



BOARD POLICIES

2019



Academy of Warren

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NATIONAL CHARTER SCHOOLS
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About Our Cover

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

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



BOARD**POLICIES**

Academy of Warren

Spring 2019

0000 BOARD OPERATING POLICY

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- 0112 Purpose
- 0115 Address

0120 Powers and Philosophy

- 0121 Authority
- 0122 Board Powers

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- 0132.2 Administrative Guidelines **BP**
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Legend:

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

0160 Meetings

0161	Parliamentary Authority	
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0163	Presiding Officer	
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0165.5	Recess	BP
0165.6	Cancellation	L
0166	Agenda	L
0166.05	Process and Procedure for Parent/Community Concerns	
0166.1	Consent Agenda	
0167	Conduct	
0167.1	Voting	L
0167.2	Closed Session	L
0167.3	Public Participation at Board Meetings	L
0167.4	Administrative Participation	BP
0167.5	Use of Electronic Mail	BP
167.6	Use of Social Media	BP
0168	Minutes	BP
0168.1	Open Meeting	L
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0169	Student Disciplinary Hearings	BP
0169.1	Closed Session Requested	BP
0169.2	Open Hearing	BP

0170 Duties

0171	Officers	
0171.1	President	
0171.2	Vice-President	
0171.3	Secretary	BP
0171.4	Treasurer	BP
0172	Legal Counsel	BP
0173	Independent Auditor	BP
0175	Association Memberships	BP
0175.1	Board Conferences, Conventions, and Workshops	BP

1000 ADMINISTRATION

1110	Assessment of Academy Goals	
1130	Conflict of Interest	BP
1200	Board – Educational Service Provider Relationship	BP

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1201	Academy Governance Hierarchy Chart	
1202	Board Expectations of Educational Service Provider/CSAS Staff	
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1210	Board-Educational Service Provider Relationship	
1220	Employment of the Principal	BP
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1241	Termination of the Educational Service Provider	BP
1400	Job Descriptions	BP
1420	Academy Administrator Evaluation	BP
1421	Criminal History Record Check	L
1422	Nondiscrimination and Equal Employment Opportunity	L
1613	Student Supervision and Welfare	BP
1623	Section 504/ADA Prohibition Against Disability Discrimination in Employment	L
1662	Anti-Harassment	L
2000	PROGRAM	
2105	Mission of the Academy	
2110	Statement of Philosophy	BP
2111	Value Statements for Board Members, Staff, Students and Parents	
2112	Parent and Family Engagement	L**
2120	School Improvement	
2131	Educational Outcomes for Students	
2132	Educational Process Goals	
2210	Curriculum Development	L
2210.01	Instructional Materials Right to Inspect	BP
2220	Adoption of Curriculum	BP
2221	Mandatory Courses	BP
2225	Students with Limited English Proficiency (LEP)	BP
2231	Curriculum	BP
2240	Controversial Issues	
2250	Innovative programs	
2260	Nondiscrimination and Access to Equal Educational Opportunity	L
2260.01	Section 504/ADA Prohibition against Discrimination Based on Disability	L
2261	Title I Services	L
2261.01	Parent and Family Member Participation in Title I Programs	L**
2261.02	Title I – Parent's Right to Know	BP
2270	Religion in the Curriculum	BP
2330	Homework	BP
2340	Field and Other Academy-Sponsored Trips	BP

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2370	Educational Options	BP
2370.01	On-Line/Blended Learning Program	BP
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	BP
2413	Critical Health Problems	BP
2414	Reproductive Health and Family Planning	L
2416	Student Privacy and Parental Access to Information (FERPA)	L
2418	Sex Education	L
2430	Academy-Sponsored Clubs and Activities	BP
2431	Interscholastic Athletics	L
2431.01	Managing Heat and Humidity in Interscholastic Athletic Programs	BP
2460	Special Education	L
2460.02	Least Restrictive Environment (LRE) Position Statement	L
2461	Recording of Academy Meetings Involving Students and/or Parents	BP
2510	Adoption of Textbooks	BP
2521	Selection of Instructional Materials and Equipment	BP
2531	Copyrighted Works	BP
2605	Program Accountability and Evaluation	
2623	Student Assessment	L
2628	State Aid Incentives	BP
2700	P.A. 25 Annual Report	L**
3000	STAFF	
3000	Educational Service Provider Statement	
3110	Conflict of Interest	L
3217	Weapons	BP
4000	SUPPORT STAFF	
4000	Educational Service Provider Statement	
5000	STUDENTS	
5111	Admission of Students	L
5111.01	Homeless Students	L
5111.02	Educational Opportunity for Military Children	L
5111.03	Homeless Students	L
5112	Entrance Age	L
5130	Withdrawal from the Academy	BP
5136	Wireless Communication Devices	BP
5200	Attendance	BP
5215	Missing and Absent Children	BP
5223	Absences for Religious Instruction	BP

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5230	Late Arrival and Early Dismissal	BP
5310	Health Services	BP
5320	Immunization	BP
5330	Use of Medications	L
5330.01	Epinephrine Auto-Injectors	L
5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
5340.01	Concussions and Athletic Activities	L
5341	Emergency Medical Authorization	BP
5350	Suicide Prevention	BP
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5451	Student Recognition	BP
5460	Graduation Requirements	BP
5463	Credits from Nonpublic Schools	BP
5500	Student Conduct	BP
5510	Students – Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5512	Use of Tobacco by Students	
5513	Care of Academy Property	BP
5514	Student Use of Bicycles	
5514.01	Student Use of Motor Vehicles	
5515.01	Safe Operation of Motorized Utility Vehicles by Students	BP
5516	Marriage of Pregnancy	L
5517	Anti-Harassment	L
5517.01	Bullying and Other Aggressive Behavior toward Students	L
5517.02	Due Process Rights	L
5520	Disorderly Conduct	BP
5530	Drug Prevention	L
5532	Performance-Enhancing Drugs/Compounds	L
5540	The Academy and Governmental Agencies	L
5600	Student Discipline	BP
5610	Emergency Removal, Suspension & Expulsion of Students	L
5610.01	Permanent Expulsion	
5610.02	In-School Discipline	
5611	Due Process Rights	L
5630	Corporal Punishment	
5630.01	Student Seclusion and Restraint	L
5640	Delegation of Authority for Disciplinary Matters	
5710	Student Grievance	
5722	Academy-Sponsored Publications and Productions	BP
5771	Search and Seizure	BP
5772	Possession of Weapons	BP
5780	Student/Parent Rights	BP
5820	Student Government	

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5830	Student Fund-Raising	BP
5850	Social Events	BP
5895	Student Employment	BP
6000	FINANCES	
6100	Academy Finance Policy	
6107	Authorization To Accept And Distribute Electronic Records And To Use Electronic Signatures	L
6110	Grant Funds	BP
6111	Internal Controls	BP
6144	Investments	L
6146	Post-Issuance Compliance for Tax-Exempt and Tax-Advantaged Obligations	BP
6151	Bad Checks	BP
6152	Student Fees, Fines, and Supplies	BP
6200	The Budget Process	
6210	Fiscal Planning	BP
6220	Budget Preparation	BP
6230	Budget Hearing	BP
6231	Budget Implementation	BP
6250	Fund Balance	
6260	Financial Reporting and Budget Monitoring	
6270	Annual Review and Audit	
6320	Purchasing	L
6321	New School Construction, Renovation	L
6325	Procurement – Federal Grants/Funds	L**
6420	Conflict Of Interest - Legal Counsel, Advisors, Or Consultants	L
6423	Use of Credit Cards	BP
6440	Cooperative Purchasing	BP
6460	Vendor Relations	BP
6470	Payment of Claims	BP
6510	Payroll Authorization	BP
6520	Payroll Deductions	L
6550	Travel Payment & Reimbursement	L
6605	Crowdfunding	BP
6620	Petty Cash	BP
6650	Finance of Class Businesses and Homerooms	
6680	Recognition	
6800	System of Accounting	BP
6850	Public Disclosure and Reporting	L
7000	PROPERTY	

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7217	Weapons	L
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	L
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
7434	Use of Tobacco on Academy Premises	L
7440	Plant Security	BP
7440.01	Video Surveillance and Electronic Monitoring	BP
7450	Property Inventory	
7455	Fixed Asset Policy	BP
7460	Conservation of Natural and Material Resources	BP
7510	Use of Academy Facilities	BP
7530	Lending of Board-Owned Equipment	BP
7530.02	Staff Use of Personal Communication Devices	BP
7540	Technology	BP
7540.01	Technology Privacy	BP
7540.02	Web Content, Services and Apps	L
7540.03	Student Education Technology Acceptable Use and Safety	L
7540.03a	Internet and Computer Use and Statement to Students	
7540.04	Staff Technology Acceptable Use and Safety	BP
7540.05	Academy-issued Staff E-mail Account	BP
7540.05a	Internet and Computer Use Forms and Agreement	
7540.06	Academy-issued Student E-mail Account	BP
7540.07	Personal Internet Account Privacy—Students	L
7541	Electronic Data processing disaster Recovery Plan	BP
7543	Remote Access to the Academy's Network	BP
7545	Electronic Communications	BP
8000	OPERATIONS	
8142	Criminal History Record Check	L
8142.01	Weapons	BP
8210	Academy Calendar	L
8220	School Day	
8310	Public Records	L
8315	Information Management	BP
8320	Personnel Files	BP
8321	Criminal Justice Information Security	L
8330	Student Records	L
8350	Confidentiality	BP
8351	Breach of Confidential Information	BP
8390	Animals on Academy Property	L
8400	Academy Safety Information	L

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8401	Fire Safety and Fire Department Notification	L
8402	Emergency Operations Plan	L
8405	Environmental Health and Safety Issues	BP
8405.01	Integrated Pest Management	L
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	BP
8431	Preparedness for Toxic Hazards and Asbestos Hazard	L
8442	Reporting Accidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8452	Automatic External Defibrillators (AED)	BP
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	BP
8462	Student Abuse and Neglect	BP
8500	Food Services	L
8510	Wellness	L
8540	Vending Machines	BP
8660	Transportation by Private Vehicle	
8710	Insurance	BP
8740	Bonding	BP
8800	Religious/Patriotic Ceremonies and Observances	L
9000	RELATIONS	
9111	Communications	BP
9120	Academy Information Program	BP
9130	Public Complaints	BP
9150	Academy Visitors	BP
9160	Public Attendance at Academy Events	L
9211	Academy Support Organizations	BP
9250	Relations with Parents	L
9255	Parental Behavior	
9300	Parent/Student Contract	
9400	Parent Orientation and Parent Academy	
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP
9600	Academy Consortium	
9700	Relations with Special Interest Groups	BP

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***Volunteer Policy

*** This policy is not a NCSI policy and will not be maintained by the Institute.

**Legally required for schools receiving funding under ESEA.

Revised 12/08; 2/18/11; 3/15/11; 4/14/11; 11/15/11; 5/15/12; 6/19/12; 9/17/13; 10/28/13;
7/15/14; 12/20/16; 4/18/17; 11/14/17; 3/20/18; 11/13/18; 4/16/19; 11/13/18; 4/16/19; 9/4/19

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GLOSSARY OF EDUCATIONAL TERMS AND ACRONYMS

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

ASSESSMENT

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

ATTITUDE

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

CONCEPT

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

CONTENT

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

COURSE OF STUDY

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

CRITERION (CRITERIA)

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

CURRICULUM

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

DIAGNOSIS

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

EDUCATIONAL SERVICE PROVIDER

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

EMPLOYEE

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

EVALUATION

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

FACT

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

GOAL

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

IDEA

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

IEP

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

INSTRUCTION

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

LEADERSHIP

A five-step process of working with people, using certain knowledge, skills, and attitudes, combined with risk-taking, 1.) to envision a desired or needed outcome; 2.) to communicate to

others so they participate willingly in the necessary tasks; 3.) to monitor progress toward the outcome; 4.) to reinforce and/or remediate actions; 5.) to evaluate the results.

MANAGEMENT

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

MEASUREMENT

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

MISSION

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

MODEL

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

NORMS

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

OBJECTIVE

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

OUTCOME

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

PARENT

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

PILOT

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

PLACEMENT

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

PLAN

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

PRINCIPLE

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

PROGRAM

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

PROMOTION

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

RELIABILITY

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

RETENTION

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

SCHOOL LEADER

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

SCOPE

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

SECTION 504

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

SEQUENCE

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

SKILL

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

STANDARDIZED TEST

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

STANINE

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

TEST

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

UNDERSTANDING

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

VALIDITY

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

ACRONYMS

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

A

ACA – Affordable Care Act

ACH – Automatic Clearing House

ACT – American College Testing

ADA – Americans with Disabilities Act of 1990

AED – Automatic External Defibrillator

AEP – Alternative Education Program

AFS – American Field Service, International/Intercultural Programs

AHERA - Asbestos Hazard Emergency Response Act

AIDS – Acquired Immunodeficiency Syndrome

ARO - Academy Records Officer

Art. – Article (referring to the Michigan Constitution of 1963)

ASAP - Automated Standard Application for Payment

ATP - Academy Technology Plan

B

C

CD – Certificate of Deposit

CDL – Commercial Driver's License

CEPI – Center for Educational Performance and Information

CFDA - Catalog of Federal Domestic Assistance

C.F.R – Code of Federal Regulations

CHRI – Criminal History Record Information

CIPA - Children's Internet Protection Act

COs – Compliance Officers

COOP - Continuity of Organizational Operations Plan

COPPA - Children's Online Privacy Protection Act

COR – Custodian of Records

CPA – Certified Public Accountant

CPR – Cardiopulmonary Resuscitation

CTE – Career and Technical Education

D

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

DOE –Department of Education (Federal)

E

ECD – Electronic Communication Device

EDP – Education Development Plan

EFTs - Electronic Funds Transfers

EEOC – Equal Employment Opportunity Commission

EIP – Emergency Intervention Plan

EL – English Learners

EMS – Emergency Medical Services

EPA – Environmental Protection Agency

ESEA – Elementary and Secondary Education Act

ESI – Emergency Safety Intervention

ESI - Electronically Stored Information

ESP – Educational Service Provider

ESSA – Every Student Succeeds Act (previously NCLB)

ETO – Electronic Transfer Officer

F

FAIN - Federal Award Identification Number

FAPE – Free and Appropriate Public Education

FBA – Functional Behavioral Assessment

FERPA – Federal Educational Rights and Privacy Act

FICA – Federal Insurance Contributions Act

FLSA - Fair Labor Standards Act

FMLA – Family and Medical Leave Act

FOIA – Freedom of Information Act

FR – Federal Register

FSA – Flexible Spending Accounts (Health Care)

FTE – Full Time Equivalent (Student Attendance)

FVPSA – Family Violence Prevention and Services Act

G

GAA – General Appropriations Act

GAAB – Generally Accepted Accounting Bulletin

GAAP – Generally Accepted Accounting Principles

GAN - Grant Award Notification

GASB - Governmental Accounting Standards Board

GED – General Education Diploma

GINA – Genetic Information Nondiscrimination Act of 2008

GPA – Grade Point Average

H

HACCP – Hazard Analysis Critical Control Point

HAV – Hepatitis A

HBV – Hepatitis B

HCV – Hepatitis C

HHS – United States Department of Health and Human Services

HIPAA – Health Insurance Portability and Accountability Act of 1996

HITECH – Health Information Technology for Economic and Clinical Health Act

HIV – Human Immunodeficiency Virus

HMO – Health Maintenance Organization

HTML – Hyper Text Mark Up Language

HVAC – Heating Ventilating Air Conditioning

I

ICHAT – Internet Criminal History Access Tool

IDEA – Individuals with Disabilities Education Act

IEP – Individualized Education Plan

IEPC – Individual Educational Planning Committee

IEPT – Individualized Education Planning Team

IEQ – Indoor Environmental Quality

IHO – Impartial Hearing Officer

IIS – Indentix Identification Services

IPM – Integrated Pest Management

IRS – Internal Revenue Service

ISD – Intermediate School District

J

K

L

LASO - Local Agency Security Officer

LEA – Local Education Agency

LEIN – Law Enforcement Information Network

LEP – Limited English Proficient

LRE – Least Restrictive Environment

M

M.C.L – Michigan Compiled Laws

MDCH – Michigan Department of Community Health

MDCIS – Michigan Department of Consumer and Industry Services

MDE – Michigan Department of Education

MDHHS – Michigan Department of Health and Human Services

MEIS – Michigan Educational Information System

MHSAA – Michigan High School Athletic Association

MIOSHA – Michigan Occupational Safety and Health Administration

MMC – Michigan Merit Curriculum

MME – Michigan Merit Examination

MOSHA – Michigan Occupational Safety Health Act

MPG – Michigan Promise Grant

MPSERS – Michigan Public School Employment Retirement System

MRO – Medical Review Officer

MSDS – Material Safety Data Sheets

MSP – Michigan State Police

MSTEP – Michigan Student Test of Educational Progress

N

NAEP – National Assessment of Educational Progress

NASD - National Association of Securities Dealers

NASSP – National Association of Secondary School Principals

NSF - National Science Foundation

NSLP - National School Lunch Program

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

O

OCR – Office of Civil Rights (U.S. Department of Education)

OCTP – Office of Career and Technical Preparation

OHD - Occupational Health Division

OSHA – Office of Safety and Health Administration

OTC – Over the Counter

OTIS - Offender Tracking Information System

P

PAN - Payee Account Number

PBIS - Positive Behavioral Interventions and Supports

PBS – Positive Behavior Support

PBSP – Positive Behavior Support Plan

PCD – Personal Communication Device

PII – Personally Identifiable Information

PMS - Payment Management System

PPE – Personal Protection Equipment

PSA – Public School Academy

PTA – Parent Teacher Association (Usually affiliated with the National Organization)

PTO – Parent Teacher Organization (Usually do not pay dues to a National Organization)

Q

R

RFP – Request for Proposal

RHO – Records Hearing Officer

S

SAP – Substance Abuse Professional

SAT – Scholastic Aptitude Test

SBP – School Breakfast Program

SEA – State Education Agency

SEAB – Sex Education Advisory Board

SEVP – Student Exchange Visitor Program

SOPPA Student Online Personal Protection Act

SOR - Sex Offenders Registry

SRO – School Resource Officer

STD – Sexually Transmitted Disease

I

TAF – Trust and Agency Fund

TDP – Deferred Payment (TDP) Plan (MPERS)

THP – Toxic Hazard Preparedness

U

USAS – Uniform School Accounting System

U.S.C – United States Code

USDA – United States Department of Agriculture

USERRA – Uniformed Services Employment and Reemployment Rights Act of 1994

USIA – United States Information Agency

V

VAWA – Violence Against Women Act

W

WCAG - Web Content Accessibility Guidelines

X

Y

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Adopted 6/2006

Revised 12/08; 4/14/11; 6/19/12; 10/28/13; 7/15/14; 12/20/16; 4/18/17; 11/14/17; 11/13/18;
4/16/19; 9/4/19

DEFINITIONS

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

Academy

Academy of Warren

Administrator

The administrator is, depending on the context of the policy, the principal of the Academy, the chief financial officer of the educational service provider, or the superintendent of instruction of the educational service provider. The administrator reports to the board, carries out board policy, and is authorized to delegate responsibilities to appropriate staff members. The Chief Administrative Officer is the person designated as such by the board of directors for budgetary and financial purposes.

Administrative Guideline

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

Apps and Services

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

Authorizer or Authorizing Body

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

Board

The board of directors. (See Charter Contract Bylaws.)

Board Operating Policy

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

Charter Contract

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

Due Process

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

Educational Service Provider (Educational Management Organization or Charter Management Organization)

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

Educational Service Provider Employee

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

Family Member

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

Full Board

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

Information Resources

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

May

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

Meeting

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

Parent

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise and a copy of such order is on file with the Academy. A parent also includes any other person who stands in loco parentis, such as a grandparent, stepparent, or any other adult with whom the child lives and/or is legally responsible for the welfare of the child.

Personal Communication and Wireless Devices

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

Policy

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

President

The chief executive officer of the board with duties as outlined in the corporate bylaws and in Policy 0171.1.

Principal or School Leader

The administrator responsible for the daily operations of the Academy, and implements the policies of the board and the educational service provider. In the implementation of this policy, the Principal is authorized to delegate responsibilities to appropriate staff members. The principal is an employee of the educational service provider. The School Leader must hold an appropriate school administrator certificate or permit.

Professional Employee

An employee who provides support to the school's program and administration, whose position requires a professional certificate. Professional employees are employees of the educational service provider.

Recording Secretary

The person designated to act as the chief clerk of the board. The recording secretary may be an employee of the educational service provider.

Relative

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

School

The Academy or individual building of the Academy.

Secretary

The chief clerk of the board with duties as outlined in the corporate bylaws and in Policy 0171.3.

Shall

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

Social Media

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

Student

A person who is officially enrolled in the Academy.

Staff

Professional employees and support employees of the educational service provider who provide support to the school's program and administration.

Subject and Course

Generally speaking, "subjects" are taught to students in multiple contexts by one teacher, and students flow through some continuum of skills and not courses. A "course" is a subject matter taught by a single teacher, specifically labeled as such, e.g. "science" or "social studies." However, for purposes of these policies, the terms "subjects" and "courses" may be used interchangeably.

Support Employee

An employee who provides support to the Academy's program and administration, whose position does not require a professional certificate. Support employees are employees of the educational service provider.

Technology Resources

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

Treasurer

The chief financial officer of the board with duties as outlined in the corporate bylaws and in Policy 0171.4.

Vice-President

The vice president of the board with duties as outlined in the corporate bylaws and in Policy 0171.2.

Voting

A vote at a meeting of the board of directors. Except to accommodate the absence of any member of the Board due to military duty, Board members must be physically present in order to have their vote officially recorded in the board minutes.

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

Adopted 6/2006

Revised 9/17/13; 4/18/17; 11/13/18; 4/16/19; 9/4/19

OFFICIAL DESCRIPTION

0111 **Name**

The board of directors of this Academy shall be known officially as the Academy of Warren Board of Directors.

0112 **Purpose**

The Academy exists for the purpose of providing free, public education for children in grades as authorized in the charter contract. The board exists to supervise the Academy as set forth in the charter contract.

0115 **Address**

The official address of the Academy of Warren shall be 13943 E. Eight Mile, Warren, Michigan, 48089, and the name of the Academy shall be the Academy of Warren.

This official address is the business office of the Academy, the principal office of the Academy, the address of the Academy's public school academy campus, and the office of the board, as such terms are used from time to time in these policies and in the corporate bylaws and in other applicable documents.

Adopted 6/2006

POWERS AND PHILOSOPHY

0121 Authority

The supervision of this Academy shall be conducted by the board of directors, hereinafter sometimes referred to as the "board", which is constituted and is governed by the laws of the State of Michigan and the charter contract.

