impact on the nature and content of the curriculum and on the manner in which students are taught to learn.

The Administrator is authorized to actively seek and present such partnerships for Board approval.

Adopted 7/20/11

## **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 or commercial sources for student or staff use or participation shall be reviewed by the Administrator on the basis of their educational contribution to part or all of the Academy program and benefit to students, and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

The Board shall not permit the use of any type of educational material, program, or equipment in its curricular, co-curricular, or extra-curricular activities or at any time during the school day, if such materials, programs, or equipment contain partisan political or commercial 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 Administrator, the professional staff may, however, utilize appropriate political materials, or those provided by special interest groups, in adopted courses of study.

Academy facilities or equipment may not be used as a means of producing or disseminating to the community any materials that advertise or promote a political party, a political cause, or the candidacy of an individual for public office. Students and employees of the Board shall not be used to distribute campaign literature within the school or on school grounds.

### **Contests/Exhibits**

The Board recognizes contests, exhibits, and the like may benefit individual students or the Academy as a whole, but participation in such special activities may not

- A. have the primary effect of advancing a special product, group, or company;
- B. make unreasonable demands upon the time and energies of staff or students or upon the resources of the Academy;
- C. interrupt the regular school program;
- D. involve any direct cost to the Academy;
- E. cause the participants to leave the Academy, unless the Board's Policy 2340 (Field and Other Academy-Sponsored Trips) has been complied with in all aspects.



### **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 Academy property either during or after school hours without the permission and prior review of the Administrator.

The Administrator 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 Academy 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 Administrator.
- D. the time, place, and manner of distribution of all non-school related materials is clearly established and communicated.
- 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 Academy;
  2. the organization submits the number of copies of the flyer that it wants placed in the literature distribution rack/table;

No student shall be required to take any of the flyers/notices placed in the literature/distribution rack/table, and the rack/table shall contain a clear notice that the Board does not support or endorse any of the organizations and/or activities/events identified in the flyers/notices.

### **Solicitation of Funds**

Any outside organization or staff member, representing an outside organization and desiring to solicit funds on Academy property, must receive permission to do so from the Administrator.

Permission to solicit funds will be granted only to those organizations or individuals who meet the permission criteria established in the Academy's Administrative Guidelines. Solicitation must take place at such times and places and in such a manner specified in the Administrative Guidelines. In accordance with Board Policy 5830, no Academy student may participate in the solicitation without the Administrator's approval.

The Board disclaims all responsibility for the protection of, or accounting for, such funds.

Solicited funds are not to be deposited in any regular or special accounts of the Academy.

A copy of this policy, as well as the relevant administrative guideline, shall be given to any individual granted permission to solicit funds on Academy property.

This policy does not apply to raising funds for Academy sponsored activities.

### **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:

- A. 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.
- B. The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the Administrator.
- C. The Administrator, together with a committee of staff members designated by the Administrator, shall be involved in the selection of the recipient and, if agreeable to the sponsoring organization, the selection shall be left entirely to the Administrator and staff committee.

### **Sale of Academy Supplies**

In determining the appropriateness of the sale of school supplies by organizations other than the Academy, the Board requires that:

- A. the organization has a purpose which will benefit the Academy and its students;
- B. the organization's planned activities are clearly in the best interest of the Academy and its students;
- C. the organization has submitted the following information and assurances on the form provided by the Academy: a statement noting the purpose of the organization, financial accountability assurances, and use of facility assurances.

All funds generated by the sale of such school supplies shall be kept separate from other activity funds or other transactions of the Board.

### **Surveys and Questionnaires**

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 Administrator 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 Administrator 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

Adopted 7/20/11  
Revised 7/17/12

## 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, corporate logos, or brand names on book covers, student assignment books, or posters;
4. ads in school publications (newspapers and yearbooks and event programs);
5. media-based electronic advertising (e.g., Channel One or Internet or web-based sponsorship);
6. free samples (e.g., of food or personal hygiene products).

C. Indirect Advertising:

1. corporate-sponsored instructional or educational materials, teacher training, contests, incentives, grants or gifts;
2. the Board approves the use of instructional materials developed by 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 Administrator 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.
- 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. Advertising will not be permitted on the outside or the inside of school buses.
- N. The Administrator or designee is responsible for screening all advertising.
- O. The Administrator or designee may require that samples of advertising be made available for inspection.
- P. 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.
- Q. 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 7/17/12

## **VOLUNTEERS**

The Board of Directors recognizes certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Administrator shall be responsible for recruiting volunteers, reviewing their capabilities, and making appropriate placements. He/She shall not place or assign volunteers whose abilities are not in accord with Academy needs.

Any individual who volunteers to work in the Academy or on any Academy sponsored activity 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 submit to a criminal history records check, prior to being allowed to participate in any activity or program.

The Administrator shall conduct criminal background checks on all volunteers in the same manner as required for other professional staff.

The Administrator is to inform each volunteer about his/her requirements and responsibilities. Volunteers are expected to agree to the following conditions:

- A. abide by all Board policies and School guidelines while on duty as a volunteer, including signing, if appropriate, the School's Network and Internet Access Agreement Forms;
- B. be covered under the Academy's liability policy. (However, volunteers shall be informed that the Academy cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the volunteer eligible for worker's compensation);
- C. sign a form releasing the Academy of any obligation if the volunteer becomes ill or receives an injury as a result of his/her volunteer services.

The Administrator shall also demonstrate to each volunteer the Academy's appreciation for his/her time and efforts in assisting the operation of the Academy.

Adopted 7/20/11