M.C.L.A. 380.501 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. As such it has all of the rights, powers, and duties expressly stated in statute and the charter contract. The Board may exercise power incidental to, or appropriate to, the operation of the Academy including – but not limited to – the following:

- A. Educating students in grades and subjects authorized in the charter contract.
- B. Providing for the safety and welfare of students while at Academy or at an Academy-sponsored activity or while enroute to or from an academy-sponsored activity.
- C. Acquiring, constructing, maintaining, repairing, renovating, disposing of, or conveying Academy property, facilities, equipment, technology, or furnishings.
- D. Hire an educational service provider to hire, contract for, schedule, supervise, or terminate employees, independent contractors, and others to carry out Academy operations in accordance with the charter contract.
- E. Receiving, accounting for, investing, or expending Academy money; borrowing money and pledging Academy funds for repayment; and qualifying 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, or join organizations as part of performing the functions of the Academy.

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

M.C.L.A. 380.503, 380.504a, 380.1225, 423.217

The Board has authority, based on statute, to make decisions or delegate some its decision-making authority to an Educational Service Provider, regarding any topic, provided the Academy Board may not delegate its constitutional duty to exercise its statutory, contractual and fiduciary responsibilities governing the operation of the Academy. In all cases, the Academy Board must act as an independent, self-governing Body.

The Board has the authority, based on statute, to make decisions or delegate some of its decision-making authority to an Educational Service Provider, regarding the following subjects:

- A. The policyholder of an employee group insurance benefit (if the Board employs staff.)
- B. The starting day for the school year and the amount of student contact time to receive full State school aid.
- C. The composition of the Academy's school-improvement committee(s) established under M.C.L. 380.1277.
- D. Contracting with outside parties for non-instructional support services provided by an employee group (if the Board employs staff) including the procedures for obtaining a contract, the identity of the outside party, and the impact on individual staff members if the employee group is given an opportunity to bid on providing the noninstructional support services.
- E. Use of volunteers.
- F. Decisions regarding the use of experimental or pilot programs including staffing, use of technology, provision of the technology, and the impact on individual staff members.
- G. Compensation or reimbursement of a staff member for monetary penalties imposed on the staff member under the Public Employment Relations Act. (if the Board employs staff).
- H. Any decision regarding the placement of teachers, or the impact of that decision on an individual employee (if the Board employs staff).
- I. Decisions about the development, content standards, procedures, adoption and implementation of a performance evaluation system under M.C.L. 380.1249 for teachers and administrators.
- J. Decisions concerning the content of a teacher's or administrator's performance evaluation or the impact of such decision (if the Board employs staff).
- K. Decisions concerning the classroom observation of an individual teacher, and the impact of such decision on an individual teacher (if the Board employs staff).
- L. Decisions about the development, content, standards, procedures, adoption and implementation of the method of performance-based compensation for teachers and administrators in accordance with M.C.L. 380.1250.
- M. Decisions about how performance evaluation is used to determine the performance-based compensation for teachers and administrators (if the Board employs staff).
- N. Any requirement that would violate section 10(3), M.C.L. 423.210(3), (Right to Work Law).

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

Adopted 6/2006
Revised 4/1619

FUNCTIONS

0131 Legislative

0131.1 Charter Contract Bylaws and Board Operating Policies

The Board of Directors shall adopt bylaws and policies for the organization and operation of this Board and the Academy and shall be bound to follow such bylaws and policies as may be amended from time to time.

Those policies which are not dictated by the statute or rules of the State Department of Education or ordered by the State Board of Educational 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 and in effect as a policy.

M.C.L.A. 450.2223, 450.2231

0132 Executive

0132.1 Selection Educational Service Provider

The board of directors shall exercise its executive power in part by the contracting with an educational service provider, and retaining the educational service provider to enforce the statutes of the State of Michigan, rules of the State Department of Education, charter contract, and the policies of this board.

0132.2 Administrative Guidelines

The board shall delegate through the administrator the function of specifying required actions and designing the detailed arrangements under which the Academy will be operated. These detailed arrangements shall constitute the administrative guidelines governing the Academy which are not inconsistent with statutes or regulations of the State Department of Education or the policies of this board or provisions of the charter contract and contractual agreement with the educational service provider.

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

The administrator shall be delegated the authority to take necessary action in circumstances not provided for in board policy or administrative guidelines, provided that such action, if material, shall be reported to the board as soon as possible.

0132.3 Student/Parent Handbook

The Administrator is authorized to prepare a student-parent handbook for distribution to the parents and students of the Academy. The handbook shall be

considered as administrative guidelines for the implementation of the policies of the Board of Directors.

The Administrator is further authorized to approve and adopt the Academy of America Charter School Consortium student-parent handbook, as such handbook is modified and updated from time to time, as the student-parent handbook of the Academy.

0133 Judicial

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

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

Adopted 6/2006
Revised Fall 2014; 4/16/19

MEMBERSHIP

0141 Number

The board of directors shall consist of the number of members as established within the provisions of the charter contract.

0142 Appointment

0142.1 Term

The term of each board member shall be for a term, the length of which is set by the charter contract. A member may be appointed for additional terms.

0142.2 Oath

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

0142.3 Vacancies

(See Provision of Charter Contract Bylaws.)

0142.31 Filling a Board Vacancy

Application and Information Materials

The Educational Service Provider will assemble and maintain an Academy of Warren board candidate packet, which will contain, at a minimum:

- a cover letter explaining the information contained in the packet and the process for becoming a member of the Board of Directors
- a Bay Mills Community College public school academy director application form (which also requires a candidate resume)
- Academy of Warren information brochure
- general information concerning charter schools
- an explanation of responsibilities of board members, and benefits of becoming a member

Application/information packets will be maintained at the Academy by the Academy's director.

Recruitment

Any member of the board, principal of the Academy, and representatives of The Educational Service Provider may recruit candidates. A current member of the

board may be nominated for an additional term of office by any other member of the board.

An application/information packet may be released or delivered to any candidate who expresses an interest in membership on the board.

Submissions

A completed application and related materials should be submitted to The Educational Service Provider, the Academy's director, or any board member. Upon receipt of the application materials, all information should be forwarded to the board president.

Interviews

The president shall assign a committee of two board members to interview candidate for the board. A representative of the Educational Service Provider or the principal of the Academy should generally attend the interview as well.

The committee members shall be responsible for scheduling and conducting the interview with the candidate.

The purpose of the interview is to provide an opportunity for the candidate to express his/her interest and commitment to the academy, and for board members to assess the candidate's qualification and level of interest and commitment. Since members of the board have already had such opportunity, an interview will not be required for the nomination of a current board member for an additional term.

Selection

The interview committee shall make a recommendation to the entire board of directors at the next board meeting.

The entire board will also be afforded an opportunity to interview the candidate at an open meeting of the board.

On motion of any board member, duly seconded, the board may nominate any candidate who has completed this process. Nominations must be approved by majority vote of the board at an open meeting at which quorum is present.

Upon approval of a nomination, the candidate's resume and Bay Mills' director application form, together with the nomination resolution of the board, shall be forwarded to Bay Mills, as the board's request for the selection of the candidate to the board.

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 shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the Academy, and learn Board procedures. Accordingly, in conjunction with the Authorizer and the Educational Service

Provider, the Board shall give copies of the following items to new Board members no later than their first regular meeting as Board members for their use and possession during their term on the Board:

- A. a copy of the charter contract
- B. the Educational Service Provider contract, if applicable
- C. Principal Contract, if applicable;
- D. the board policy manual
- E. the current budget statement, audit report, and related fiscal materials
- F. student handbook
- G. the educational service provider's staff handbook
- H. Open Meetings Act
- I. meeting conduct material (standard agenda, recording minutes, handling of a motion)
- J. other materials, as deemed appropriate by the board.

Each new Board member shall be invited to meet with the Board President and Educational Service Provider representative 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 its approval of actions that are reflected in its minutes and not through its individual members. An act of the board shall not be valid unless approved by majority vote of the directors of the Academy present at a meeting at which a quorum is present.

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

0143.1 **Public Expression of Board Members**

The board president, functions as the official spokesperson for the board. From time-to-time, however, individual board members will make public statements on Academy matters.

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

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

- 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 "thank you" letters of the board
- C. statements by board members on non-Academy matters (providing the statements do not identify the author as a member of the board)
- D. personal statements not intended for publication
- E. A Board member's personal or private use of social media may have unintended, negative consequences to the Board member and/or the Academy, including possible violations of the Open Meetings Act and issues relating to creation of a public record. Postings to social media should be done in a manner sensitive to the Board member's responsibilities, applicable Academy policies, and legal obligations.

0144 **Operations**

0144.1 **Compensation**

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

0144.11 **Reimbursement of Expenses**

Reference: MCL 380.1254; MCL 388.1764b

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

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

The following categories of expenses shall be reimbursable:

- Mileage for Board-related activities and meetings, not to exceed the then-current rate established by the Internal Revenue Service;

- Expenses of attending a Board-approved conference, including fees, parking, mileage, meals and housing
- Expenses related to purchase of printed or other materials relating to Board membership; and
- Expenses of attending a community or Academy-related event, if the individual attends as the designated representative of the Board.

The following categories of expenses shall not be reimbursable:

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

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

0144.2 **Board Member Ethics**

Reference: Board of Directors, National School Boards Association.

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

- A. attend all regularly scheduled and special board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- B. recognize that they should endeavor to make policy decisions only after full discussion at publicly held board meetings;
- C. render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- D. encourage the free expression of opinion by all board members, and seek systematic communications between the board and students, staff, and all elements of the community;
- E. work with the other board members to establish effective board policies and to delegate authority for the administration of the Academy to the educational service provider or Principal;
- F. communicate to other Board members, Educational Service Provider and the Principal (employed by the Board) expressions of public reaction to Board policies and Academy programs;

- G. inform themselves about current educational issues by individual study and through participation in programs providing needed information;
- H. support the employment of those persons best qualified to serve as staff, and insist on a regular and impartial evaluation of all staff;
- I. avoid being placed in a position of conflict of interest, and refrain from using their board positions for personal partisan gain;
- J. take no private action that will compromise the board or administration, and respect the confidentiality of information that is privileged under applicable law;
- K. be open and willing to obtain additional training regarding board leadership and governance;
- L. conduct annual assessments/evaluations of school operations under educational service provider management;
- M. remember always that their first and greatest concern must be for the educational welfare of the students attending the academy;
- N. observe all applicable statutory limitations and duties regarding conflicts of interest.

0144.3 **Conflict of Interest**

MCL 15.323; 380.1203, 450.2545a

Board members shall perform their official duties free from any conflict of interest. To this end, no Board member shall use his/her position as a Board member to benefit either himself/herself or any other individual or agency, apart from the total interest of the Academy.

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

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

- A. The Board member shall disclose the financial interest in the contract to the Board with such disclosure made a part of the official Board minutes. If his/her direct financial interest amounts to \$250 or more, or five percent (5%) or more of the contract cost to the Academy, the Board member shall make the disclosure in one of two (2) ways:
 - 1. In writing, to the Board President (or, if the member is the Board President, to the Board Secretary) at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The

disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Board Operating Policy 0165.)

2. By verbal announcement at a meeting at least seven (7) days prior to the meeting at which a vote on the contract is to be taken. The Board member must use this method of disclosure if his/her financial interest amounts to \$5,000 or more.
- B. Any contract in which there is a conflict of interest, as defined by this Policy and the related statute (MCL 15.321 et seq.), must be approved by a vote of not less than two-thirds (2/3) of the full Board (excluding the vote of any Board member with a financial interest).

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

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

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

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

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

1. A contract or other financial transaction between the Academy and any of the following:
 - a. A corporation in which the individual is a stockholder owning 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of \$25,000.00 or less if the stock is listed on a stock exchange.
 - b. A corporation in which a trust, if the individual is a beneficiary under the trust, owns 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owns stock that has a present market value of

\$25,000.00 or less if the stock is listed on a stock exchange.

- c. A professional limited liability company organized pursuant to the Michigan limited liability company act, if the individual is an employee but not a member of the company.
- 2. A contract or other financial transaction between the Academy and any of the following:
 - a. A corporation in which the individual is not a director, officer, or employee.
 - b. A firm, partnership, or other unincorporated association, in which the individual is not a partner, member, or employee.
 - c. A corporation or firm that has an indebtedness owed to the individual.
- 3. A contract awarded to the lowest qualified bidder, upon receipt of sealed bids pursuant to a published notice for bids if the notice does not bar, except as authorized by law, any qualified person, firm, corporation, or trust from bidding. This does not apply to any amendments or renegotiations of a contract or to additional payments under the contract that were not authorized by the contract at the time of award.
- D. The official minutes of the Board must disclose the name of each party involved in the contract, the nature of the financial interest, and the terms of the contract, including the duration; financial consideration between the parties; facilities or services of the Academy included in the contract; and the nature and degree of assignment of school staff needed to fulfill the contract.
- E. A Board member with a conflict of interest in a contract may not participate in the discussion of nor vote on the contract.

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

0144.4 **Indemnification**
M.C.L.A. 691.1408, M.C.L.A. 450.2561 – 2569

The board may hold harmless, indemnify, directors and officers, pay, settle, or compromise a judgment against a board member to the extent allowed under the law. The board may also purchase errors and omissions insurance coverage for the board of directors.

0145 **Discriminatory Harassment**
MCL 37.1101 et seq., 37.2101 et seq.

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

Harassment of students, administrators, teachers, staff, Board members, agents, volunteers, contractors, other persons subject to Board supervision, guests, and/or visitors on school property, vendors doing business with or seeking to do business with the Academy and others who come in contact with the Academy community at Academy related events and/or activities on the basis of their race, color, sex, religion, national origin, disability, age, height, weight, familial status, marital status, or any other legally protected characteristic in its educational programs or activities is prohibited and will not be tolerated. See policy 5517.

Adopted 6/2006
Revised 7/15/14; 12/20/16; 11/13/18; 4/16/19

ORGANIZATION

0151 **Annual Organization Meeting**

The board of directors shall conduct a meeting held for the purpose of organizing the board. The meeting shall be called to order by the ranking officer of the board who shall in turn serve until the election of a president. The annual meeting shall be constitute one of the regular meetings of the board, and will generally be the August board meeting.

0152 **Officers**

Pursuant to the charter contract bylaws, the board shall elect a president, vice-president as well as a secretary and treasurer. Election of officers shall be by a majority vote of the directors at a meeting at which a quorum is present.

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

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

The following functions should generally be conducted at the annual meeting:

- A. elect officers
- B. designate a calendar of regularly meeting dates and times for the boards;
- C. adoption of resolution designating public places to post calendar and individual meeting notices of regularly-scheduled and special meeting date notices for the board;
- D. adoption of resolution designating depository for board funds;
- E. adoption of resolution designating principal print media source;
- F. adoption of resolution designating board members and personnel eligible to sign checks, contracts, agreements, and purchase orders;
- G. adoption of resolution designating educational service provider or other personnel authorized to negotiate and implement contracts with service providers (vendors);
- H. adoption of the school year calendar;
- I. appointment of Title IX, Freedom on Information, and Civil Rights and other contact persons and coordinators;

- J. appointment (or reappointment) of legal counsel;
- K. appointment (or reappointment) of external auditor.
- L. designate the electronic transfer officer (ETO) in accordance with Policy 6144

Certain annual meeting functions may need to be completed during the course of the school year prior to the annual meeting, and, if so completed, such functions need not be conducted at the annual meeting.

0155 **Committees**

The board may establish committees as provided in the corporate bylaws. Non-members of the board may be appointed to board committees.

The board shall establish the following standing committees: policy, curriculum, finance, building and facilities, community relations, and personnel.

Adopted 6/2006

MEETINGS

0161 **Parliamentary Authority**

The Board shall adopt rules of order for its operation which shall apply in all cases not inconsistent with statute, administrative code, or the Corporate Bylaws.

The Board may not adopt any rules of order which prevent or preclude the vote of any member.

0162 **Quorum**

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

0163 **Presiding Officer**

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

0164 **Call**

0164.1 **Regular Meetings**

The Board shall hold a meeting on the dates and at the times and places as designated annually.

0164.2 **Special Meetings**

See Corporate Bylaws

0164.3 **Emergency Meetings**

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

0164.4 **Work Sessions**

The Board may elect to conduct one or more of its regular meetings as a work session of the Board. Generally, work sessions will be conducted less formally than other regular meetings, and are intended to be interactive and informal sessions of the board members and staff to discuss issues relating to the Academy. Work sessions will be open to the public, but the public may participate only to the extent permitted by the board. The Board will generally limit the number of action items taken at a work session.

0165 **Notice**

0165.1 **Regular Meetings**

Ten (10) days after the Annual meeting of the Board, 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 School Director, the Academy shall make reasonable accommodation for a person with disabilities to be able to participate in this meeting."

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

0165.2 **Change of Regular Meetings**

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

A notice of any special meeting shall state the date, time, and place of such special meeting and the business to be transacted, as well as the name, address, and telephone number of the Academy. A notice of any special meeting shall be posted at least eighteen (18) hours before the special meeting on the front door of the school and such other places as the Board may determine. A copy of the notice shall be provided to each member of the Board.

0165.4 **Emergency Meetings**

No notice of any emergency meeting shall be required.

0165.5 **Recess**

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

at least eighteen (18) hours prior to the time the meeting is to be reconvened.

MCL 15.265

0165.6 **Cancellation**

Any meeting of the Board may be cancelled for appropriate purposes, which shall include, but not be limited to, inclement weather, lack of a quorum, or conflict with a special event relating to the Academy. If the cancelled meeting is a regular meeting it may be re-scheduled in accordance with Michigan law.

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

0166 **Agenda**

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

The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the through the Educational Service Provider/Principal on information relating to the Academy with such recommendations as s/he shall make.

Each agenda shall have attached to it the statement entitled "Process & Procedures for Parent/Community Concerns", in the form contained in Policy# 0166.05, or substantially similar to such form.

Any person or group wishing to place an item on the agenda shall register their intent with the Educational Service Provider; Principal no later than seven (7) days prior to the meeting and include:

- A. name and address of the participant;
- B. group affiliation, if and when appropriate;
- C. topic to be addressed.

Such requests shall be subject to the final approval of the Educational Service Provider; or the Board President.

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

The agenda for each regular meeting shall be mailed 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 three (3) 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 as soon as practicable before the meeting, consistent with provisions calling for special

meetings.

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

0166.05 Process & Procedures for Parent/Community Concerns

1. The appropriate process for students/parents to discuss or submit concerns regarding classroom related issues are indicated as follows:
 - A. Discussion/meeting with classroom teacher.
 - B. Discussion/meeting with academy Principal (employed by the Educational Service Provider).
 - C. Discussion/meeting with the Educational Service Provider administration.
2. Issue specific to the academy's daily operation should be first discussed with the Academy Principal, then with the Educational Service Provider administration.
3. If the above processes have been followed and the issue or concern remains unresolved, it might be necessary to then submit the issue to the Board for information and/or resolution. Individuals who wish to address the Board must do so during a scheduled public meeting, in accordance with the Open Meetings Act (OMA). The process for submitting concerns and/or comments to the Board are indicated as follows:
 - A. Concerns/comments must be submitted to the Board President or Secretary in writing just prior to the Board meeting using the form (or format indicated below).
 - B. Individuals addressing the Board must limit their comments to a maximum of three (3) minutes
 - C. Board members are required to respectfully listen to all individuals who address the Board. However, they are NOT required to respond or declare specific actions to be taken at this time. Possible responses may include (but are not limited to):
 1. The Board will take this issue under advisement.
 2. The Board will delegate issue/concern to their ESP/Superintendent for follow-up or specific resolution. In this case, the Educational Service Provider staff will report its action back to the Board within a specified time frame.
 3. The Board may choose submit a formal response to the concerned individual in writing within a specified time frame. (Written response may be delegated to the Educational Service Provider staff and copied to board members.)

Proposed Form for Submitting Comments/Concerns to the Board

Date: _____

Name: _____

Address: _____

Contact Number (optional): _____

Nature of Concern: _____

Please submit this completed form to the Board President or Secretary prior to the start of the meeting and limit your comments to a maximum of three (3) minutes.

0166.1 **Consent Agenda**

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

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

- A. minutes of prior meetings
- B. bills for payment
- C. resolutions that require annual adoption, such as bank signatories, etc.
- D. resignations and leaves
- F. other routine and non-controversial resolutions.

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

0167 **Conduct**

0167.1 **Voting**

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

Unless specifically authorized by Michigan conflict of interest laws, any Board member's decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. Failure to vote, absent a statutory exception or

constitutes a breach of the Board member's duty as a public official. In situations in which a specified number of affirmative votes are required and abstentions have been noted, the motion shall fail if the specified number of affirmative votes have not been cast. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority.

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

MCL 380.506(a), MCL 15.261, et. seq.

0167.2 **Closed Session**

Per the Open Meeting Act, the Board may 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 person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open sessions.
- 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 policy 0169, Student Disciplinary Hearings)
- C. for strategy and negotiation sessions connected with the negotiation of a collectively-bargained agreement if either negotiating party requests a closed hearing.
- 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
- 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
- F. consider material exempt from discussion or disclosure by state or federal statute, such as documents or materials subject to the attorney-client privilege, School Safety Plans, or other recognized privilege
- G. to consider security planning to address existing threats or prevent potential threats to the safety of the students or staff. (a majority vote is required)

A two-thirds (2/3rds) roll call vote of members appointed and serving is required to call a closed session, except for the closed sessions permitted under paragraphs A, B, and C, where a majority vote is sufficient on receipt of the appropriate specified request. The roll call vote and purpose or purposes for calling the closed session shall be entered into the minutes of the meeting.

0167.3 Public Participation at Board Meetings

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

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

MCL 15.267, 15.268

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

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

The presiding officer shall be guided by the following rules:

Public participation shall be permitted as indicated on the order of business.

Anyone with concerns related to the operation of the Academy or to matters within the authority of the Board may participate during the public portion of a meeting.

Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.

Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name; address; group affiliation, if and when appropriate.

Each statement made by a participant shall be limited to three (3) minutes duration.

No participant may speak more than once.

Participants shall direct all comments to the Board and not to staff or other participants.

The presiding officer may:

- A. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
- B. request any individual to leave the meeting when that person does not observe reasonable decorum;
- C. 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;

- D. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting; with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

The portion of the meeting during which the participation of the public is invited shall be limited to fifteen (15), but the timeframe will be extended, if necessary, so that no one's right to address the Board will be denied.

Tape or video recordings are permitted. The person operating the recorder should contact the president prior to the board meeting to review possible placement of the equipment, and agrees to abide by 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.

MCL 15.263(4)(5)(6)

0167.4 **Administrative Participation**

The Principal and those staff members directed by the Educational Service Provider may attend all meetings, when feasible. Administration participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

0167.5 **Use of Electronic Mail**

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

- A. messages between Board members or between a Board member and staff which do not involve deliberating or rendering a decision on matters pending before the Board;
- B. possible agenda items between the 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, 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, 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 main office of the Academy and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

The official minutes shall be bound together by years and kept in the office of the Educational Service Provider.

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

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next meeting.

The minutes shall show only action taken and other discussion.

MCL 15.269, 380.1201

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 need to use the name since that could identify the student]. A majority vote 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 the 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.

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

The Board shall not take any action in the closed session. To act on the discipline the Board must return to open session where a majority vote is required to confirm any Board action. During the open session the name of the student shall not be used in voting on the discipline, to protect student privacy under the Federal Family Education Rights and Privacy Act. The student may be referred to by a code number or pseudonym (i.e. Student A). Only the reference code shall be indicated in the Board minutes, NOT the student's actual name. The reference code shall be listed in the student's discipline file.

If, at any time during the hearing, the student, parent or authorized representative withdraws the request for a closed hearing, the matter shall proceed under the open hearing provisions.

0169.2 **Open Hearing**

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

The parents (or student if eighteen (18) or older) should sign an authorization to release student record information to allow discussion of the student's information in the public forum (Form 8330 F4). If the parents refuse to sign the authorization or information relating to other students must be presented at the hearing, it should be done anonymously by referring to students by code numbers or pseudonyms. If this is not possible, then the Board may go into closed session to receive student identifiable information pursuant to a two-thirds (2/3) roll call vote for the announced purpose of "Considering material exempt from discussion or disclosure by State or Federal law."

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

The Board must deliberate and act on the discipline in open session. The student, parents, administration and public will be allowed to be present. Students/parents who have not authorized disclosure to the public will not be mentioned by name during deliberations, but only by anonymous reference code. Any action must be by a vote of the Board in open session.

If the student/parents have signed an authorization for public disclosure, then the student's name may be used in the motion and recorded in the Board minutes.

Adopted 6/2006

Revised 4/14/11; 6/19/12; 9/17/13; 11/14/17; 4/16/19; 9/4/19

DUTIES

0171 **Officers**

0171.1 **President**

The president is responsible for providing leadership to the board in governing the Academy. The president should be familiar with parliamentary procedures, be an effective communicator, and a good listener. The president will typically perform the following functions:

- A. plan and organize meeting agendas, overall goals, reports, etc., in collaboration with the superintendent/educational service provider,
- B. delegate action items to board committees or the superintendent and/or educational service provider,
- C. act as a spokesperson for the board to the media, and
- D. serve as a liaison and confidant between the board and the superintendent, to help foster mutual trust, and as the “caretaker” of relationships among board members and the school staff and community.

0171.2 **Vice-President**

The vice president assumes the presidential duties in the absence of the president, and may perform other duties as assigned by the president.

0171.3 **Secretary**

The secretary is responsible for the official records of board actions and resolutions for the academy. The secretary will typically perform the following functions:

- A. approve and maintain board meetings;
- B. ensure all meeting notices are posted in accordance with the Open Meetings Act;
- C. act as the custodian of board records and ensure proper execution/authorization of pertinent documents;
- D. maintain a current record of board member addresses and contact numbers, and
- E. perform all other duties incident to the office of secretary, as well as other duties assigned by the president or the board.

0171.4 Treasurer

The treasurer is responsible for maintaining accurate records of all funds and securities of the board and the Academy. The treasurer will typically perform the following functions:

- A. maintain accurate books/records of Academy receipts and disbursements,
- B. deposit (or authorize the deposit of) funds received to the designated financial institutions or appropriate organizations,
- C. complete (or approves) all required financial filings,
- D. assure that the responsibilities of the fiscal agent of the Academy are properly carried out and executed, and
- E. perform all of the duties incident to the office of treasurer in general, and other such duties as assigned by the president or the board.

0172 Legal Counsel

The board of directors shall appoint an independent attorney to represent the Academy or board in actions brought for or against the Academy and to render other legal services for the welfare of the Academy.

0173 Independent Auditor

The board of directors shall appoint an independent auditor, whose duties shall include:

- 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 then ended;
- B. conduct such examination in accordance with generally accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;
- C. render an opinion of the financial statements prepared at the close of the fiscal year;
- D. make such recommendations to the board of directors concerning its accounting records, procedures, and related activities as may appear necessary or desirable;
- E. perform such other related services as may be requested by the board.
- F. The board shall obtain annually a letter of engagement from the selected audit firm prior to the annual financial audit.

0175 Association Memberships

The board of directors may maintain membership in the Michigan Association of Public School Academies and other professional educational organizations, as approved by the board, and may take part in the activities of these groups. The board may maintain institutional memberships in educational organizations which the educational service provider/principal and board find to be of benefit to members and school personnel. The materials and other benefits of these memberships will be distributed and used to the best advantage of the board and staff.

0175.1 Board Conferences, Conventions, and Workshops

The board of directors recognizes the value of membership and attendance at conferences and meetings at the local, county, state, and national level. Attendance at local, county, state, or 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 so long as such expenses are reasonable and within budgetary limits, and subject to Policy 0144.11.

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

- A. Conference registration fees
- B. Transportation – plane (coach, or economy class), train (coach or economy class) or automobile, including buses, taxis and limousines.
- C. Mileage at the Board approved rate
- D. Toll charges and parking
- E. Lodging (in most instances, reimbursement will be limited to the conference rate, however, exceptions may be made in extenuating circumstances as determined by the Treasurer.)
- F. Meals (includes up to a twenty percent (20%) gratuity)
- G. Phone calls for Academy business and reasonable limited calls home.

The president of the board will regularly receive a record of board member attendance at conferences.

Adopted 6/2006
Revised 12/20/16

1000 **ADMINISTRATION**

1110	Assessment of Academy Goals	
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Revised 6/19/12; 9/17/13; 9/15/15; 12/20/16; 3/20/18; 11/13/18; 4/16/19

ASSESSMENT OF ACADEMY GOALS

One of the major functions 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 the board places on accomplishing goals, it has established a policy for effective assessment of the Academy's progress.

The board and the educational service provider shall meet periodically to discuss the progress of the Academy. The board and educational service provider will review data on the results-to-date of each Academy goal so assessment and evaluation can focus on how well the Academy is accomplishing its goals. Evaluations or progress assessments of the Academy's learning programs will be available for reference.

The board will use this assessment/evaluation time period to assess the effectiveness of the board as well as each board member.

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

This process of assessing/evaluating the board, the educational service provider, staff programs, and resources shall not be considered finished until school goals and the strategies and actions being used to accomplish them have been reviewed and reprioritized, as documented in the Academy's school improvement plan, revisions have been made in light of what all of the evaluation data for that year have indicated should be changed and/or should be continued in order to improve the accomplishment of school goals, and the board develops and implements a plan to improve its own performance as the body charged with the responsibility for the governing of the Academy.

Adopted 6/2006

CONFLICT OF INTEREST

Reference: 2 CFR 200.318

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

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

- A. Academy personnel shall engage in or have a financial interest, either directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the Academy. When the existence of a personal interest is suspected, he/she should disclose his/her interest.
- B. No Academy personnel shall use his/her position to benefit either himself/herself or any other individual or agency apart from the total interest of the educational service provider and the Academy.
- C. If the financial interest pertains to a proposed contract involving grants and awards, the following requirements must be met:
 - 1. Academy personnel may not participate in the selection, award, or administration of a contract supported by the grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the Academy personnel, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
 - 2. No Academy personnel may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.
- D. Academy personnel shall not engage in business, 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 or professional relationship 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. using, selling, or improperly divulging any privileged information about a student or client, which was gained in the course of the Academy personnel's employment or professional relationship with the Academy 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 Academy personnel has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
- 5. Academy personnel shall not make use of materials, equipment, or facilities of the Academy in private practice. Examples include the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- E. Should exceptions to this policy be necessary in order to provide mandatory 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 educational service provider before entering into any private relationship.
- F. Academy personnel must disclose any potential conflict of interest which may lead to a violation of this policy to the Board. Upon discovery of any potential conflict of interest, the Board will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

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

Should exceptions to this policy be necessary to provide services to students or clients of the Academy, all such exceptions will be made known to the immediate supervisor and disclosed to the Board prior to entering into any private relationship.

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

The Educational Service Provider shall implement a policy covering conflicts of interest for its employees in accordance with state and federal law.

Adopted 6/2006
Revised 12/20/016

BOARD - EDUCATIONAL SERVICE PROVIDER RELATIONSHIP

The board is authorized to govern the Academy in accordance with its charter contract with Bay Mills Community College. The board has chosen to contract with a comprehensive educational service provider organization to manage the Academy's day-to-day operations. It is the expectation of the board and this Educational Service Provider organization perform all of the functions/duties identified in the management agreement contract, as well as duties typically provided by a traditional school district superintendent. Because of this innovative governance structure, it is important to define and clarify the specific roles and responsibilities of the entities involved. The hierarchal relationships and expectations of the current entities involved in this governance structure are outlined in Policies 1201-1202.

The specific responsibilities and functions of the Educational Service Provider are identified in the approved management agreement between the Board and the Educational Service Provider. This policy outlines the overall board expectations of the Educational Service Provider.

The Educational Service Provider organization shall function as the Academy's superintendent and it responsible for hiring and/or assigning appropriate staff members to perform various duties and activities for effective school operations. Thus, it is also important that the board develop a positive and supportive relationship with the Educational Service Provider's central office staff and regional representatives responsible for ensuring effective/efficient operation and budget activities. The principal of the Academy will also be expected to work closely with the board, in addition to his/her Educational Service Provider superiors, to ensure effective operations and monitor school activities.

The board shall conduct an annual evaluation process during each school year that will include an assessment of the following activities:

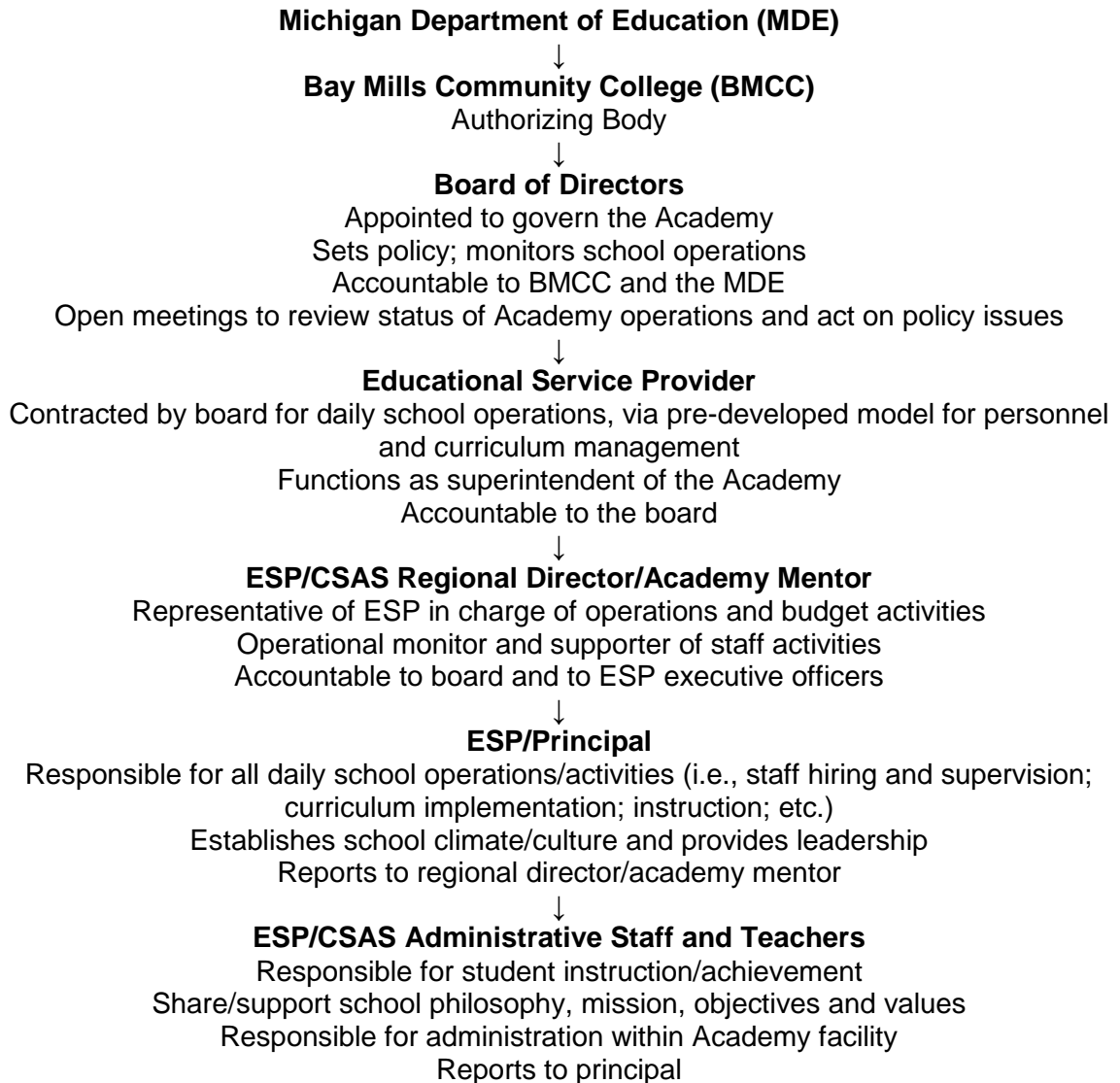
- A. board governance and performance,
- B. Educational Service Provider management and performance (as an organization),
and
- C. the services and support provided by the Authorizer.

The processes required for these assessment activities are identified in Policies 1203-1206 and 1240.

Failure of the Educational Service Provider to comply with the specified terms of the management agreement (i.e., breach of contract), and/or an unsatisfactory board evaluation of the Educational Service Provider, could result in legal action by the board to dissolve the existing management agreement or non-renewal of the contract with the Educational Service Provider. Should this be the case, the board shall develop and approve a documented process for the selection of a new Educational Service Provider or superintendent to manage the Academy.

Adopted 6/2006

ACADEMY GOVERNANCE HIERARCHY CHART



Adopted 6/2006
Revised 9/17/13

EXPECTATIONS OF EDUCATIONAL SERVICE PROVIDER/CHARTER SCHOOL ADMINISTRATION SERVICES STAFF

- A. Adherence to management agreement contract
- B. Responsiveness to board requests in a timely manner
- C. Adherence to policies and Educational Service Provider contracts/job descriptions
- D. Adherence to professional code of conduct
 - 1. respect principal as school leader
 - 2. respect of one another
 - 3. professionalism vs. personality preference
- E. Serious dedication and commitment to students/parents and effective school operations
 - 1. willingness to do what is necessary to get things done
 - 2. understand the importance of positive customer relations
 - 3. flexibility when possible
- F. Unified staff
 - 1. mutual principal-staff support
 - 2. strive for open, honest, trusting relationship
 - 3. development of effective conflict resolution strategies
 - 4. collaborative consensus decision-making when possible

Adopted 6/2006

BOARD ASSESSMENT PROCESS

- A. Correlate board work sessions to develop processes for enhancing board governance and evaluating board performance.

Correlate with board's policy development processes/procedures.
- B. Conduct board needs assessment surveys and evaluations.

Review Academy goals, achievement objectives and priorities as specified in the contract agreements with the authorizer and the Educational Service Provider.

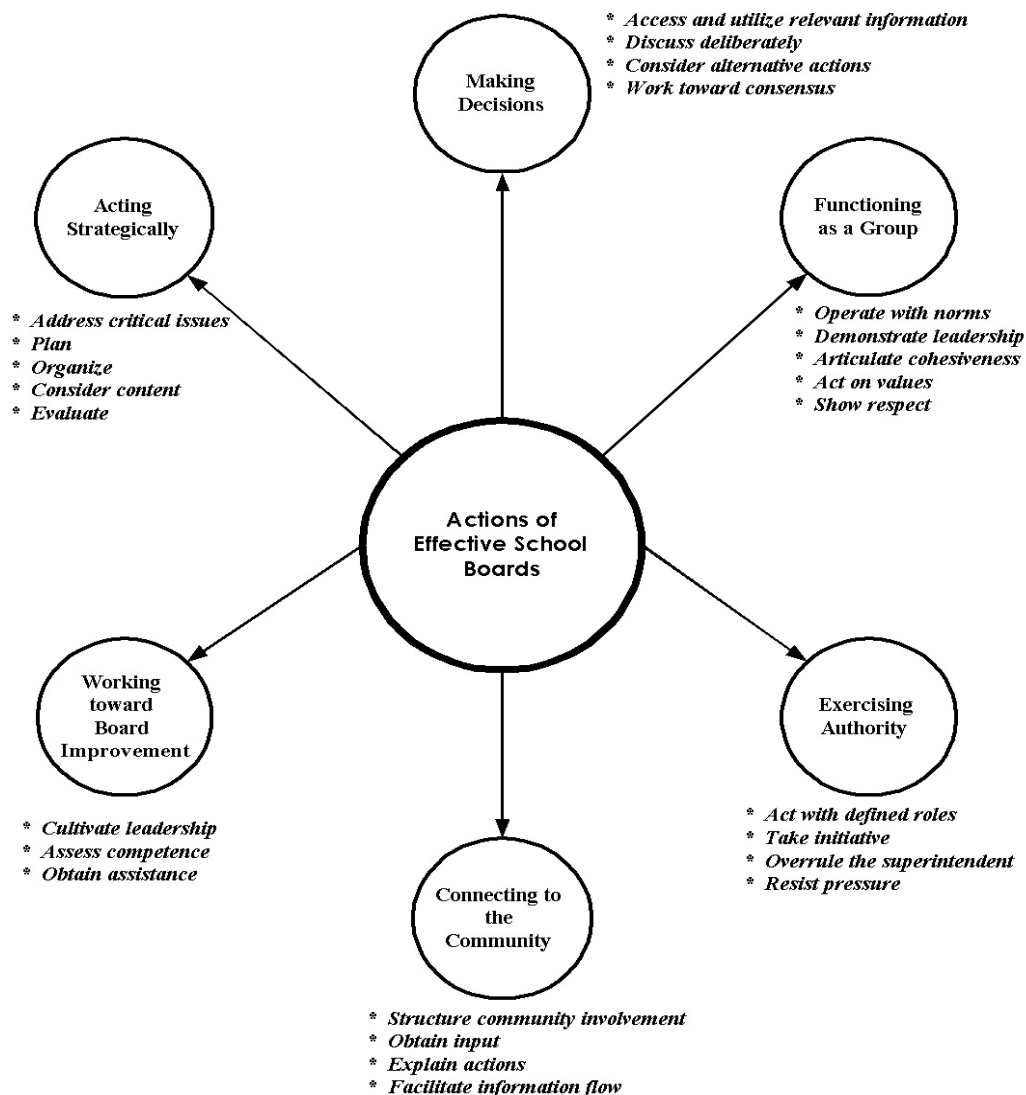
Use Smoley's Model for Effective School Boards – "Strategies for Improving Board Performance (see Policy# 1204)
- C. Conduct board evaluations of the Educational Service Provider each year.

Include assessments of the Educational Service Provider, the principal and school operations as part of Board's administrative policies
- D. Conduct board assessment of the services and support provided by the authorizer each year.

Adopted 6/2006

BOARD GOVERNANCE ASSESSMENT AREAS

Model for School Board Effectiveness



Model for School Board Effectiveness (reference: "Effective School Boards: Strategies for Improving Board Performance", by Eugene Smoley (1999))

Adopted 6/2006

EDUCATIONAL SERVICE PROVIDER ASSESSMENT AREAS

- A. School operations and student achievement
 - 1. Educational objectives and performance benchmarks (as specified in authorizer and Educational Service Provider agreements)
 - 2. Quality and effectiveness of educational program/curriculum development
 - 3. Timely compliance reporting to board, authorizer and MDE
 - 4. Student academic achievement (via standardized testing)
 - 5. Student recruitment, enrollment, retention and graduation rates
- B. Business and finances
 - 1. Building facilities and capital improvements (maintenance and expansion plans)
 - 2. Appropriate recommendations for (and monitoring of) Academy budget and financing needs/priorities
 - 3. Timely compliance of financial and audit reports to the board, authorizer and MDE
- C. Relationship with the board and management skills/style
 - 1. Coordination and effectiveness of board agendas, meetings and minutes
 - 2. Effective processes for keeping board informed and resolving differences
 - 3. Process for recruiting/recommending new board members
 - 4. Appropriate level of authority (e.g., recommendations vs. policy decisions)
 - 5. Adherence to management contract agreement
 - 6. Responsiveness and timely implementation of activities/resolution required for school operations
 - 7. Respected within the school (and general) educational community
- D. Educational Service Provider's relationship with the authorizer and MDE
 - 1. Authorizer/MDE compliances and expectations met
 - 2. Accountability to the public
 - 3. Perceptions of ethical operations/practice

E. School/staff relations

1. Develops sound personnel practices
2. Delegates work appropriately
3. Maintains good morale
4. Process/procedures for timely staff evaluations

F. Parent/community relations

1. Processes for obtaining parent/community input about school operations and educational program
2. Participates in local community activities
3. Handles news media effectively

Adopted 6/2006

AUTHORIZER SERVICES/SUPPORT ASSESSMENT AREAS

- A. Degree of flexibility afforded to the Academy (by authorizer)
- B. Process for approving/training new board members
- C. Availability of contact person(s) and other involved organizations/departments (number of site visits; amount of educational assistance/support; conflict resolution processes/assistance; etc.)
- D. Oversight/monitoring procedures: clearly defined, documented and communicates (including criteria for contract renewals/revocations)
- E. Types of required reports/compliances, additions/connections to state mandates: clearly defined, documented and communicated
- F. Due process procedures (for conflict resolution and/or contract dissolution)
- G. Other types of services/assistance provided to board and Educational Service Provider

BOARD – EDUCATIONAL SERVICE PROVIDER RELATIONSHIP

The board has elected to contract with an educational service provider to act as the Academy's superintendent for the daily operations of the Academy and for the hiring of staff.

The board of directors believes that, in general, it is the primary duty of the board to establish policies and that of the educational services provider to administer such policies. Generally, policy should not be originated or changed without the recommendation of the administrator. The educational service provider should be given the latitude to determine the best method of implementing the policies of the board.

The administrators are the primary professional advisors to the board. They are responsible for the development, supervision, and operation of the Academy program and facilities. Their methods should be made known to the staff through the administrative guidelines of the Academy.

The administrators or other representative staff shall attend all board meetings, when feasible. Staff participation shall be by professional counsel, guidance, and recommendation as distinct from deliberation, debate, and voting of board members.

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

TABLED POLICY – 12/20/16
NEW POLICY – FALL 2015
WEAPONS

The Board prohibits any Board member or staff member, whether employed by the Board or Educational Service Provider from storing, making, or using a weapon in any setting that is under the control and supervision of the Academy for the purpose of school activities approved and authorized by the Academy including, but not limited to, property leased, owned, or contracted for by the Academy, a school-sponsored event, including athletic events, or in a Academy vehicle.

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 spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paint balls, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapon, ammunition, and explosives or any other weapons described in 18 U.S.C. 921.

The Educational Service Provider shall refer 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, as permitted by applicable Board policy and the terms of any employment contracts.

Staff members shall immediately report knowledge of dangerous weapons and/or threats of violence by students, staff members, or visitors to the Educational Service Provider. Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

EMPLOYMENT OF THE PRINCIPAL

The board of directors vests the primary responsibility for administration of this Academy in the educational service provider. Whenever the position of principal shall be vacant, the educational service provider shall, in conformance with the terms of the educational service provider agreement with the board, appoint or approve a principal.

The board expects the educational service provider to seek and appoint the best-qualified and most capable candidate for the position of principal. Prior to conducting a search, the board encourages and expects the educational service provider to gather counsel and input about Academy needs from board members; and parents, staff and other members of the community who have interest. The board further expects the educational service provider to:

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

The educational service provider shall notify the board of the selection of a principal and provide the board with sufficient information about the principal, including his/her professional work experience and credentials.

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

M.C.L.A. 380.1246
1999 PA 212

Adopted 6/2006

RESPONSIBILITIES OF THE PRINCIPAL AND EDUCATIONAL SERVICE PROVIDER

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

The principal shall be directly responsible to the educational service provider, and the educational service provider shall be directly responsible to the board, for the performance of the following assigned duties and responsibilities:

- A. keep the board informed of Academy operation by contributing to the preparation of board agendas, providing oral and written communication, scheduling management team committee meetings, and requesting special board meetings that become necessary to keep the board properly informed
- B. ensure that 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 that may be required by law and consistent with the educational goals adopted by the board
- D. ensure proper implementation of the current Academy-wide instructional plan
- E. strive to increase the efficient use of Academy resources in the daily operations of the Academy
- F. assign staff to achieve the maximum benefit toward the attainment of educational goals
- G. evaluate the progress of the professional and support staff toward the attainment of educational goals
- H. analyze the results of instructional program development as it applies to the board'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 assure 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 programs in the Academy
- 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 such other duties as the educational service provider or the board, as applicable, may direct

Adopted 6/2006

DEVELOPMENT OF ADMINISTRATIVE GUIDELINES

The board of directors delegates to the educational service provider the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the Academy will operate. These administrative guidelines shall not be inconsistent with the policies adopted by the board.

The board itself may formulate and adopt administrative guidelines and rules only when required by law or when necessary in the judgment of the board.

The educational service provider may also issue such administrative and student handbooks necessary for the effective administration of the Academy and distribute them to staff and students and/or their parents.

As long as the provisions of these administrative guidelines and student handbooks are not inconsistent 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 a copy of all handbooks shall be made a part of the board's reference materials maintained in the Academy office.

The educational service provider may maintain and keep at the Academy a current organizational chart to which immediate reference can be made by the board or any staff member.

Adopted 6/2006

EVALUATION OF THE EDUCATIONAL SERVICE PROVIDER

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

Adopted 6/2006
Revised 9/15/15

TERMINATION OF THE EDUCATIONAL SERVICE PROVIDER

The board of directors may terminate an educational service provider agreement during its term in accordance with the terms of that agreement.

Adopted 6/2006

JOB DESCRIPTIONS

The board of directors authorizes the educational service provider to maintain job descriptions which shall be brief, factual and, wherever possible, generally descriptive of similar jobs.

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 educational service provider shall further ensure that board policies on non-discrimination are implemented properly and in compliance with federal and state laws and regulations, particularly the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

Adopted 6/2006

TABLED POLICY—4/18/17

REVISED POLICY – FALL 2016

REVISED POLICY—SPRING 2015

REVISED POLICY—FALL 2014

ACADEMY ADMINISTRATOR EVALUATION

Reference: MCL 380.1249; 380.1249b

The Board of Directors shall ensure that its Educational Service Provider establishes and implements a rigorous, transparent, and fair performance evaluation system that does all of the following:

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

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

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

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

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

1. The effectiveness of the Principal or academy administrators, so that they are given ample opportunities for improvement;
2. Promotion, retention, and development of the Principal or academy administrators, including providing relevant coaching, instruction support, or professional development.
3. Removing ineffective Principals or academy administrators after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.

- E. The portion of the annual year-end evaluation that is not based on student growth and assessment data shall be based on at least the following:**
- 1. The Principal or academy administrator's training and proficiency in conducting teacher performance evaluations if s/he does so or his/her designee's proficiency and training if the administrator designates such duties.**
 - 2. The progress made by the academy in meeting the goals established in the academy improvement plan.**
 - 3. Student attendance.**
 - 4. Student, parent and teacher feedback and other information considered pertinent by the Board.**
- F. For the purposes of conducting annual year-end evaluations under the performance evaluation system, by the beginning of the 2016-2017 school year, the Educational Service Provider shall adopt and implement one (1) or more of the evaluation tools for teachers, or administrators, if available, that are included on the list established and maintained by the Michigan Department of Education. However, if the Educational Service Provider has one (1) or more local evaluation tools for administrators or modifications of an evaluation tool on the list, and the academy complies with G., below, the academy may conduct annual year-end evaluations for Principals or academy administrators using one (1) or more local evaluation tools or modifications. The evaluation tools shall be used consistently among the schools operated by the Academy so that all similarly situated academy administrators are evaluated using the same measures.**
- G. Beginning with the 2016-2017 school year, the Board shall post on its public website all of the following information about the measures it uses for its performance evaluation system for school administrators:**
- 1. The research base for the evaluation framework, instrument, and process or, if the Educational Service Provider adapts or modifies an evaluation tool from the MDOE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.**
 - 2. The identity and qualifications of the author or authors or, if the Educational Service Provider adapts or modifies an evaluation tool from the MDOE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.**
 - 3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the Educational Service Provider adapts or modifies an evaluation tool from the MDOE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.**

4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.
 5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
 6. A description of the plan for providing evaluators and observers with training.
- H. Beginning with the 2016-2017 school year:
1. The Educational Service Provider shall provide training to school administrators on the measures used by the Academy in its performance evaluation system and on how each of the measures is used. This training may be provided by the Educational Service Provider or by a consortium consisting of 2 or more public school academies.
 2. The Educational Service Provider shall ensure that training is provided to all evaluators and observers. The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the Educational Service Provider, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The Educational Service Provider may provide the training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

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

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

Adopted 6/19/12
Revised

CRIMINAL HISTORY RECORD CHECK

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

Before the School hires any employee (full or part-time) 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 School or with a third party vendor, management company, or similar contracting entity to provide food, custodial, transportation, counseling or administrative services on more than an intermittent or sporadic basis. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

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

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

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the Principal may contract on a provisional basis until the report is received. Any such provisional hire requires that:

- A. the record check has been requested;
- B. the applicant has signed a disclosure of all convictions and acknowledges that employment may be terminated if there are discrepancies; and
- C. the hiring occurs during the school year or not more than thirty (30) days before the beginning of the school year.

¹ Individuals who submit and receive such criminal history record checks on behalf of the School must be direct employees of the School or, if such access is approved by the Board, ESP personnel who are provided view only access by the Local Agency Security Officer. Notwithstanding this, Information Technology contractors and vendors may be granted access to CHRI subject to successful completion of a national fingerprint-based criminal history record check as detailed in Policy 8321.

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

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the School in lieu of submitting to a new criminal background check. If this method is used, the Principal must confirm that the record belongs to that individual and whether there have been any additional convictions by processing the individual's name, sex and date of birth through the Internet Criminal History Access Tool (ICHAT).

"No separation," for purposes of the preceding paragraph, means a lay off or leave of absence of less than twelve (12) months with the same employer; or the employee transfers without a break in service to another school district, intermediate school district, public school academy or non-public school within the State.

All CHRI received from the State Police or produced by the State Police and received by the Academy from another proper source, will be maintained pursuant to Policy 8321.

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

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

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

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

An applicant must submit, at no expense to the School, a set of fingerprints, prepared by an entity approved by the Michigan State Police, as part of his/her employment application or as required by State law for continued employment.

Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those who have not been given access to CHRI by the Principal or the Board. Violation of confidentiality is considered a misdemeanor punishable by a fine up to \$10,000.

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

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

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

Adopted 3/20/18
Revised 11/13/18

NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

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

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

Academy Compliance Officers

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

School Counselor
13943 E. 8 Mile Rd.
Warren, MI 48089
(586) 552-8010

Dean of Students
13943 E. 8 Mile Rd.
Warren, MI 48089
(586) 552-8010

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

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 at his/her first convenience but no longer than four (4) 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 Educational Service Provider 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 at earliest convenience but no longer than four (4) days.

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 at earliest convenience but no longer than four (4) 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 an 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 Educational Service Provider 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.

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, Educational Service Provider, 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, Educational Service Provider, or other Academy official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO at earliest convenience but no longer than four (4) 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 Educational Service Provider.

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 Educational Service Provider 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. After consulting with the Principal the CO may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

Absent extenuating circumstances, within seven (7) business days of receiving the report of the CO or the designee, the Educational Service Provider must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Educational Service Provider's final decision will be delivered to both the Complainant and the Respondent.

If the Educational Service Provider requests additional investigation, the Educational Service Provider must specify the additional information that is to be gathered, and such additional investigation must be completed within seven (7) business days. At the conclusion of the additional investigation, the Educational Service Provider must issue a final written decision as described above.

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

The decision of the Educational Service Provider shall be final.

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

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

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

Privacy/Confidentiality

The Academy will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal

obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

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

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider 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.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

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

set forth in this policy and the role and responsibility of all Academy personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

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

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

Adopted 9/17/13
Revised 9/15/15; 4/16/19

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 Educational Service Provider shall maintain and enforce the following standards:

- A. Each administrator shall report immediately to the Educational Service Provider and Principal any accident, safety hazard, or other potentially harmful condition or situation s/he detects.
- B. Each administrator shall immediately report to the Educational Service Provider and Principal 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.
- 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 School 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 except in the case of an emergency.
- 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 Educational Service Provider or 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 school-sponsored publication or production in accordance with Policy 5722.

- J. 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.

Revised 6/19/12

SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

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

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

Revised 9/15/15

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.

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

School Counselor
Academy of Warren
13943 E 8 Mile Rd.
Warren, MI 48089

Dean of Students
Academy of Warren
13943 E 8 Mile Rd.
Warren, MI 48089

The names, titles, and contact information of these individuals will be published annually:

- A. in the parent and staff handbooks.
- B. on the Academy's web site.

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

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the Academy community or a visitor to the Academy, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the Academy community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Educational Service Provider 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 at earliest convenience but no longer than 4 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 at earliest convenience but no longer than 4 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 Educational Service Provider.

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.

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, Educational Service Provider, 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, Educational Service Provider, 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 at earliest convenience but no longer than 4 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 Educational Service Provider.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation.

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

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

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

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Educational Service Provider 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. After consulting with the Principal, the Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

Absent extenuating circumstances, within seven (7) business days of receiving the report of the Compliance Officer or the designee, the Educational Service Provider must either issue a final decision regarding whether the complaint of harassment has been substantiated or request

further investigation. A copy of the Educational Service Provider's final decision will be delivered to both the Complainant and the Respondent.

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

The decision of the Educational Service Provider shall 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.

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 Educational Service Provider 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 Educational Service Provider 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 under the age of eighteen (18) or that a person with a disability receiving services as a student from the Academy regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Educational Service Provider.

Education and Training

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

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Academy personnel related to the investigation and/or the Academy's response to the alleged violation of this policy;
- D. written witness statements;

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

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

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy

8320, and Policy 8330 for not less than three (3) years, but longer if required by the Academy's records retention schedule.

Adopted 9/15/15
Revised 4/16/19

2000 **PROGRAM**

2105	Mission of the Academy	
2110	Statement of Philosophy	BP
2111	Value Statements for Board Members, Staff, Students and Parents	
2112	Parent and Family Engagement	L**
2120	School Improvement	
2131	Educational Outcomes for Students	
2132	Educational Process Goals	
2210	Curriculum Development	L
2210.01	Instructional Materials Right to Inspect	BP
2220	Adoption of Curriculum	BP
2221	Mandatory Courses	BP
2225	Students with Limited English Proficiency (LEP)	BP
2231	Curriculum	BP
2240	Controversial Issues	
2250	Innovative programs	
2260	Nondiscrimination and Access to Equal Educational Opportunity	L
2260.01	Section 504/ADA Prohibition against Discrimination Based on Disability	L
2261	Title I Services	L
2261.01	Parent and Family Member Participation in Title I Programs	L**
2261.02	Title I – Parent's Right to Know	BP
2270	Religion in the Curriculum	BP
2330	Homework	BP
2340	Field and Other Academy-Sponsored Trips	BP
2370	Educational Options	BP
2370.01	On-Line/Blended Learning Program	BP
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	BP
2413	Critical Health Problems	BP
2414	Reproductive Health and Family Planning	L
2416	Student Privacy and Parental Access to Information (FERPA)	L
2418	Sex Education	L
2430	Academy-Sponsored Clubs and Activities	BP
2431	Interscholastic Athletics	L
2431.01	Managing Heat and Humidity in Interscholastic Athletic Programs	BP
2460	Special Education	L
2460.02	Least Restrictive Environment (LRE) Position Statement	L
2461	Recording of Academy Meetings Involving Students and/or Parents	BP
2510	Adoption of Textbooks	BP
2521	Selection of Instructional Materials and Equipment	BP
2531	Copyrighted Works	BP
2605	Program Accountability and Evaluation	
2623	Student Assessment	L
2628	State Aid Incentives	BP

2700 P.A. 25 Annual Report

L**

**Legally required for schools receiving funding under ESEA.

Revised 06/07; 12/08; 2/18/11; 4/14/11; 6/19/12; 9/17/13; 7/15/14; 9/15/15; 12/20/16; 4/18/17;
11/14/17; 3/20/18; 4/16/19; 9/4/19

MISSION OF THE ACADEMY

An environment where leadership, entrepreneurship, and academics embody the spirit of our students, parents, and teachers.

Adopted 6/2006

STATEMENT OF PHILOSOPHY

We believe:

- A. All children can be successful when given a positive, nurturing environment
- B. School, home, and community must work together as a team for optimum success
- C. Business and entrepreneurship provide for authentic learning to become leaders, productive contributors, and lifelong learners
- D. An individual's character needs to be enriched through the core values of:
 - 1. Justice
 - 2. Honesty
 - 3. Respect
 - 4. Responsibility
 - 5. Citizenship
 - 6. Wisdom
 - 7. Hope
- E. Technology is a critical component of the twenty-first (21st) century and a child's education
- F. Using multiple intelligence instruction is significant to student achievement

Adopted 6/2006

VALUE STATEMENTS FOR BOARD MEMBERS, STAFF, STUDENTS AND PARENTS

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

The Board adopts the following value statements as guides to ethical behavior and expects all members of the staff to do likewise, as a means of setting an example for Academy students. It also recommends that each board member, staff member, student, and parent be given the opportunity to pledge himself/herself to demonstrating these ethical behaviors.

Statement of Values and Pledge for Board Members and Staff

- A. I will accept responsibility for all my actions.
- B. I will respect the dignity and property of my fellow workers and will never seek to do them harm.
- C. I will keep all the promises I make, fulfilling the trust that other people place in me.
- D. I will complete projects which I have begun.
- E. I will strive for excellence in all my work and will respect achievement in my fellow workers.
- F. I will discipline myself to continue 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 which will destroy my health and 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 train myself to be useful to others.
- J. I will work together with others to improve my community, and world.

Statement of Values and Pledge for Students

- A. I will accept responsibility for all my actions.
- B. I will attend school daily and arrive on time.
- C. I will respect the dignity and property of my fellow students and will never seek to do them harm.

- D. I will keep all the promises I make, fulfilling the trust that other people place in me.
- E. I will complete projects and courses of study which I have begun, and will complete and return homework on time.
- F. I will strive for excellence in all my work and will respect achievement in my fellow students.
- G. I will discipline myself to listen, learn, and study, recognizing that long-term achievement is more important than my happiness in short-term pleasure.
- H. I will refrain from smoking, using drugs or alcohol, or any other substance which will destroy my health and undermine my dignity.
- I. I will respect the authority of my parents and teachers.
- J. I will train myself to be useful to others, and will work together with others to improve my community and world.
- K. I will adhere to the school dress code, and will follow all the policies listed in the parent-student handbook.

Statement of Values and Pledge for Parents

- A. I will endorse and support the policies and educational goals as outlined in the student-parent handbook.
- B. I will actively participate in school activities, parent-teacher associations and fund-raisers.
- C. I will volunteer a minimum of two hours per week or as requested by school administration.
- D. I will attend or send an adult representative to every parent-teacher conference.
- E. I will seek other community, business and corporate support in the way of gifts, grants and volunteers in the classroom and extra curricular activities.

Adopted 6/2006

PARENT AND FAMILY ENGAGEMENT

Reference: Sec. 1112, 1116 ESEA
MCL 380.1294

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

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

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

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

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

A. Relationships with Families

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

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

C. Volunteer Opportunities

1. providing volunteer opportunities for families to support their children's Academy activities; ²
2. supporting other needs, such as transportation and child care, to enable families to participate in Academy-sponsored family engagement events. ²

D. Learning at Home

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

E. Engaging Families in Decision Making and Advocacy

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

F. Collaborating with the Community

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

Implementation

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

¹Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

²Indicates Title I Section 1116 parent and family engagement

Adopted 12/08

Revised 4/14/11; 4/16/19

SCHOOL IMPROVEMENT

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

In addition to adopting a mission statement and educational beliefs for the Academy, the Board shall create, as needed, policies which support the School Improvement Process.

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

- A. School improvement plans will be developed and implemented by Academy-based teams that work collaboratively so that building level goals for students can be identified and correlated, and then achieved through effective planning, problem-solving, and assessment. Each such team is to include professional and support staff, students, parents, representatives of the community, and a member of the board.
- B. An Academy-wide, school-improvement plan will provide 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 educational service provider.
- C. Periodic review and approval by the board of each modification and improvement to its program is based upon assessment of student accomplishment of performance objectives and program goals.
- D. Collaboration will occur with parents, relevant institutions and groups, especially those in the community, who can support and facilitate school improvement.

Upon approval of the initial plan and its later revisions, the Board and Educational Service Provider shall fully support, to the extent that resources allow, the Academy's educational improvement program. This improvement program may include co-curricular and/or extra-curricular activities.

M.C.L.A. 380.1204(a), 380.1277

Adopted 6/2006

EDUCATIONAL OUTCOMES FOR STUDENTS

Since the mission of the Academy is to provide a quality education for all of the students, the board of directors believes the mission is being accomplished when students confirm that they have achieved its educational goals.

During and upon completion of the educational program of the Academy, an educated student should achieve the following learning outcomes at desired levels of quality, which are both age and grade level appropriate and commensurate with their ability and potential.

Communication Skills

The student demonstrates that s/he:

- A. is independently efficient in solving life problems which require the use of both oral and written language;
- B. can logically examine and subsequently use information from various appropriate resources;
- C. understands and responds appropriately to the communication of others and to their feelings and attitudes;
- D. is capable of selecting, adopting, and using the most appropriate language forms to achieve his/her communication purpose.

General Education

The student demonstrates that s/he:

- A. has sufficient fundamental knowledge and skills in traditional subjects (i.e. English and social studies) to enable him/her to meet his/her responsibilities as a participating member of society;
- B. can establish and pursue educational, vocational, and/or avocational goals of his/her own;
- C. seeks to learn continuously using appropriate informational resources.

Pride and Ethics

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

Interaction and Cooperation

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

Citizenship

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

Arts and Culture

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

Social Change

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

Health

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

Resource Management

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

Career Planning

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

Leisure Time

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

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

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

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Adopted 6/2006

EDUCATIONAL PROCESS GOALS

In order to achieve educational outcome goals, the board of directors will establish policies which will:

- A. Create an environment where all students can learn.
- B. Continue improvement of professional skill and development.
- C. Create a collaborative partnership with the ESP, parents and community.
- D. Maximize the Academy's management system.

The methods to be used:

- A. Present basic educational concepts demonstrating how they apply to business and dialing living.
- B. Utilize state-of-the-art technology for teaching methods as well as student enrichment.
- C. Employ qualified teachers with innovative and resourceful techniques.
- D. Involve local business owners and entrepreneurs in the daily curriculum.
- E. Help students create, own and/or operate small businesses as part of their classroom requirements.
- F. Expose students to success, fostering an environment where they are encouraged to set high goals for their future

Adopted 6/2006

CURRICULUM DEVELOPMENT

Reference: MCL 380.1282, 380.1166a

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

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, among other things, using reason and evidence, specifying goals and objectives, identifying resources and constraints, generating and assessing alternatives, considering intended and unintended consequences, choosing appropriate alternatives, and evaluating results.
- E. *Organize and Communicate Information.* Organize, present, and communicate information in a variety of media in a logical, effective, and comprehensive manner.
- F. *Think and Communicate Critically.* Read, listen, think, and speak critically in connection with any subject with clarity, accuracy, precision, relevance, depth, breadth, and logic.
- G. *Learn and Consider Issues Collaboratively.* Engage in shared inquiry processes, in a collaborative and team-based fashion with persons of diverse backgrounds and abilities.
- H. *Learn Independently.* Engage in learning in an active, exploratory, independent, and self-directed fashion.
- I. *Create Knowledge.* Create knowledge by raising and identifying previously unconsidered or unidentified questions and issues; creating new primary knowledge; and creating new approaches to solving or considering questions and issues.
- J. *Act Ethically.* Adhere to the highest intellectual and ethical standards in conducting all of the above.

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

- A. provide grade-appropriate instruction on career development in each grade level from kindergarten through 12th;
- B. provide instruction in curriculum required by statute and State Department of Education regulations;
- C. ensures, to the extent feasible, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;
- D. be consistent with the Academy's philosophy and goals and ensure the possibility of their achievement;
- E. incorporate State-recommended performance standards for students as the basis for determining how well each student is achieving the academic outcomes for each area of the Academy's core curriculum;
- F. allows for the development of individual talents and interests as well as recognizes that learning styles of students may differ;
- G. provides a strategy for continuous and cumulative learning through effective articulation at all levels, particularly of those skills identified as essential and life-role skills;
- H. utilizes a variety of learning resources to accomplish the educational goals;
- I. provides for multi-cultural education by including, at each level, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society,

The educational service provider/principal shall be responsible to the board for the development and evaluation of curriculum and the preparation of courses of study. The educational service provider/principal shall make progress reports to the board annually.

The educational service provider/principal may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure accomplishment of the Academy's educational goals and alignment with Michigan Curriculum Frameworks.

The educational service provider/principal shall report each such innovative program to the board along with its objectives, evaluative criteria, alignment with Michigan Curriculum Frameworks and costs, before it is initiated. The educational service provider/principal shall not initiate any new program without approval of the board.

The board encourages, where it is feasible and in the best interests of the Academy, participation in programs of educational research. The board directs the educational service provider/principal to pursue actively state and federal aid in support of the Academy's innovative activities.

INSTRUCTIONAL MATERIALS RIGHT TO INSPECT

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

The educational service provider/principal shall, in consultation with parents, develop a procedure addressing the rights of parents and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials.

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

20 U.S.C. 1232[h]

Adopted 6/2006

ADOPTION OF CURRICULUM

The Academy shall provide a comprehensive curriculum 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 curriculum. All curriculum of this Academy shall be compliant with the Michigan Curriculum Frameworks.

No curriculum shall be taught in this Academy unless it has been adopted by the board. The board shall determine the instructional program and curriculum that are subject to the adoption procedures of the board.

The educational service provider shall recommend to the board curriculum deemed being in the best interests of the students. The educational service provider's recommendation shall include the following information about curriculum prior to being adopted:

- 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 curriculum.
- 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 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 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.

The curriculum is intended to provide a basic framework for instruction and learning. Within this framework, each teacher shall use the curriculum 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 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 educational service provider's guidelines shall include recommendations to staff on how to instruct students in these important work ethics and how to include these learnings in the grades that students receive.

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

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

The educational service provider shall maintain a copy of the curriculum offered by this Academy and shall provide each member of the board with a copy of the Academy's curriculum. The curriculum shall include the recommendation for its adoption.

M.C.L.A. 380.502, 380.503, 388.1621

Adopted 6/2006

MANDATORY COURSES

Reference: MCL 380.1166, 1168, 1169, 1170

Consistent with the Michigan School Code, the board of directors directs the educational service provider to prepare, implement, and supervise courses of instruction in the following areas, which are both age and grade level appropriate and commensurate with their ability and potential:

- A. The Constitution of the United States and Michigan, and in the history and present form of government of the United States, and Michigan and its political subdivisions;
- B. the principal modes by which communicable disease is spread and the best methods for the restriction and prevention of these diseases;
- C. instruction in physiology and hygiene with special emphasis on drug abuse prevention; and
- D. age and grade appropriate instruction in grades 8 through 12 about genocide, including, but not limited to, the Holocaust and the Armenian Genocide.

The educational service provider shall prepare administrative guidelines relative to the planning, teaching, and evaluation of these courses.

Adopted 6/2006
Revised 11/14/17

STUDENTS WITH LIMITED ENGLISH PROFICIENCY (LEP)

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

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

20 U.S.C. 1701 et seq
42 U.S.C. 2000d

Adopted 6/2006

CURRICULUM

The board of directors shall adopt a core curriculum which is to be based on the Model Core Curriculum developed by the State Department of Education. The educational service provider/principal shall prepare administrative guidelines which will provide for a description of the core curriculum as well as the sequence, in grade clusters, in which such courses will be taught.

Should the core curriculum vary from the State model, 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 educational service provider/principal's guidelines shall provide for an explanation of the means by which the core curriculum will be implemented and evaluated based on the K - 12 Program Standards of Quality established by the State Department of Education.

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

The educational service provider/principal is authorized to explore the feasibility of establishing a non-graded, continuous-progress program for grades 1-4 which will best assure that students in these grades are being provided an adequate opportunity to achieve the academic outcomes called for in the core curriculum for these grade levels.

M.C.L.A. 380.1204(a) 380.1278

Adopted 6/2006

CONTROVERSIAL ISSUES

The board of directors believes that the consideration of controversial issues has a legitimate place in the instructional program of the Academy. Properly introduced and conducted, the consideration of such issues can help students learn to identify important issues, explore fully and fairly all sides of an issue, weigh carefully the values and factors involved, and develop techniques for formulating and evaluating positions. For purposes of this policy, a controversial issue is a topic on which opposing points of view have been promulgated by responsible opinion and are likely to arouse both support and opposition in the community.

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

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

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

Controversial issues may not be initiated by a source outside the Academy unless prior approval has been given by the principal.

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

The board recognizes that a course of study or certain instructional materials may contain content and/or activities that some parents find objectionable. If after careful, personal review of the program lessons and/or materials, a parent indicates to the 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. When a student is excused, alternative learning activities during times of parent requested absences will be provided.

The educational service provider shall develop administrative guidelines for dealing with controversial issues.

Adopted 6/2006

PROGRAMS

The board of directors wishes to promote the continued improvement of the instructional and curricular program of the Academy through all appropriate means. The board will encourage the 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 6/2006

NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Reference: MCL 380.1146, 380.1704, 37.1101 et seq., 37.2402, 37.1402, 37.2101-37.2804
Fourteenth Amendment, U.S. Constitution
20 USC Section 1681, Title IX of Education Amendments Act
20 USC Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 USC Section 7905, Boy Scouts of America Equal Access Act
29 USC Section 794, Rehabilitation Act of 1973, as amended
29 CFR Part 1635
42 USC Section 2000 et seq., Civil Rights Act of 1964
42 USC Section 2000ff et seq., The Genetic Information Nondiscrimination Act
42 USC 6101 et seq., Age Discrimination Act of 1975
34 CFR Part 110 (7/27/93)
Vocational Education Program Guidelines for Eliminating Discrimination and Denial of
Services, Department of Education, Office of Civil Rights, March 1979
42 USC 12101 et seq., The Americans with Disabilities Act of 1990, as amended

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

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

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

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

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

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

A. Curriculum Content

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

B. Staff Training

develop an ongoing program of in-service training for Academy 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 the Academy 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")

School Counselor
13943 E. 8 Mile Rd.
Warren, MI 48089
(586) 552-8010

Dean of Students
13943 E. 8 Mile Rd.
Warren, MI 48089
(586) 552-8010

The names, titles, and contact information of these individuals will be published annually in the staff handbooks and on the Academy's website.

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 Academy environment. The goal shall be to provide all students with the same access and participation opportunities provided to other students in the Academy. Confirmation of disability, need for a service animal to access the Academy 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 Educational Service Provider attempt to identify children with disabilities, ages 0-25, who do not receive a 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 at his/her first convenience but no later than 4 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 Educational Service Provider 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 four (4) 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 four (4) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the student, if age eighteen (18) or older, or the student's parents if the student is under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure

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

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

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

Informal Complaint Procedure

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

is provided as a less formal option for a student who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

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

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

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, Educational Service Provider, 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, Educational Service Provider, or other employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within four (4) 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 Educational Service Provider.

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

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

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

- 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 Educational Service Provider 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. After consulting with the Principal the CO may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

Absent extenuating circumstances, within seven (7) business days of receiving the report of the CO or designee, the Educational Service Provider must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Educational Service Provider's final decision will be delivered to both the Complainant and the Respondent.

If the Educational Service Provider requests additional investigation, the Educational Service Provider must specify the additional information that is to be gathered, and such additional investigation must be completed within seven (7) days. At the conclusion of the additional investigation, the Educational Service Provider shall issue a final written decision as described above.

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

The decision of the Educational Service Provider shall be final.

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

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives with 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.

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 Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider 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.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Academy personnel related to the investigation and/or the Academy's response to the alleged violation of this policy;

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

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

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

Adopted 6/2006

Revised 06/07; 4/14/11; 9/17/13; 9/15/15; 4/16/19

SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

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

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

School Counselor
13943 E. 8 Mile Rd.
Warren, MI 48089
(586) 552-8010

School Counselor
13943 E. 8 Mile Rd.
Warren, MI 48089
(586) 552-8010

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

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

The Compliance Officer(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. 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.

Training

The Compliance Officer(s) 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. 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 education practices and the identity of the Compliance Officer(s) will be posted throughout the Academy, and published in the Academy's recruitment statements or general information publications.

The Educational Service Provider shall develop Administrative Guidelines for the proper implementation of this policy.

Complaint Procedures

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

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), parents and students will be notified of their right to file an internal

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

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

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 Building 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 Building Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Building 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 Building 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
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 4/14/11
Revised 6/19/12; 9/15/15

TITLE I SERVICES

Reference: 20 USC 6301 et seq.
34 C.F.R. Part 200, et seq.

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

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

Assessment

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

Scope

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

Participation

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

Comparability of Services

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

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

To achieve comparability of services, the 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

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

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

20 U.S.C. 6301 et seq., Elementary and Secondary Education Act of 1965
34 C.F.R. Part 200, et seq.

Adopted 6/2006
Revised 4/16/19

PARENT AND FAMILY MEMBER PARTICIPATION IN TITLE I PROGRAMS

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

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

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

- A. involve parents and family members in the development of the Academy's Title I plans and any State-mandated comprehensive support and improvement plans;
- B. provide coordination, technical assistance, and other support necessary to assist and build the capacity of all participating academies in planning and implementing effective parent involvement activities to improve student achievement and academy performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;
- C. coordinate and integrate parent and family engagement strategies, to the extent feasible and appropriate, with other Federal, State, and local laws and programs;
- D. with meaningful involvement of parents and family members, annually evaluate the content and effectiveness of the parent and family engagement policy in improving the academic quality of academies, including:
 - 1. identifying barriers to greater parent participation (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
 - 2. the needs of parents and family members to assist with the learning of their children, including engaging with academy personnel and teachers; and
 - 3. strategies to support successful academy and family interactions.
- E. use the findings of the above-referenced evaluation to:

1. design evidence-based strategies for more effective parental involvement; and,
 2. revise the parent and family engagement policy, if necessary;
- F. involve parents in the activities of the Academy's Title I, which may include establishing a parent advisory board that may be charged with developing, revising and reviewing the parent and family engagement policy;
- G. provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency and/or disabilities, and parents and family members of migratory children, including providing information and academy reports in a format, and to the extent practicable in a language, such parents can understand;
- H. conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;
- I. develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- J. provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- K. involve parents in the planning, review, and improvement of the Title I program;
- L. communicate information concerning academy performance profiles and their child's individual performance to parents;
- M. assist parents in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- N. provide timely responses to parental questions, concerns, and recommendations;
- O. coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent participation activities to improve academic achievement;
- P. conduct other activities as appropriate to the Title I plan and State and Federal requirements.

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

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

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

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

suggestions about their student's education as soon as practicably possible.

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

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

- A. assisting parents of children served under Title I in understanding such topics as the State academic standards, State and local academic assessments, Title I, and how to monitor their child's progress and how to work with educators to improve their child's achievement;

- B. providing materials and training to help parents work with their children to improve achievement, such as literacy training and using technology (including education about the harms of copyright privacy);
- C. educating teachers, specialized instructional support personnel, Principals (including principals), and other staff, with the assistance of parents, about the value and utility of contributions of parents, how to reach out to, communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;
- D. to the extent feasible and appropriate, coordination and integration of parent involvement programs and activities with other Federal, State and local programs (including public preschool programs), and conducting other activities that encourage and support parents more fully participating in the education of their children (e.g., parent resource centers);
- E. providing information related to academy and parent programs, meetings, and other activities to parents of participating children in a format, and, to the extent practicable, in a language the parents can understand;
- F. providing such reasonable support for parent involvement activities as parents may request.

In order to build the Academy's capacity for parent involvement, the Educational Service Provider and building principals may also:

- A. involve parents in the development of training for teachers and administrators and other educators to improve the effectiveness of such training;
- B. provide necessary literacy training from Title I funds if the Academy has exhausted all other reasonably available sources of funding for such training;
- C. pay reasonable and necessary expenses associated with parental involvement activities to enable parents to participate in academy related meetings and training sessions, including transportation and child care costs;
- D. train parents to enhance the involvement of other parents;
- E. arrange academy meetings at a variety of times, or conduct in-house conferences between teachers or other educators who work directly with participating children, with parents who are unable to attend such conferences at academy, in order to maximize parental involvement and participation;
- F. adopt and implement model approaches to improving parental involvement;
- G. establish an Academy parent advisory council to provide advice on all matters related to parental involvement in Title I programs;

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

Adopted 6/2006
Revised 4/16/19

TITLE I - PARENT'S RIGHT TO KNOW

In accordance with the requirement of Section 1111 of Title I, and if the Academy receives Title I funds, the educational service provider/principal 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 on the student's classroom teachers:

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

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

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

20 U.S.C. 6311, Elementary and Secondary Education Act of 1965
34 C.F.R. Part 200 et seq.

Adopted 6/2006

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 include as appropriate, to the various ages and attainments of the students, instruction about the religions of the world.

The Board acknowledges the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the Academy frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the Academy. The Board directs that 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 6/2006
Revised 7/15/14

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 experience of the Academy.
- B. Homework should help students learn by providing practice in the mastery of skills, experience in data gathering, and integration of knowledge, and an opportunity to remediate learning problems.
- C. Homework should help develop the student's sense of responsibility by providing an opportunity for the exercise of independent work and judgment.
- D. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the student and take into account other activities which make a legitimate claim on the student's time.
- E. As a valid educational tool, homework should be assigned with clear direction and its product carefully evaluated.
- F. The 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 6/2006

FIELD AND OTHER ACADEMY SPONSORED TRIPS

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:

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

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

Students may be charged fees for Academy-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation 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 educational service provider. 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 principal. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the Academy's administrative guidelines.

The educational service provider shall prepare administrative guidelines for the operation of both field and other Academy-sponsored trips, including athletic trips, which shall ensure:

- A. the safety and well-being of students;
- 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 which 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.

M.C.L.A. 380.502, 380.503

Adopted 6/2006

EDUCATIONAL OPTIONS

Reference: MCL 388.1621(b)

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

An optional plan to meet the recognized educational needs of a student may be approved by the Educational Service Provider and School Leader. The School Leader may prepare a plan of educational options for use in meeting special needs.

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

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

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

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

Adopted 2/18/11

REVISED POLICY—FALL 2014
REVISED POLICY—SPRING 2014
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 6-12.

C. Student Eligibility

1. **Students eligible for the Academy on-line/blended learning program must meet at least one of the following conditions:**
 - a. **The student has spent the prior school year in attendance at a public school in this State and was enrolled and reported by a public school district.**
 - b. **The student is a dependent child of a member of the United States Armed Forces who was transferred within the last twelve (12) months to Michigan from another state or foreign country pursuant to the parent's permanent change of station orders.**

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

D. Course Availability and Access

1. The Academy shall provide access to enroll and participate in the available courses and shall award credit, as may be appropriate, for successful completion. Access shall be available to eligible students during or after the school day and during summer school enrollment. The Academy will provide at least one of the following:
 - a. On-Line Learning, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-D.
 - b. Virtual Learning, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-A.
 - c. Independent Study, pursuant to the requirements set forth in Pupil Accounting Manual 5-O-A.
2. The Academy shall enroll an eligible student in up to two (2) on-line courses as requested by the student during an academic term, semester, or trimester. Consent from the student's parent or legal guardian must be obtained for students under the age of eighteen (18).
3. The Academy will provide two or fewer courses per semester in Grades K-5 and one or more courses per semester in Grades 6-12. If students are taking more than two courses per semester, the guidance found in the Pupil Accounting Manual 5-O-B shall be followed and seat time waivers obtained.
4. An eligible student may enroll in an on-line course published in the Academy on-line course syllabus, as described in section 8 below, or the statewide catalog of on-line courses maintained by the Michigan virtual university.
5. The Academy may deny a student enrollment in an on-line course if any of the following apply, as determined by the Academy:
 - a. The student has previously gained the credits provided from the completion of the on-line course.
 - b. The on-line course is not capable of generating academic credit.
 - c. The on-line course is inconsistent with the remaining graduation requirements or career interests of the student.
 - d. The student does not possess the prerequisite knowledge and skills to be successful in the on-line course or has

demonstrated failure in previous on-line coursework in the same subject.

- e. The on-line course is of insufficient quality or rigor. If the Academy denies a student enrollment for this reason, the Academy shall make a reasonable effort to assist the student to find an alternative course in the same or a similar subject that is of acceptable rigor and quality.**
- 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. 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 shall respond to the appeal within five (5) days after it is received. If the Board 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.

Revised

PROHIBITION OF REFERRAL OR ASSISTANCE

Reference: M.C.L. 388.1766

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

Whenever it becomes necessary to discipline a member of the staff for violation of this policy, the Educational Service Provider shall utilize the procedures described in this policy and any related Educational Service Provider procedure, if applicable.

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

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

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

Adopted 3/20/18

GUIDANCE AND COUNSELING

The board of directors requires that a planned program of guidance and counseling be an integral part of the educational program of the Academy. Such a program should:

- A. assist students in achieving their optimum growth;
- B. enable students to draw the greatest benefit from the offerings of the instructional program of the Academy;
- C. assist students in career awareness and planning and in the selection of appropriate postsecondary educational opportunities;
- D. help integrate the entire student's experience so that s/he can better relate classroom activity to life outside the Academy;
- E. help students learn to make their own decisions and solve problems independently.

The Department of Education's guidelines for counseling shall be included in the administrative guidelines for staff reference and compliance.

Adopted 6/2006

HOMEBOUND INSTRUCTION PROGRAM

The Academy shall provide, pursuant to requirements of the State Department of Education, individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability. As an alternative, the Academy may arrange through the Macomb Intermediate School District for individual instruction to such students.

Applications for individual instruction shall be made by a physician licensed to practice in this state, parent, student, or other care giver. A physician must:

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

Applications must be approved by the principal.

The Academy will provide homebound instruction only for those confinements expected to last at least five (5) days. The Academy shall recommend that instruction begin within three (3) days from the date of notification for non-special-education students. In the case of students under an I.E.P, the instruction is to begin within fifteen (15) days after notification in order to arrange for a meeting of child study team to adjust the I.E.P. if necessary.

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

The Academy reserves the right to withhold recommendation for homebound instruction when:

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

- C. the condition of the student is such as to preclude his/her benefit from such instruction or to be ineligible for such instruction.

The educational service provider shall develop administrative guidelines for implementing the policy.

Adopted 6/2006

CRITICAL HEALTH PROBLEMS

The board of directors, consistent with state law, has adopted a comprehensive program of health education, known as the locally adopted curriculum which will prepare students to maintain good health and enable them to adapt to changing health problems of our society.

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

The educational service provider shall prepare administrative guidelines that will ensure:

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

In implementing these programs, the administrator may use whatever Academy and outside resources, including Department of Education and ISD guidelines and consultants, deemed appropriate.

M.C.L.A. 388.381 et seq., 380.1170, 380.1506/1507
A.C. Rule 388.271 et seq.

Adopted 6/2006

REPRODUCTIVE HEALTH AND FAMILY PLANNING

Reference: MCL 380.1169, 380.1507, 388.1766
AC Rule 388.273 et seq.

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

No person shall dispense or otherwise distribute in a School or on School property a family planning drug or device. Additionally, any officer, agent, or employee of the Board is prohibited from referring a student for an abortion or assisting a student in obtaining an abortion. Violation of these prohibitions may lead to disciplinary action, including, but not limited to any financial penalties required by the State of Michigan.

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

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

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

Adopted 6/2006
Revised 3/20/18; 9/4/19

STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

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

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

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

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

To ensure the right of parents, the board directs the educational service provider/principal administrators to:

- A. Notify parents in writing of any surveys, analyses, or evaluations, which may reveal any of the information, as identified in A-H above, in a timely manner, and which allows interested parties to request an opportunity to inspect the survey, analysis, or evaluation; and the administrator to arrange for inspection prior to initiating the activity with students.

- B. Allow the parent the option of excluding their student from the activity.
- C. Report collected data in a summarized fashion which does not permit one to make a connection between the data and individual students or small groups of students.
- D. Treat information as identified in A-H above as any other confidential information in accordance with Policy 8350.

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

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

Adopted 6/2006

ACADEMY SPONSORED CLUBS AND ACTIVITIES

The board of directors believes that the goals and objectives of this Academy may be achieved by a diversity of learning experiences, including those that are not conducted in a regular classroom but are directly related to the curriculum.

The purpose of curricular related activities shall be to enable students to explore a wider range of individual interests than may be available in the Academy's courses of study but are still directly related to accomplishing the educational outcomes for students.

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

- A. the subject matter is actually taught or will be taught in a regularly offered course;
- B. the subject matter concerns the Academy's composite courses of study;
- C. participation is required for a particular course;
- D. participation results in academic credit.

No curricular related activity shall be considered to be under the sponsorship of this Board unless it meets one or more of the criteria stated above and has been approved by the educational service provider. Such activities, along with extra-curricular activities (not directly related to courses of study), 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 expressly declines to create a limited open forum for clubs and activities, initiated by students that cannot meet one of the four criteria stated above.

No non-Academy sponsored organization may use the name of the Academy or any other name which would associate an activity with the Academy.

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

The educational service provider may prepare administrative guidelines to implement a program of curricular-related clubs and activities. Such guidelines should ensure that the needs and interests of the students are properly assessed and procedures are established for continuing evaluation of each club and activity.

M.C.L.A. 380.1282
P.L. 98-377

Adopted 6/2006

INTERSCHOLASTIC ATHLETICS

Reference: MCL 380.1289, 380.1318
Good Sportsmanship Campaign, Michigan High School Athletic Association

The Board of Directors recognizes the value to the Academy and to the community of a program of interscholastic athletics for as many students as feasible.

The program of interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by or the Academy alone.

The program should foster the growth of school loyalty with the student body as a whole and stimulate community interest in athletics.

Game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

The Board believes that it is the purpose of an interscholastic program to provide the benefits of an athletic experience to as large a number of students as feasible within the Academy.

The Board further adopts those eligibility standards set by the Constitution of the Michigan High School Athletics Association (MHSAA) and shall review such standards annually to ascertain that they continue to be in conformity with the objectives of this Board.

Since the primary purpose of the athletic program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels. The Educational Service Provider/Principal/Athletic Director are to develop guidelines for coaches to follow which will ensure that as many team members as possible get the chance to play, so they have the opportunity to benefit from the learning experience.

Use of a performance-enhancing substance by a student is a violation that will affect a pupil's athletic eligibility and extracurricular participation, as determined by the Board.

A list of performance-enhancing substances developed by the State Department of Community Health can be found in AG 2431D. This list will be distributed to parents.

The Educational Service Provider/Principal/Athletic Director shall develop appropriate administrative guidelines for the operation of the Athletic Program and a Code of Conduct for those who participate. Such guidelines should provide for the following safeguards:

- A. Prior to enrolling in the sport,
 - 1. each participant shall submit to a thorough physical examination by an Academy-approved licensed physician.
 - 2. parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation.

- B. Any student who is found to have a health condition which may be life-threatening to self or others shall not be allowed to participate until the situation has been analyzed by a medical review panel consisting of at least two physicians licensed to practice medicine in the State of Michigan that has determined the conditions under which the student may participate.
- C. Any student who incurs an injury requiring a physician's care is to have written approval by a physician prior to the student's return to participation.

A female student shall be permitted to compete for a position in all interscholastic athletic activities. If the Academy has a girl's team in an interscholastic athletic activity, a female shall be permitted to compete for a position on any other team for that activity.

In support of the Michigan High School Athletic Association's program to strengthen sportsmanship, ethics, and integrity, the Board commits itself to:

- A. adopt policies (upon recommendation of the administration) which reflect the Academy's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;
- B. establish standards for athletic participation which reinforce the concept that athletic activities are a privilege, not a right;
- C. attend and enjoy school athletic activities, serving as a positive role model and expecting the same from parents, fans, participants, coaches, and other school personnel;
- D. recognize the value of school athletic activities as a vital part of education.

In order to minimize health and safety risks to student-athletes and maintain ethical standards, Academy personnel, coaches, athletic trainers, and lay coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.

The Educational Service Provider/Principal/Athletic Director are also to develop guidelines for ensuring that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate. Such guidelines should include the MHSAA's set of expectations for each type of participant as well as the Sportsmanship Code of Conduct which each type of participant is to follow. The Educational Service Provider/Principal/Athletic Director is authorized to implement suitable disciplinary procedures against those who violate this Code of Conduct.

Adopted 06/07
Revised 12/08

MANAGING HEAT AND HUMIDITY IN INTERSCHOLASTIC ATHLETIC PROGRAMS

The Board of Directors authorizes the implementation of the model policy and procedures of the Michigan High School Athletic Association (MHSAA) for managing heat and humidity to minimize the risk of heat-related illness in interscholastic athletic programs. For all interscholastic athletic programs and activities as prescribed by the MHSAA, temperature and humidity shall be monitored and recorded in accordance with this policy and administrative guidelines (AG 2431.01). Temperature and humidity readings are to be recorded in writing and maintained for each school by the School Leader or designee.

Heat Index measurements thirty (30) minutes prior to the start of the activity and again sixty (60) minutes after the start of the activity shall determine the appropriate measures to be followed with regard to the practice or competition activity. In all such circumstances, coaches/advisors shall provide the following, as indicated by the heat index:

- A. ample amounts of water
- B. water breaks
- C. ice-down towels, and
- D. careful monitoring of athletes/participants for necessary action

Coaches/advisors shall consider the nature of the sport/activity requiring additional equipment and shall adjust the time of outside activity and time of day for the activity in accordance with the MHSAA model policy.

If the Heat Index is above 104 degrees, the coach/advisor shall stop all outside activity in practice and/or play and shall stop all inside activity if air conditioning is unavailable. When the temperature is below 80 degrees, there is no combination of heat and humidity that will result in the need to curtail activity.

Adopted 7/15/14

SPECIAL EDUCATION

The board of directors shall enter into an agreement with the Macomb Intermediate School District to provide a comprehensive, free, and appropriate educational program to all eligible disabled persons ages zero (0) through twenty-five (25) which complies with federal and state laws and guidelines.

The educational service provider shall prepare administrative guidelines necessary to ensure effective implementation of the special education program.

M.C.L.A. 380.1751
A.C. Rule 340.1721A et seq., 340.1861 et seq.

Adopted 6/2006

LEAST RESTRICTIVE ENVIRONMENT POSITION STATEMENT

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 Macomb 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.

IDEA, 20 U.S.C. 1400 et seq.

Adopted 6/2006

NEW POLICY – SPRING 2017

RECORDING OF SCHOOL MEETINGS INVOLVING STUDENTS AND/OR PARENTS

Recording of IEP Team and 504 Team Meetings

The recording of IEP Team meetings and 504 Team meetings is prohibited unless it is necessary in order for a parent to understand the IEP process or 504 process and/or his/her child's IEP or 504 Plan, or otherwise necessary to implement other parental rights under the IDEIA, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended.

- A. If a parent believes that audio recording an IEP Team or 504 Team meeting is necessary, s/he should notify Director of Pupil Services or Director of Special Education in writing, preferably at least two (2) school days before the IEP Team or 504 Team meeting, of his/her desire to audio record the meeting and the reason the recording is required. The Principal will notify the parent at least one (1) school day before the meeting if s/he intends to deny the parent's request to record the meeting.
- B. If the School representative denies the request, s/he will state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the audio recording of IEP Team meetings and 504 Team meetings will typically involve situations when a parent or other IEP Team or 504 Team member has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the IEP process or 504 process. The School representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting, s/he must use his/her own recording device and the School will similarly record the meeting.

Recording of Other School Meetings Involving Students and/or Parents (e.g., Parent-Teacher Conferences)

Parents are prohibited from audio recording meetings with the School unless a parent or School staff member has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or participate in the meeting. The School representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting, s/he must use his/her own recording device and the School may similarly record the meeting.

Video recording any School meeting is strictly prohibited, with the exception of meetings open to the public under the Open Meetings Act.

Parents and students are expressly prohibited from using covert means to listen-in or make a recording (audio or video) of any meeting or activity at school. This includes placing recording devices, or other devices with one- or two-way audio communication technology (i.e., technology that allows a person off-site to listen to live conversations and sounds taking

place in the location where the device is located), within a student's book bag, on the student's person or otherwise in an area capable of listening in or recording without express written consent of the Educational Service Provider. Any requests to place a recording device or other device with one- or two-way audio communication technology within a student's book bag or on a student's person shall be submitted, in writing, to the Principal. The School representative shall notify the parent(s), in writing, whether such request is denied or granted within five (5) days.

If the School audio records any meeting, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

Adopted 11/14/17

ADOPTION OF TEXTBOOKS

"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 of textbooks. In considering the approval of any proposed textbook, the administrator will weigh its decisions based on recommendations related to:

- A. suitability for the maturity level and educational accomplishment of the students who will be using the material;
- B. freedom from bias;
- C. relationship to the curriculum adopted by the Board;
- D. relationship to a continuous multi-grade program;
- E. impact on community standards;
- F. manner of selection;
- G. cost;
- H. appearance and durability;
- I. has completed appropriate piloting process
- J. its alignment with the Academy curriculum and Michigan's Curriculum Framework.

The administrator shall develop administrative guidelines for the selection of textbooks that includes effective consultation with the school improvement team.

Adopted 6/2006

SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT

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

The educational service provider shall develop administrative guidelines for the selection and maintenance of all educational and instructional materials and equipment. In addition s/he shall periodically provide for a systematic review by the board of the Academy's educational resources in order to ensure that they are appropriate for the current educational program. Any revisions that occur should be a result of the school-improvement process.

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

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

M.C.L.A. 380.1274

Adopted 6/2006

COPYRIGHTED WORKS

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

In order to help the staff abide by the laws set forth in Title 17 of the United States Code, the board directs the educational service provider to provide administrative guidelines regarding the copying and distribution of copyrighted materials for instructional purposes.

17 U.S.C. 101 et seq.

Adopted 6/2006

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 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 will be included in its accountability program:

- A. Achievement status to measure how well the Academy is doing in education all students.
- B. Achievement changes to measure whether 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 shall 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's improvement plan shall be based on staff's findings from program evaluations at each level as well as on the evaluations provided by the school improvement team.

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

The board will annually make available to the public the progress of the student body toward the goals of the Academy.

Assessment results obtained under this policy shall not be used for comparison purposes except as required by statute and State Department of Education regulations or internally, as authorized by the educational service provider/principal or board.

Adopted 6/2006

STUDENT ASSESSMENT

Reference: MCL 380.1279, 380.1279g, 390.1451 et seq., 380.1280b, 380.1280F
A.C. Rule 340.1101 et seq.

The Board of Directors shall, in compliance with law, assess student achievement and needs in designated subject areas in order to determine the progress of students and to assist them in attaining School goals.

Each student's proficiencies and needs will be assessed by staff members upon his/her entrance into the School and annually or more frequently, as required by law or Charter contract, thereafter. Procedures for such assessments will include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing programs and/or diagnostic reading assessment systems, student portfolios, and physical examinations.

The Educational Service Provider shall develop and the Board shall approve a program of testing and assessment that is in compliance with the Charter Contract and applicable law.

The 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 Academy and of the special tests that are to be administered to their children;

- C. students who have not attained satisfactory scores on the test should be provided special assistance that will enable them to bring reading skills up to grade level within a twelve (12) month period;
- D. data regarding individual test scores be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;

All eleventh grade students shall participate in the Michigan Merit Examination, unless excluded under the guidelines established by the State Department of Education.

Adopted 6/2006

Revised 12/08; 12/20/16; 11/14/17

STATE AID INCENTIVES

Reference: State School-Aid Act

The Board of Directors, in its efforts to provide a quality education for the students of this Academy, shall review annually the State School Aid Act to determine any programs or incentives that offer additional revenues.

The Educational Service Provider shall examine the requirements for each of the programs or incentives to determine which are feasible for this Academy and provide the Board with the necessary resolutions for those selected.

Adopted 4/18/17

P.A. 25 ANNUAL REPORT

Reference: MCL 380.1204a(1)
20 USC 6311(h)

The Academy must prepare and publicly disseminate the P.A. 25 Annual Report no later than the beginning of each school year to all parents of all students. Further, each Academy that receives Title I, Part A funds must prepare and publicly disseminate a report card on the performance and operations of the Academy, which report card may be included in the P.A. 25 Annual Report. Report cards must be concise and presented in an understandable and uniform format that is developed in consultation with parents and accessible to persons with disabilities and, to the extent practicable, in a language that parents can understand.

The report shall contain the information called for on the form issued by the Michigan Department of Education in accordance with the State and Federal law. Required information for the includes the following:

Assessment Data

- A. Aggregate student achievement at each proficiency level on state assessments.
- B. Student achievement at each proficiency level disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and economic status. The federal requirement is to report this data only when it is statistically sound. The Michigan Department of Education recommends reporting on subgroups if the size is more than thirty (30) students in the Academy or thirty students across each grade level tested.
- C. Percentage of students not tested, disaggregated by each group (if statistically sound).
- D. Most recent 2-year trend in achievement for each subject area and grade level.
- E. Report of the Academy's results of locally administered student competency tests and/or nationally normed achievement tests. This should include data from the assessments for students in grades 1-5, as required by section 1280b of the School Code (PA 25).

Academy Programs

- A. Accreditation status. Public Act. 25 (P.A. 25) requires schools to report on state accreditation status, accreditation by the North Central Association Commission on Accreditation and School Improvement, or another specialized accreditation authority approved by the US Department of Education (PA 25).
- B. District pupil retention data, in addition to the data on graduation rate referenced earlier. (PA 25)
- C. Number and percentage of pupils enrolled in post-secondary programs and/or college level equivalent courses, if the Academy has a high school (dual enrollment) (PA 25).

- D. The status of the core curriculum and the School Improvement Plan (PA 25).

Staff

- A. The professional qualifications of teachers, the percentage of teachers teaching with emergency or provisional credentials, and the percentage of classes not taught by highly qualified teachers (disaggregated by high-poverty compared to low-poverty schools).
- B. The annual progress toward meeting state objectives for percentage of highly qualified teachers.

Parents

- A. Information on parent-teacher conference attendance rates, a requirement of P.A. 25.
- B. Dissemination of the Academy's parent **and family engagement** policy.

The Academy may include additional data if it chooses.

The Academy's annual report card information must be made publicly available through such means as posting on the Academy's web site and distribution to local media and public agencies. The Board will provide the school level overview of the report card directly to all parents in each school served by the Academy annually.

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

Adopted 6/2006

Revised 06/07

3000 **STAFF**

3000 Educational Service Provider Statement

3110 Conflict of Interest **L**

3217 Weapons **BP**

Adopted 6/2006

Revised 06/07; 12/08; 3/15/11; 4/14/11; 6/19/12; 9/15/15; 3/20/18

3000 STAFF

All staff of the Academy of Warren are employees of CS Partners, LLC, the employer of record, as per the contractual agreement between the Board of Directors and CS Partners, LLC. All employees, therefore, are subject to all personnel policies and regulations established by CS Partners, LLC.

It shall be the responsibility of CS Partners, LLC to ensure that all Federal and State employment regulations are in full compliance. Further, CS Partners, LLC shall respond to any inquiries or complaints promptly in full accordance with law and any applicable Agreements.

Adopted 9/15/15

CONFLICT OF INTEREST

Reference: 2 CFR 200.318

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

- A. The maintenance of high standards of honesty, integrity, impartiality, and professional conduct by the Educational Service Provider and its 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 Directors has adopted the following guidelines to assure that conflicts of interest do not occur. These are not intended to be all inclusive or to substitute for good judgment on the part of all staff.

1. No staff member 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. Staff members 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.

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 employment or through 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 a staff member or any business or professional practitioner with whom the staff member has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
5. Staff members 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 immediate supervisor and will be disclosed to the Educational Service Provider before entering into any private relationship.

The Educational Service Provider shall prepare Administrative Procedures to ensure all employees are fully aware of the requirements of this policy.

Revised

TABLED POLICY – 12/20/16
REVISED POLICY—FALL 2015
WEAPONS

The Board of Directors prohibits **any Board Member or staff member, whether employed by the Board or Educational Service Provider**, 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, **including athletic events**, and
- C. activities or events involving the use of an 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 **spring**, air and gas-powered guns, loaded or unloaded) **that will expel a BB, pellet, or paintballs**; knives; razors; clubs; electric weapons; metallic knuckles; martial arts weapons; ammunition; and explosives **or any other weapons described in 18 USC 921**.

The **Educational Service Provider** 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.

Staff members shall **immediately** report knowledge of dangerous weapons and/or threats of violence by students, staff members, or visitors to the **Educational Service Provider**.

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

Revised

TABLED POLICY—4/18/17

REVISED POLICY – FALL 2016

NEW POLICY FOR ACADEMY OF WARREN—SPRING 2016
TEACHER EVALUATION

Reference: MCL 380.1249 (as amended)

The Board of Directors shall ensure that its Educational Service Provider establishes and implements a rigorous, transparent, and fair performance evaluation system that does all of the following:

- A. Evaluates the employee's job performance at least annually in a year-end evaluation, while providing timely and constructive feedback. Teachers rated highly effective on 3 consecutive year-end evaluations may be evaluated every other year, at the Board's discretion.
- B. Establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth. The year-end evaluation of student growth shall be based on the most recent 3 consecutive school years of student growth data, or all available student growth data if less than 3 years is available.
- C. Evaluates an employee's job performance, using rating categories of highly effective, effective, minimally effective and ineffective, which take into account data on student growth as a significant factor in the evaluation in accordance with State law student growth and assessment data. For the 2016 - 2017 and 2017 - 2018 school years twenty five (25) percent of the annual year-end evaluation shall be based on student growth and assessment data. Beginning with the 2018 - 2019 school year, forty (40) percent of the annual year-end evaluation shall be based on student growth and assessment data.

For these purposes, student growth shall be measured by the following:

- 1. Beginning with the 2016 - 2017 school year, the portion of a teacher's annual year-end evaluation that is not based on student growth and assessment data shall be based primarily on a teacher's performance as measured by the Educational Service Provider as described below.
- 2. Beginning with the 2018 - 2019 school year, for core content areas in grades and subjects in which state assessments are administered, fifty (50) percent of student growth must be measured using the state assessments, and the portion of student growth not measured using state assessments must be measured using multiple research-based growth measures or alternative assessments that are rigorous. Student growth also may be measured by student learning objectives or nationally normed or locally adopted assessments that are aligned to state standards, or based on achievement of individualized education program goals.

3. The portion of a teacher's evaluation that is not measured using student growth and assessment data or using the evaluation tool developed or adopted by the Educational Service Provider shall incorporate criteria enumerated in section M.C.L. 380.1248(1)(b)(i) to (iii) that are not otherwise evaluated under the tool.
 4. If there are student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent three (3) consecutive-school-year period. If there are not student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.
- D. uses the evaluations, at a minimum, to inform decisions regarding all of the following:
1. the effectiveness of employees, so that they are given ample opportunities for improvement
 2. promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development
 3. removing ineffective employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures
- E. provides a mid-year progress report for every certificated teacher who has received a rating of minimally effective or ineffective on the last most recent annual year-end evaluation
- This mid-year report shall not replace the annual year-end evaluation. The mid-year report shall:
1. be based, at least in part, on student achievement;
 2. be aligned with the teacher's individualized development plan;
 3. include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.
- F. includes classroom observations in accordance with the following:
1. must include review of the lesson plan, State curriculum standards being taught and student engagement in the lesson

2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) yearend evaluations
3. observations need not be for an entire class period
4. at least one (1) observation must be unscheduled;
5. the school administrator responsible for the teacher's performance evaluation shall conduct at least one (1) of the observations;

Other observations may be conducted by other observers who are trained in the use of the evaluation tool as described below. These other observers may be teacher leaders.

6. the Educational Service Provider shall ensure that, within thirty (30) days after each observation, the teacher is provided with feedback from the observation.
- G. For the purposes of conducting annual year-end evaluations under the performance evaluation system, the Educational Service Provider will adopt and implement one (1) or more of the evaluation tools for teachers that are included on the list established and maintained by the Michigan Department of Education ("MDE").
- H. The Board will post on its public website all of the following information about the measures it uses for its performance evaluation system for teachers:
1. The research base for the evaluation framework, instrument, and process or, if the Educational Service Provider adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.
 2. The identity and qualifications of the author or authors or, if the Educational Service Provider adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.
 3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the Educational Service Provider adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.
 4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.

5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
 6. A description of the plan for providing evaluators and observers with training.
- I. The Educational Service Provider will provide training to teachers on the evaluation tool(s) used by the Educational Service Provider in its performance evaluation system and how each evaluation tool is used. This training may be provided by the Educational Service Provider or by a consortium consisting of 2 or more public school academies.

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

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. A teacher rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment as a teacher with the Board. In such an instance, all relevant evaluation documents may be used in the proceedings.

Beginning with the 2018 - 2019 school year, the Board shall not assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations. If the Board is unable to comply with this and plans to assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations, the Board will notify the student's parent or legal guardian in writing not later than July 15 immediately preceding the beginning of the school year for which the student is assigned to the teacher, that the Board is unable to comply and that the student has been assigned to be taught in the same subject area for a second consecutive year by a teacher who has been rated as ineffective on his/her two (2) most recent annual year-end evaluations. The notification shall include an explanation of why the Board is unable to comply.

5000 STUDENTS

5111	Admission of Students	L
5111.01	Homeless Students	L
5111.02	Educational Opportunity for Military Children	L
5111.03	Homeless Students	L
5112	Entrance Age	L
5130	Withdrawal from the Academy	BP
5136	Wireless 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	Use of Medications	L
5330.01	Epinephrine Auto-Injectors	L
5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
5340.01	Concussions and Athletic Activities	L
5341	Emergency Medical Authorization	BP
5350	Suicide Prevention	BP
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5451	Student Recognition	BP
5460	Graduation Requirements	BP
5463	Credits from Nonpublic Schools	BP
5500	Student Conduct	BP
5510	Students – Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5512	Use of Tobacco by Students	
5513	Care of Academy Property	BP
5514	Student Use of Bicycles	
5514.01	Student Use of Motor Vehicles	
5515.01	Safe Operation of Motorized Utility Vehicles by Students	BP
5516	Marriage of Pregnancy	L
5517	Anti-Harassment	L
5517.01	Bullying and Other Aggressive Behavior toward Students	L
5517.02	Due Process Rights	L
5520	Disorderly Conduct	BP
5530	Drug Prevention	L
5532	Performance-Enhancing Drugs/Compounds	L
5600	Student Discipline	BP
5610	Emergency Removal, Suspension & Expulsion of Students	L
5610.01	Permanent Expulsion	
5610.02	In-School Discipline	
5611	Due Process Rights	L

5630	Corporal Punishment	
5630.01	Student Seclusion and Restraint	L
5640	Delegation of Authority for Disciplinary Matters	
5710	Student Grievance	
5722	Academy-Sponsored Publications and Productions	BP
5771	Search and Seizure	BP
5772	Possession of Weapons	BP
5780	Student/Parent Rights	BP
5820	Student Government	
5830	Student Fund-Raising	BP
5850	Social Events	BP
5895	Student Employment	BP

Adopted 6/2006

Revised 06/07; 12/08; 2/18/11; 4/14/11; 5/15/12; 6/19/12; 9/17/13; 10/28/13; 7/15/14; 9/15/15;
12/20/16; 4/18/17; 11/14/17; 3/20/18; 11/13/18; 4/16/19

ADMISSION OF STUDENTS

Reference: MCL 380.502(3)(e)(iii); MCL 380.504

The Board of Directors will allow students who reside in Michigan, regardless of their citizenship or immigration status to enroll in the Academy in accordance with limits established by the Board of Directors. The Board shall meaningfully communicate material information about enrollment requirements and procedures with parents, including parents who have limited proficiency in English. Access to information regarding enrollment requirements and procedures shall be available on the Academy's web site. Because space is limited, each student must enroll each year. Preferences will be in writing and given to:

- A. pupils who were enrolled in the Academy in the immediately preceding school year;
- B. siblings of enrolled students;
- C. children of a person who is employed by or at the Academy or who is on the Board of Directors of the Academy.

When maximum enrollment for a grade has been reached, applicants shall be placed on a waiting list and admitted on the basis of a lottery system.

The Educational Service Provider shall develop Administrative Procedures for the proper implementation of this policy.

Adopted 6/2006
Revised 12/20/16; 11/13/18

HOMELESS STUDENTS

References: 42 U.S.C. 11431 et seq. (McKinney - Vento Homeless Act)

Definitions

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the School. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The School shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The School shall regularly review and revise its policies, including school discipline policies that may impact homeless students, including those who may be a member of any of the Protected Classes (Policy 2260).

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing¹, bus or train station, or similar setting

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

¹ According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing." *Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act*, at A-3 (July 27, 2016).

Services to Homeless Children and Youth

The School will provide services to homeless students that are comparable to other students in the School, including:

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
 - 1. programs for children with disabilities;
 - 2. programs for English Learners (ELs) (i.e., students with Limited English Proficiency (LEP));
 - 3. programs in career and technical education;
 - 4. programs for gifted and talented students;
 - 5. school nutrition programs; and
 - 6. before - and after-school programs.

The Board will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Educational Service Provider. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. For more information on the role of the Liaison, refer to AG 5111.01.

School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the School must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The School must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

When determining a child or youth's best interest, the School must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes

the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the School must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The School also considers the school placement of siblings when making this determination.

If the School finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the School must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

Immediate Enrollment

The School has an obligation to remove barriers to the enrollment and retention of homeless students. A school chosen on the basis of a best interest determination must immediately enroll the homeless student, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the local liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or School. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, the School will also make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available). Additionally, the School should consider giving homeless children and youth's priority if there is a waitlist for these schools, programs, and activities.

Transportation

The School provides homeless students with transportation services that are comparable to those available to non-homeless students. The School also provides or arranges for transportation to and from the school of origin at the parent or guardian's request, or the liaison's request in the case of an unaccompanied youth. Transportation is arranged promptly to allow for immediate enrollment and will not create barriers to a homeless student's attendance, retention, and success. The following procedures also apply subject to a determination of the student's best interest:

- A. If the homeless student continues to live in the area, where the Academy is located and the student or parent/guardian chooses to continue attending the Academy (the school of origin), the Academy must provide or arrange for the homeless student's transportation to or from the Academy.
- B. If the homeless student continues to attend the Academy (the school of origin) but begins living in another school district, the Academy and the school district in which the homeless student is living must agree upon a method to apportion the responsibility and cost for providing transportation to and from the school of origin. If the schools cannot agree upon a method, the responsibility and cost for transportation are shared equally.
- C. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The School determines the mode of transportation in consultation with the parent or guardian and based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The School will work with the State to resolve transportation disputes with other Schools. If the disputing School is in another State, the School will turn to the State for assistance as Federal guidance says that both States should try to arrange an agreement for the Schools.

Dispute Resolution

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the School must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the School will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, School and Board of Directors policies, the School will provide the parent, guardian or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the School or State, along with a written explanation of appeal rights.

The School's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The School must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The School will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The School ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the School will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to federal laws. The School will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

Homeless Children in Preschool

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the School. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the School takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The School must also provide transportation services to the school of origin for a homeless child attending preschool. It is the School's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the School moves to another School that does not provide widely available or universal preschool.

Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the School shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the School shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

Records

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The School shall incorporate practices to protect student privacy as described in AG 5111.01, AG 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Adopted 6/2006
Revised 11/14/17; 3/20/18

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 Educational Service Provider 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 4/14/11

CHILDREN AND YOUTH IN FOSTER CARE

References: 45 C.F.R. 1355.20

The Board of Directors recognizes the importance of educational stability for children and youth in foster care. Further, the Board recognizes these children and youth as a vulnerable subgroup of students in need of safeguards and supports in order to facilitate a successful transition through elementary and secondary education and into college and/or careers. To that end, the Academy will collaborate with the Michigan Department of Education (MDE), other Academy's, and the appropriate child welfare agencies to provide educational stability for children and youth in foster care.

Definitions

Children who meet the Federal definition of "in foster care" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the Academy. To that end, students in foster care will not be stigmatized or segregated on the basis of their status. The Academy shall establish safeguards that protect foster care students from discrimination on the basis of their foster care status or other of the recognized Protected Classes (Policy 2260). The Academy shall regularly review and revise its policies, including academy discipline policies that may impact students in foster care.

Consistent with the Fostering Connections Act, "foster care" means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in:

- A. foster family homes;
- B. foster homes of relatives;
- C. group homes;
- D. emergency shelters;
- E. residential facilities;
- F. child care institutions; and
- G. preadoptive homes.

A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (45 C.F.R. 1355.20 (a)).

Academy Stability

The Academy shall remove barriers to the enrollment and retention of children and youth in foster care in the Academy. Foster care students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, academy records, and other documentation.

The Academy shall meet the Title I requirements for educational stability for children and youth in foster care, including those awaiting foster care placement. The Academy shall identify which students are in foster care and shall collaborate with State and tribal child welfare agencies to provide educational stability for these children and youth. Academy staff will work closely with child welfare agency personnel to develop and implement processes and procedures that include these enrollment safeguards:

- A. a child/youth in foster care shall remain in his/her academy of origin, unless it is determined that remaining in the academy of origin is not in that child's best interest;
- B. if it is not in the child's best interest to stay in his/her academy of origin, the child shall be immediately enrolled in the determined new academy even if the child is unable to produce records normally required for enrollment; and
- C. the new (enrolling) academy shall immediately contact the academy of origin to obtain relevant academic and other records, including the student's Individualized Education Program (IEP) if applicable. (ESEA Section 1111(g)(1)(E)(i)-(iii)).

Academy of Origin

The Academy of origin is the academy in which a student is enrolled at the time of placement in foster care. If a student's foster care placement changes, the academy of origin would then be considered the academy in which the child is enrolled at the time of the placement change. A student in foster care shall remain in his/her academy of origin, if it is determined to be in the student's best interest, for the duration of the student's placement in foster care.

When a student exits foster care, the Academy will continue to prioritize the student's educational stability in determining placement, supports, and services deemed to be in the child's best interests.

A student who has exited foster care shall be permitted to remain in the academy of origin until the end of the academy year.

Best Interest Determination

In making the best interest determination, the Academy will follow the guidelines established by MDE and the State or tribal custodial agencies. The Academy shall utilize the prescribed process in conjunction with local custodial agencies in making best interest determinations, and shall make such determination within five (5) academy days of the child's placement in foster care or change in child's living arrangement. Once a determination is made the Academy shall provide the decision in writing to all relevant parties, in collaboration with the

appropriate custodial agency. When making decisions regarding educational placement of students with disabilities under IDEA and Section 504, the Academy shall provide all required special educational and related services and supports provided in the least restrictive placement where the child's unique needs, as described in the student's IEP or Section 504 plan, can be met.

If there is a dispute regarding whether the educational placement of a child in foster care is in the best interest of that child, the dispute resolution process established by the Michigan Department of Education (MDE) shall be used.

The Academy's representatives shall collaborate fully in this process, considering relevant information regarding academic programming and related service needs of the child, and advocating for what the Academy believes is in the best interest of the child.

To the extent feasible and appropriate, the child will remain in his/her academy of origin while disputes are being resolved in order to minimize disruption and reduce the possible number of moves between academies. (ESEA Section 1111(g)(1)(E)(i)).

Since the custodial agency holds ultimate legal responsibility for making the best interest determination for the foster child in their care, if the dispute cannot be resolved, the custodial agency will make the final determination. Such final determination will be made within five (5) academy days of the child's placement in foster care or change in the child's living arrangement.

All notifications and reports regarding foster care placement, changes in academy enrollment, transportation services, and changes in the child's living arrangements shall be provided to the affected parties, in writing, in accordance with the forms, procedures, and requirements of the MDE and the State or tribal custodial agencies.

Local Point of Contact

The Educational Service Provider shall designate and make public a local point of contact who will perform the duties as assigned by the Educational Service Provider. The point of contact shall serve as a liaison to coordinate with child protection agencies, lead the development of a process for making the best determination for a student, facilitate the transfer of records, and oversee the enrollment and regular academy attendance of students in foster care.

Records

The Academy shall provide privacy protections for children and families and shall facilitate appropriate data-sharing pertaining to children in foster care between child welfare and educational agencies, in accordance with the Family Educational Rights and Privacy Act (FERPA) and Policy 8330 – Student Records.

Services to Children and Youth in Foster Care

Foster care children and their families shall be provided equal access to the educational services for which they are eligible comparable to other students in the Academy including:

- A. educational services for which the student in foster care meets eligibility

criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;

- B. preschool programs;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students;
- E. academy nutrition programs; and
- F. before - and after-academy programs.

Transportation Services

The Academy must ensure that transportation is provided for children in foster care consistent with the procedures developed by the Academy in collaboration with the State or local child welfare agency. These requirements apply whether or not the LEA already provides transportation for children who are not in foster care.

In order for a student in foster care in his/her academy of origin, when in his/her best interest, transportation services shall be provided, arranged, and funded for the duration of the child's placement in foster care. The Academy's transportation services will provide that:

- A. Children in foster care needing transportation to their academies of origin will promptly receive that transportation in a cost effective manner and in accordance with Section 475(4)(A) of the Social Security Act; and
- B. If there are additional costs incurred in providing transportation to the academy of origin, the Academy shall provide such transportation if 1) the local child welfare agency agrees to reimburse the Academy for the cost of such transportation; 2) the Academy agrees to pay for the cost; or 3) the Academy and the local child welfare agency agree to share the cost. (ESEA 1112(c)(5)(B)).

Additional costs incurred in providing transportation to the academy of origin should reflect the difference between what the Academy would otherwise spend to transport a student to his/her assigned academy and the cost of transporting the foster care student to the academy of origin. The Academy will collaborate with the State Education Agency (SEA), other LEAs, and child welfare agencies to pursue possible funding sources and arrangements to deal with transportation costs.

Since foster care placements may occur across Academy, county, or State boundary lines, coordination among multiple agencies may be necessary. The Academy will work with appropriate State and local agencies to address such placement and transportation issues that arise. The Academy shall provide or arrange for adequate and appropriate transportation to and from the academy of origin while any disputes are being resolved.

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or academy success of children and youth in foster care.

Adopted 11/14/17

ENTRANCE AGE

Reference: M.C.L. 380.1147, 380.1561, 388.1606
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 shall be charged tuition in accordance with Board policy.

B. Kindergarten

A child who is at least five (5) years of age on or before the September 1st of the school year of enrollment is eligible for entrance to the kindergarten program for that school year. The child may not be placed in an alternative program without permission of the parent.

C. Early Entrance

A child who is a resident but not yet five (5) years of age on or before September 1st for the applicable school year will be admitted to kindergarten under the following circumstances:

1. the child will have attained the age of five (5) by December 1st of the school year of enrollment;
2. the parent or guardian provides written notice to the Academy of intent to enroll the child for that school year;

Adopted 7/15/14
Revised 9/15/15

WITHDRAWAL FROM THE ACADEMY

The board of directors affirms that, while Michigan law requires attendance of each student until sixteen (16) years of age, it is in the best interests of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life.

The board directs that whenever a student wishes to withdraw from the Academy, efforts should be made to determine the underlying reason for such action and the resources of the Academy should be used, when and as appropriate, to assist the student in reaching his/her career goals. No student under the age of eighteen (18) will be permitted to withdraw without the written consent of a parent or the approval of the board of directors

The principal shall develop administrative guidelines for withdrawal from the Academy which:

- A. make counseling services available to any student who wishes to withdraw;
- B. make every effort to satisfy the student's future educational needs;
- C. help the student define his/her own educational life goals and help plan the realization of those goals;
- D. inform the student of the G.E.D.;
- E. assure the timely return of all Academy-owned supplies and equipment in the possession of the student.

M.C.L.A. 380.1561

Adopted 6/2006

WIRELESS COMMUNICATION DEVICES

Students may possess wireless communication devices (WCDs) in school, on school property, during after school activities (e.g. extra-curricular activities) and at school-related functions, provided that during school hours the WCDs are powered completely off (i.e., not just placed into vibrate or silent mode) and concealed and secured in hall lockers (but not locker room lockers) or vehicles, or stored out of sight.

A "wireless communication device" is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of WCDs: cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), BlackBerry's/Smartphones, Wi-Fi-enabled or broadband access devices, two-way radios or video broadcasting devices, and other devices that allow a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information. Students may not use WCDs on school property or at a Academy-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school.

Also, during after school activities when directed by the administrator or sponsor, WCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored out of sight.

Students are prohibited from using WCDs to capture, record or transmit the words (i.e. audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the Academy or while attending a Academy-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building Principal. Students who violate this provision and/or use a WCD to violate the privacy rights of another person shall have their WCD confiscated and held until the end of the school year.

"Sexting" is prohibited at any time on school property or at school functions. Sexting is the electronic transmission of sexual messages or pictures, usually through cell phone text messaging. Such conduct not only is potentially dangerous for the involved students, but can lead to unwanted exposure of the messages and images to others, and could result in criminal violations related to the transmission or possession of child pornography. Such conduct will be subject to discipline and possible confiscation of the WCD.

The use of WCDs in locker rooms, classrooms, bathrooms and/or swimming pool is Prohibited.

No expectation of confidentiality will exist in the use of WCDs on school premises/property.

Students are prohibited from using a WCD 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.

Students are also prohibited from using a WCD to capture 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 their WCDs to receive such information.

Possession of a WCD by a student is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the WCD. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). 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 WCD 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. Any WCD confiscated by Academy staff 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. WCDs in Academy custody will not be searched or otherwise tampered with unless Academy officials reasonably suspect that the search is required to discover evidence of a violation of the law or other Academy 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 WCD to school for a designated length of time or on a permanent basis.

A person who discovers a student in possession of or using a WCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their WCDs. The Board assumes no responsibility for theft, loss, damage, or vandalism to WCDs brought onto its property, or the unauthorized use of such devices.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the Academy office.

Adopted 6/2006
Revised 2/18/11; 4/14/11

ATTENDANCE

The board of directors shall enforce the regular attendance of students. The board recognizes that the presence in the classroom enables the student to participate in instruction, class discussions, and other related activities. As such, regular attendance and classroom participation are integral to instilling incentives for the student to excel. Attendance shall be required of all students during the days and hours that the School is in session.

The Academy shall require, from the parent of each student or from an adult student who has been absent for any reason, a written statement and/or confirmation of the cause for such absence. The principal is authorized to verify such statements and to investigate the cause of each absence.

The board considers the following factors to be reasonable excuses for time missed:

- A. illness
- B. recovery from accident
- C. required court attendance
- D. professional appointments
- E. death in the immediate family
- F. observation or celebration of a bona fide religious holiday
- G. such other good cause as may be acceptable to the Principal

Attendance need not always be within the Academy facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the board.

The board authorizes, but does not encourage the Educational Service Provider to suspend a student from a particular class or from school if sincere efforts by the staff and parents cannot rectify the pattern of absence.

The Educational Service Provider shall develop administrative guidelines for the attendance of students which:

- A. ensure a school session which is in conformity with the requirements of the law;
- B. ensure that students absent for any excusable reason have an opportunity to make up work they missed;
- C. ensure the student is not given a failing grade or his/her credit is not unconditionally revoked where lack of attendance is the sole or primary determining factor, but which allow reduction in grade or denial of credit, if the student does not make appropriate use of make-up sessions provided by the instructor or administrator;

- D. govern the keeping of attendance records in accordance with the rules of the State Department of Education;
- E. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- F. ensure that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the Academy's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

The administrator is authorized to issue administrative guidelines which may specify the procedure and documentation for obtaining an excused absence, the number of absences which will require repeat of the grade, the number of unexcused absences which will result in disciplinary action and the levels of such action, and other matters relating attendance.

The Administrative Guidelines may establish minimum attendance requirements for promotion and grade advancement.

M.C.L.A. 380.1561, 380.1561(3a-3c), 380.1586(3)

Adopted 6/2006

MISSING AND ABSENT CHILDREN

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 principal is instructed to promulgate administrative guidelines regarding admittance of a student(s), lacking records, to the Academy. This guideline should provide for notification of the police upon entrance of the student to the Academy.

M.C.L.A. 380.1134, 1135

Adopted 6/2006

ABSENCES FOR RELIGIOUS INSTRUCTION

The board of directors desires to cooperate with those parents who wish to provide for religious instruction for the children but also recognizes its responsibility to enforce the attendance requirements of the State.

Upon the signed request of a student's parent, the board will allow exceptions to the student's continuous attendance for religious instruction outside the 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 and a copy of such registration must be filed with the principal.

The time for release for religious instruction or education shall be arranged by the principal in keeping with the regulations of the State Board of Education. S/He will also assure the appropriate continuance of the instructional program in the Academy during such release times.

No solicitation for attendance at religious instruction shall be permitted on Academy premises. No member of the staff shall encourage nor discourage participation in any religious instruction program.

M.C.L.A. 380.1561(3c)
A.C. Rule R340.71, R340.74

Adopted 6/2006

LATE ARRIVAL AND EARLY DISMISSAL

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the Academy.

The board of directors recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

If one parent has been awarded custody of the student by the courts, the parent of custody 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.

The administrator may adopt administrative guidelines which implement a tardiness/early dismissal policy. Such guidelines may provide for such things as a specified number of later arrivals/early dismissals is equivalent to an absence, and thus subject to the attendance.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her. No student shall be released to anyone who is not authorized such custody by the parents.

Adopted 6/2006

HEALTH SERVICES

In compliance with law, the board of directors may require students to submit to periodic health examinations to:

- A. protect the Academy community from the spread of communicable disease;
- B. confirm that a student with a communicable disease is no longer contagious;
- C. determine that each student's participation in health, safety, and physical education courses meets his/her individual needs;
- D. determine 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:

- A. student physical examinations;
- B. athlete physical examinations;
- C. dental examinations;
- D. tests for communicable disease;
- E. vision screening;
- F. audiometric screening;
- G. scoliosis test screening;

Any health services program should also include instruction to staff members on the observance of students for conditions that indicate physical defect or disability.

The Educational Service Provider/principal 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.

20 U.S.C. 1232(h)

Adopted 6/2006

IMMUNIZATION

Reference: MCL 333.9201 et seq., 380.1177, 380.1177a
AC 325.176

The Board believes that immunization a cost-effective measure 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 may be admitted in accordance with Academy 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.

The Educational Service Provider and Principal shall develop Administrative Guidelines to ensure the proper implementation of this policy.

Adopted 6/2006
Revised 06/07; 2/18/11; 9/15/15

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 Principal 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.

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 Procedures, 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 Principal 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 Academy a written emergency care plan prepared by a licensed physician in collaboration with the student and his/her parent/legal guardian. The plan shall contain specific instructions on the student's needs including what to do in the event of an emergency.

Students with a need for emergency medication may also be allowed to self possess and self administer such medication, provided that they meet the same conditions established above. Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self possess and administer the medication if they meet the conditions stated above.

Students shall be permitted to possess and self-administer U.S. Food and Drug Administration (FDA) approved, over-the-counter topical products while on academy property or at an academy-sponsored event provided the student has submitted prior written approval of his/her parent/guardian to the Principal or other chief administrator of the student's academy.

This policy and the Administrative Procedures 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 Principal shall prepare Administrative Procedures to ensure the proper implementation of this policy.

The Administrator shall include such model policies and guidelines, as well the state approved forms and notices in the administrative guidelines.

Adopted 6/2006
Revised 4/16/19

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 School Leader or designee to be sure that the supply of Epi-Pens is maintained at the appropriate level and they have not expired. The School Leader or designee 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 that an injection has been administered.

All Epi-Pen injections by employees to students shall be reported in writing to the Educational Service Provider. 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 Educational Service Provider 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 known to be subject to severe allergic reactions.

Adopted 9/15/15

STUDENTS WITH SPECIAL DIETARY NEEDS

The board of directors believes all students, through necessary accommodations where required, shall have the opportunity to participate fully in all Academy programs and activities.

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 who are unable to eat meals at school because of their disabilities, when that need is certified in writing by a physician. Meal service shall be provided in the most integrated setting appropriate to the needs of the student with this disability.

The licensed physician's statement shall specifically describe:

- A. the nature of the student's disability;
- B. the reason the disability prevents the student from eating the regular school meals;
- C. foods to be omitted from the student's diet;
- D. the specific diet prescription along with the substitution(s) needed.

The Academy, in compliance with USDA Child Nutrition Division guidelines, will provide substitute meals to food-allergic students based upon the physician's signed statement.

The board recognizes that students with documented life-threatening food allergies are considered disabled and are covered by The Disabilities Act and Public Law 93-112 and Section 504 of The Rehabilitation Act of 1973. A clearly-defined "504 Accommodation Plan" shall be developed and implemented for all such identified students in which necessary accommodations are made to ensure full participation of identified student in student activities. Such plan shall be signed by the appropriate staff, the parent/guardian of the student and the student's physician.

The Educational Service Provider may prepare administrative guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, staff development, strategies for identifying students at risk for life-threatening allergic reactions, means to manage the student's allergy including avoidance measures, designation of typical symptoms and dosing instructions for medications.

Adopted 6/2006

STUDENT ACCIDENTS

The board of directors believes that Academy personnel have certain responsibilities in case of accidents which occur in school. The responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration personnel, notification of parents, and the filing of accident reports.

Staff should administer first aid within the limits of their knowledge of recommended practices. All staff should make an effort to increase their understanding of the proper steps to be taken in the event of an accident. The staff member in charge must submit an accident report on all student accidents.

The Educational Service Provider shall prepare administrative guidelines to assure the prompt reporting of all student accidents.

Adopted 6/2006

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 7/15/14

EMERGENCY MEDICAL AUTHORIZATION

The Educational Service Provider will distribute annually to parents or guardians of all students the Emergency Medical Authorization Form. In the event emergency medical treatment for a student is necessary, the 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 an Academy event, the staff in charge of the event must take the Emergency Medical Forms for those students.

The Educational Service Provider shall develop administrative guidelines to ensure the prompt return of the form by parents or guardians, and the implementation of other provisions of this policy.

Adopted 6/2006

REVISED POLICY—SPRING 2015

SUICIDE PREVENTION

Reference: MCL 380.1171 (**Chase Edwards Law**)
Kelson v City of Springfield, 767 F2d 651 (9th Cir. 1985)

The board of directors recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the Academy, and a student who has attempted self-destruction poses a danger both to himself/herself and to other students.

All Academy personnel should be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

Academy staff shall receive professional development training in the risk factors, warning signs for suicide and depression and about the protective factors that help prevent suicide, as well as the available resources regarding youth suicide awareness and prevention. Such training shall include the warning signs of non-suicidal self-injurious behaviors.

Additional professional development training in suicide risk assessment and intervention shall be provided to counselors, psychologists, and school nurses.

The Educational Service Provider may develop and implement administrative guidelines whereby members of the staff understand how to use an intervention procedure which includes the following:

- Step 1 - Stabilization
- Step 2 - Assessment of the Risk
- Step 3 - Use of Appropriate Risk Procedure
- Step 4 - Communication with Appropriate Parties
- Step 5 - Follow-up

The Educational Service Provider may implement instruction for students on the dangers of depression and suicide through age appropriate programs. Such instruction shall focus on:

- A. Awareness of the risks and warning signs;
- B. Access to appropriate prevention services; and
- C. Prevention of suicidal behaviors among students.

Parents/Guardians shall be notified of any suicide prevention instruction provided their children **using the communication method used for regular communication with parents in that** particular building.

Throughout any intervention, it is essential that board policies and administrative guidelines regarding confidentiality be observed at all times.

[NOTE: This guideline does not reflect any legal requirements. 380.1171 is not mandated. It is simply encouraged. Any suggestions are made for practical reasons. Boards should keep in mind that if they implement this, it will be held to it, and if an incident ever occurred, failing to follow this policy could cause problems for the Academy.]

Adopted 6/2006
Revised 12/08

FOR BOARD APPROVAL

PROMOTION, PLACEMENT, AND RETENTION

The board of directors recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the board that each student is moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

A student will be promoted to the succeeding grade level when s/he has in the opinion of the professional staff, achieved the instructional objectives set for the present grade and demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

The Educational Service Provider shall develop administrative guidelines for promotion, placement, and retention of students which:

- A. ensure students who are falling seriously behind their peers or who may not be promoted receive the special assistance they may need to achieve the academic outcomes of the Academy's core curriculum;
- B. require the recommendation of the relevant staff members for promotion, placement, or retention;
- C. require that parents are informed in advance of the possibility of retention of a student at a grade level;
- D. assure that efforts are made to remediate the student's difficulties before s/he is retained;
- E. assign to the principal the final responsibility for determining the promotion, placement, or retention of each student.

The board recognizes that it is the natural, fundamental right of parents to direct the care, teaching, and education of their children. The Academy serves the need of its students by cooperating with the student's parents to develop the student's intellectual capabilities and vocational skills in a safe and positive manner. However, this authority does not give a parent a right to determine at what grade level their child shall be placed, promoted, or retained. While the administrator may consider the recommendation of a parent, the promotion, placement, and retention of a student shall be governed by this policy, as supplemented by the administrative guidelines.

Adopted 6/2006

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. It recognizes its responsibility to keep parents informed of student welfare and progress in school.

The board directs the establishment of a system of reporting student progress which shall include written reports and parent conferences with teachers and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The Educational Service Provider shall develop administrative guidelines for reporting student progress to parents which:

- A. ensure that both student and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the student's status;
- B. enable the scheduling of parent-teacher conferences at such times and in such places as will ensure the greatest degree of participation by parents;
- C. specify the issuance of report cards periodically.

Adopted 6/2006

GRADING

The board of directors recognizes its responsibility for providing a system of grading student achievement that can help the student, teachers, and parents judge properly how well the student is achieving the goals of the Academy's program.

The board believes that the Academy's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning outcomes which are to be stated for each program at every grade level, kindergarten through twelfth.

The board directs the Educational Service Provider to develop administrative guidelines for grading which:

- A. develop clear, consistent criteria and standards particularly when grades are based on subjective assessment;
- B. help each student understand in each course or program what behavior and/or achievement is needed to earn each grade as well as what will produce a failing grade;
- C. provide frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs;
- D. provide for a pass/fail grade in programs for which it is appropriate;
- E. provide students the opportunity to assess both their own achievements and their areas of difficulty.

The grading system should not inhibit the professional staff member from learning the strengths and weaknesses of each student on an individual basis and should be subject to continual review by staff, students, and parents. Revisions shall be made only when such changes will assure a clearer, more valid, or more reliable system of grading.

The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may not be changed without the permission of the Principal.

Adopted 6/2006

STUDENT RECOGNITION

The board of directors values excellence and wishes to instill in students the desire to do their best in all things. It shall be the policy of this board, therefore, to recognize outstanding accomplishment in the curricular, co-curricular, and extra-curricular areas.

The board authorizes the principal to develop a plan for recognition of outstanding student achievement based on well-defined, consistent criteria and standards.

Adopted 6/2006

GRADUATION REQUIREMENTS

Reference: MCL 380.1166, 380.1278a(1), 380.1278a(2), 380.1278a(4)(c), 380.1279b
20 USC 1400 et seq.
20 USC 1401 et seq.
29 USC 794
42 USC 12131 et seq.

It shall be the policy of the Board of Directors to acknowledge each student's successful completion of the instructional program or a personal curriculum appropriate to the achievement of Academy goals and objectives as well as personal proficiency, by the awarding of a diploma at graduation ceremonies.

In order for a student to graduate from the Academy, the student shall fulfill all the requirements of the core academic curriculum required by MCL 380.1278 and established by the Board. The student shall also fulfill any additional courses or programs of the curriculum established by the Board.

Adopted 12/08
Revised 2/18/11

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 06/07

STUDENT CONDUCT

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 regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also 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 this Academy.

The Educational Service Provider 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 periodically.

M.C.L.A. 380.1311, 380.1312

Adopted 6/2006

STUDENTS – SEX OFFENDER REGISTRY; CRIMINAL CONVICTIONS

Reference: MCL 28.721 et al.

Students who are convicted of criminal conduct which requires their listing on the State's Sexual Offender Registry, shall be prohibited from participating in:

- A. all extracurricular activities;
- B. all in-Academy activities which deal with younger students, such as tutoring, classroom assistance, coaching, etc.;
- C. after Academy social activities, such as attendance at Academy-sponsored clubs, dances, athletic events, musical or theatrical performances, or outside clubs or activities, which meet on Academy property, such as Girl or Boy Scouts, non-Academy athletics or religious and/or political groups.
- D. activities as designated in writing by the School Leader.

Any exceptions to the above exclusions must be approved by the Principal.

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 School Leader 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-Academy activity and student contacts may be implemented by the Principal. Such restrictions shall be based on student/Academy 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 Academy related activities consistent with the nature of the crime and the interest of the Academy in maintaining Academy safety.

Adopted 2/18/11
Revised 6/19/12; 9/17/13

DRESS AND GROOMING

An integral part of the Academy's mission is to teach urban students the basic skills necessary to succeed in a global capitalist economy. Students must learn how to think and act in this economy. Appearance is important, since a person's appearance carries a message. A well-groomed and well-dressed person carries the message that he or she is confident, capable, energetic, and ready to succeed. Poor grooming, or faddish dressing, can carry the opposite message. The Academy teaches this lesson through the enforcement of a strict dress code. The dress code reinforces the educational lesson that to be a successful participant in our economy, you must think, act, and dress for success.

Experience also suggests that a strict dress code assists in the creation of a school environment which enhances learning. A dress code enables students to avoid the superficiality of changing fads in outward styles and minimizes materialistic competition. Schools with dress codes tend to be more orderly, with less disruptive influences.

Since the Academy considers its dress code to be an integral part of its educational mission, the Academy's dress code will be strictly enforced. The Academy is a uniformed school, and nothing may be worn that detracts from the official uniform. The uniform should reflect the standard of the school at all times. Students and parents should take this into consideration before enrolling at the Academy. Students who do not adhere are subject to sanctions, including suspension or expulsion.

School dress should be in harmony with the standards, philosophy and style of the school so that all parts of the school program are complementary. Deviations from the dress code distract from the educational process and an atmosphere of responsibility and seriousness.

The administrator shall develop administrative guidelines to implement this policy. The guidelines may be very specific in describing the requirements of the dress code. The guidelines shall designate the principal as the arbitrator of student dress and grooming in the Academy, and instruct staff members to demonstrate, by example and precept, personal neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.

Adopted 6/2006

USE OF TOBACCO BY STUDENTS

Reference: MCL 333.12601 et seq.
MCL 750.473

The Board of Directors recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco on Academy premises, in Academy vehicles, and in all Academy buildings owned and/or operated by the Academy.

The Board prohibits the use or possession of tobacco product by students 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 6/19/12

CARE OF ACADEMY PROPERTY

Basic to the philosophy of the board of directors is a respect for the rights of others. Students are urged to exercise this respect in regard to the belongings of others, including Academy property. Each student should realize that vandalism to Academy property is costly to repair and is directly related to increased Academy costs.

Attempts should be made to teach students respect for property which can be done in connection with the care of textbooks and the use of 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 principal authorizes the imposition of fines for the loss, damage, or destruction of Academy equipment, apparatus, musical instruments, library materials, textbooks, and for damage to the building. The principal may report to the appropriate authorities any student whose damage of Academy property has been serious or chronic in nature.

The Educational Service Provider shall develop administrative guidelines to implement this policy.

M.C.L.A. 600.2913

Adopted 6/2006

STUDENT USE OF MOTOR VEHICLES

The Board of Directors regards the use of motor vehicles for travel to and from school by students as an assumption of responsibility on the part of those students, a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The Board will permit the use of motor vehicles by students, in accordance with the rules of this Academy, provided that such students are licensed drivers and have been granted permission by the School leader to drive a motor vehicle on Academy grounds.

The Board will not permit the use of mini-bikes for travel to and from the Academy.

The Board will not be responsible for motor vehicles that are lost, stolen, or damaged on Academy property.

No student who does not possess a valid motorcycle safety education certificate will be allowed to ride or park a motorcycle on Academy property.

The Educational Service Provider shall develop Administrative Guidelines for the operation and parking of motor vehicles and shall disseminate those rules to all students so affected.

The Educational Service Provider shall establish standards for the granting of permits which shall contain the warning that infraction of the rules may result in the revocation of the permit.

Adopted 6/2006

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 7/15/14

MARRIAGE OR PREGNANCY

Neither marriage nor pregnancy shall be limiting factors for the education of any student at the Academy. The Academy's responsibility for the education of its students includes the education of pregnant students. No student shall be expelled or excluded from the Academy because of being pregnant. No school authorities or other school personnel shall order a pregnant girl against her will, nor coerce her, to withdraw from the Academy's regular school program. Any variation from continuing regular classes shall be based upon the assessed needs of such students. The Academy may request medical verification of a student's ability to continue in all classes in her program.

Adopted 6/2006

ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 USC 2000d et seq.
29 USC 621 et seq.
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.
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 which is free from all forms of unlawful harassment, including sexual harassment. Harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well-being. 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 harassment based on sex, race, color, national origin, religion, disability, genetic information, or any other unlawful basis, and encourages those within the school community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. This policy, however, is not limited to these legal categories and includes any harassment that would negatively impact students. This would include activities such as stalking, name-calling, taunting, cyberbullying and other disruptive behaviors. 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, teachers, staff, and all other school personnel, 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 school property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the 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 harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

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. Physical assault.
- 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.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. 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.

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.

Cyberbullying

Prohibited cyberbullying occurs when there is intimidation or assaults toward a member of the school community or third party through electronic means. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures/images or Web site postings including blogs.

Reports and Complaints of Harassing Conduct

Members of the Academy community 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.

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. 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.

The names and titles of the Anti-Harassment Complaint Coordinators with whom complaints of sexual and other forms of unlawful harassment should be filed are set forth in the administrative guidelines that supplement this policy. The names and titles of these individuals will be published annually.

The Educational Service Provider/Principal shall establish administrative guidelines describing both a formal and an informal process for making a charge of harassment, a process for investigating claims of harassment, and a process for rendering a decision regarding whether the claim of harassment was substantiated. This policy and the administrative guidelines will be readily available to all members of the Academy community and posted in appropriate places throughout the Academy.

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 Complaint Coordinators. Thereafter, the Complaint Coordinator 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.

Privacy/Confidentiality

The Academy will respect the privacy 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.

Informal Process for Addressing Complaints of Harassment

The administrative guidelines will include an informal complaint process to provide 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. Members of the Academy community or third parties 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 administrative guidelines will include as a requirement the prerequisite that 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. Those members of the Academy community or third parties who believe that they have been unlawfully harassed 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 a Board or Educational Service Provider employee or any other adult member of the Academy community against a student will be formally investigated.

Formal Process for Addressing Complaints of Harassment

The administrative guidelines will also include a formal complaint process. While the formal complaint process may serve as the first step to resolution of a charge of unlawful harassment, it is also available in those circumstances when the informal complaint process fails to satisfactorily resolve a concern. Because of the need for flexibility, no specific time lines are established for initiating the formal complaint process; however, once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within thirty-one (31) calendar days of the complaint being received).

Members of the Academy community or third parties who feel they have been unlawfully harassed should file a formal written complaint with the principal of their school building or with one of the Complaint Coordinators identified in the administrative guidelines. Oral complaints of harassment will be reduced to writing by the individual receiving the complaint and the Complainant will be asked to verify the accuracy of the reported charge by signing the document. Complaints received by a school building principal will be immediately reported to the appropriate Complaint Coordinator identified in the administrative guidelines.

After a complaint is filed, the Complaint Coordinator or designee shall conduct a prompt and timely investigation. The investigation may include interviews of the complainant, the

individual accused of engaging in harassing behavior, and any other witness who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation.

At the conclusion of the investigation the Complaint Coordinator or designee will prepare and deliver to the Principal and Superintendent a written report summarizing the evidence gathered during the investigation and providing his/her recommendations regarding whether or not the complaint of unlawful harassment has been substantiated. The written report must be based on the totality of the circumstances involved in the complaint, the nature of the alleged conduct, the context in which the alleged conduct occurred, and the ages and maturity of the individuals involved.

Upon review of the written report the Principal and Superintendent will either issue a final decision regarding whether or not the complaint of unlawful harassment was substantiated, or request that further investigation be conducted. A copy of Principal/Superintendent's action will be delivered to both the Complainant and the individual accused of the harassing conduct.

The decision of the Principal/Superintendent shall be final.

The Complaint process set forth in the policy and in the administrative guidelines is not intended to interfere with the rights of a member of the Academy community or a third party to pursue a complaint of unlawful harassment with the United States Department of Education, Office for Civil Rights, the Michigan Department of Civil Rights, or the Equal Employment Opportunity Commission.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment regardless of whether the member of the Academy community or third party alleging the harassment 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 and administrative guidelines or in such other manner as deemed appropriate by the Board or its designee.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful 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. When imposing discipline, the Principal/Superintendent 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.

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 Principal/Superintendent shall be reasonably calculated to eliminate such conduct in the future.

Retaliation

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

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any Academy teacher or Academy employee who knows or suspects that a student under the age of eighteen (18) or that a person with a disability receiving services as a student from the academy regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Educational Service Provider.

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 Principal or designee shall provide appropriate training to all members of the Academy community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Academy personnel related to the investigation and/or the Academy's response to the alleged violation of this policy;

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

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

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

Adopted 6/2006

Revised 12/08; 4/14/11; 9/15/15; 4/16/19

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 Educational Service Provider. Complaints against the Educational Service Provider 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 Educational Service Provider or designee is responsible for the investigation. If the investigation results in a finding that bullying has occurred, it shall result in prompt and appropriate disciplinary action, up to and including expulsion for students, up to and including discharge for employees, and up to and including exclusion from school property for parents, guests, volunteers, and contractors. Individuals may also be referred to law enforcement officials.

The Board may utilize restorative practices that emphasize repairing the harm to the victim and school community in the correction of bullying behavior, which may include victim-offender conferences that:

- A. Are initiated by the victim;
- B. Are approved by the victim's parent or legal guardian or, if the victim is at least 15, by the victim;
- C. Are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team"); and
- D. Would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these. The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Where the investigation results in a finding that bullying has occurred, both the parent or legal guardian of a victim of bullying and the parent or legal guardian of a perpetrator of the bullying shall be notified promptly in writing. In addition, administrators investigating alleged bullying may notify parents of the victim or perpetrator of bullying sooner than the conclusion of the investigation if circumstances dictate such earlier notification.

The 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 Principal 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 Principal, or the Principal'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.

Revised 11/14/17

SEXUAL VIOLENCE

References	20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)
	20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
	42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964
	42 U.S.C. 2000d et seq.
	42 U.S.C. 2000e et seq.
	42 U.S.C. 1983
	34 C.F.R. Part 106
	Dear Colleague Letter on Sexual Violence (Office for Civil Rights, 2011)
	OCR's Revised Sexual Harassment Guidance (2001)

The Board of Directors does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its education programs and activities. The Board is committed to maintaining an education and work environment that is free from all forms of unlawful harassment, including sexual harassment.

Sexual harassment, including sexual violence, interferes with students' rights to receive an education free from discrimination, and, in the case of sexual violence, is a crime. Pursuant to its Title IX obligations, the Board is committed to eliminating sexual violence in all forms and will take appropriate action against any individual found responsible for violating this policy. To further its commitment against sexual violence, the Board provides reporting options, an investigative and disciplinary process, and other related services as appropriate.

This policy applies to all student complaints, whether filed by a student, his/her parent, an employee, or third party on the student's behalf. It applies to all Academy operations, programs, and activities, as well as to unlawful conduct occurring on academy property or during a Board-sponsored activity. All students, administrators, teachers, staff, and all other academy personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment.

Definitions

Sexual Harassment

As detailed further in Policy 5517, sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature. Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Examples include, but are not limited to:

- A. unwelcome sexual propositions, invitations, solicitations, and flirtations;
- B. unwanted physical and/or sexual contact;
- C. threats or insinuations implying that a person's conditions of education may be adversely affected by not submitting to sexual advances;
- D. unwelcome sexual verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; unwelcome sexually degrading language, jokes or innuendoes;

- unwelcome suggestive or insulting sounds or whistles; obscene telephone calls;
- E. sexually suggestive objects, pictures, videotapes, audio recordings or literature;
 - F. unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
 - G. a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
 - H. speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
 - I. inappropriate boundary invasions into a student's personal space and personal life; and
 - J. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Sexual Violence

Sexual violence, as used in this policy, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age, intellectual or other disability, or use of drugs or alcohol).

Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by academy employees, other students, or third parties. All such acts of sexual violence are forms of sexual harassment and, in turn, sex discrimination prohibited by Title IX.

Harassing conduct creates a hostile environment when it interferes with or limits a student's ability to participate in or benefit from the academy's program. A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. For example, a single instance of rape is sufficiently severe to create a hostile environment.

Anti-Harassment Compliance Officers

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

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

The Compliance Officers are available during regular academy/work hours to discuss Title IX questions, sexual violence concerns, and to assist students, other members of the Academy community, and third parties. Compliance Officers shall accept sexual violence complaints directly from any members of the Academy community or a visitor to the Academy, as well as those initially filed within an academy building administrator. Upon receiving a complaint, the Compliance Officer or designee will discuss confidentiality issues with the complainant (and his/her parent, if the complainant is a minor), and open an investigation as described below.

Complaint Procedures

Reporting

Students and Board employees are required, and parents, community members, and third parties are encouraged, to report sexual violence promptly to a teacher, administrator, supervisor, or other academy official. Reports can be made orally or in writing, and should be as specific as possible. The person making the report shall identify the alleged victim, perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s). The Academy, however, will investigate and address all reports to the extent possible.

A student has a right to file criminal and/or Title IX complaints simultaneously. A student does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to sexual violence or any other Title IX concerns may also be filed with the U.S. Department of Education's Office for Civil Rights.

Any teacher, administrator, supervisor, or other academy employee or official who receives such a complaint shall file it with the Academy's Compliance Officer within two (2) school days, and shall comply with his/her mandatory reporting responsibilities. The Compliance Officer will oversee the Academy's investigation and response to any Title IX-related complaints, but s/he may delegate the investigative process to another individual ("Designee"). The Board reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy.

Confidentiality

The Academy respects students' privacy and will only disclose information regarding alleged sexual violence to individuals who are responsible for handling the academy's response, the student's parents (if the student is a minor or is considered a dependent under Section 152 of the Internal Revenue Code), or as otherwise required by law. During the course of a formal investigation, the Compliance Officer/designee will instruct all interviewees about the importance of maintaining confidentiality. Interviewees will be directed not to disclose any information that s/he learns or that s/he provides during the course of the investigation to third parties.

Students or their parents sometimes ask that the students' names not be disclosed to the alleged perpetrators or that no investigation or disciplinary action be pursued to address the alleged sexual violence. Upon such a request, the Compliance Officer/designee will inform the student and his/her parent that honoring the request may limit the Academy's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. The official will also explain that Title IX includes protections against retaliation, and that academy officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

Should the student or his/her parents continue to request complete confidentiality, the Compliance Officer/designee will balance the student's privacy request with the Academy's obligation to provide a safe and non-discriminatory environment for all students. Should the official determine that the Academy can honor the student's or parent's request and remain in compliance with its Federal and State obligations, the Academy may limit its investigation and/or formal action against the alleged perpetrator. The Academy will, however, take other action to address the sexual violence. This may include increasing monitoring and security, offering schedule changes, and conducting climate surveys.

If the Compliance Officer/designee determines that the Academy must disclose the student's identity to an alleged perpetrator, s/he will inform the student and his/her parents prior to disclosure. The Academy will then afford interim protection measures to the student as appropriate.

Investigation

The Academy is committed to investigating all sexual violence complaints in an adequate, reliable, impartial, and prompt manner. The investigation will seek to determine whether the conduct occurred, and if so, what actions the academy will take to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects.

The investigation may include:

- A. interviewing the complainant, perpetrator, and any witnesses;
- B. reviewing law enforcement investigation documents;
- C. reviewing student and personnel files;
- D. gathering and examining other relevant documents or evidence; and
- E. providing a disciplinary hearing as needed.

The Academy affords both parties a balanced and fair process. Specifically, the complainant has the same rights throughout the proceeding as the alleged perpetrator. Both parties, for example, will have an equal opportunity to present relevant witnesses and other evidence at a disciplinary hearing. Likewise, the Academy's appeal process is available to both parties. The Academy, however, does not require complainants to be present for the hearing or appeal. Further, the Academy will not permit parties to personally question or cross-examine each other directly.

Additionally:

- A. The Academy permits both parties to have legal counsel or other advisors at any stage of the proceedings. Any restrictions on legal counsel participation apply to both parties equally.
- B. The Academy permits both parties to submit third-party testimony.
- C. The Academy permits both parties to be present for the entire hearing, but it will not require the complainant and alleged perpetrator to be present in the same room at the same time.

In resolving a complaint, the Academy uses a preponderance of the evidence standard, determining whether it is more likely than not that sexual violence occurred.

Timeline

The Compliance Officer/designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days after receipt of a report of sexual violence to advise s/he/them of the Board's intent to investigate the alleged misconduct. The Compliance Officer/designee will also inform the alleged perpetrator of the

opportunity to submit a written response to the complaint within five (5) business days. The Academy's investigation, including a disciplinary hearing process (but not appeal), may take up to sixty (60) calendar days to complete. This timeframe may be extended on a case-by-case basis, depending on the complexity and severity of the matter, criminal investigation requirements, and academy breaks. During this period, the Academy will provide the complainant with periodic updates on the status of the investigation.

Interim Measures

During the investigation, the Academy will take interim steps to facilitate the complainant's equal access to its education programs. These steps may include, but are not limited to: 1) notifying the complainant of his/her options to avoid contact with the alleged perpetrator; 2) allowing the complainant to change his/her academic, extracurricular, transportation, dining, and working situation as appropriate; and 3) informing complainant of other available resources, such as counseling, legal assistance, and victim advocacy. Specific interim measures will be considered and offered on a case-by-case basis.

Notice

Upon completing its investigation, the Academy will notify both parties in writing about the outcome of the complaint and any appeal. Specifically, the Academy will notify the complainant: 1) as to whether the investigation substantiated the allegations; 2) of individual remedies offered to the complainant; 3) of sanctions imposed on the perpetrator that directly relate to the complainant; and 4) other steps the Academy has taken to eliminate the hostile environment and prevent recurrence. The alleged perpetrator will be notified of the investigation's result and disciplinary consequence to him/her, if any. The Academy will not notify the alleged perpetrator about the individual remedies afforded to the complainant. All aforementioned notifications will comply with Federal and State privacy laws, including the Family Education Rights and Privacy Act (FERPA).

Remedies

The Academy will provide a prompt and equitable resolution. If the investigation substantiates the complaint, the Academy will take steps to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects. In addition to imposing disciplinary consequences on the perpetrator, the Academy will consider the following individual and global remedies, on a case-by-case basis:

- A. providing medical, counseling, and academic support services to the complainant and/or perpetrator;
- B. re-arranging schedules at the complainant's request;
- C. affording the complainant extra time to complete or retake classes without academic penalty;
- D. reviewing any disciplinary proceedings against the complainant;
- E. training or retraining employees;
- F. developing materials on sexual violence;
- G. conducting sexual violence prevention programs; and

- H. conducting climate checks.

The Academy will not offer mediation in cases involving sexual violence. Disciplinary consequences against offenders may include suspension, expulsion, termination, and any other sanctions the Board deems appropriate. Any discipline meted out to offenders will comply with special education and Section 504 laws and regulations.

Appeals Process

Both complainants and perpetrators may appeal the outcome of the investigation. Any appeal opportunities afforded to the alleged perpetrator are also afforded to the complainant. Any party wishing to appeal the outcome of the investigation must submit a written appeal to the Board within ten (10) school days after receipt of the written notice of the outcome of the investigation. The Board shall, within twenty (20) work days, conduct a hearing concerning the appeal. The Board shall provide a written decision to the appealing individual within ten (10) work days following completion of the hearing.

Retaliation

Federal law strictly prohibits retaliation against a complainant or witness. The Academy will inform complainant of this prohibition and direct him/her to report retaliation, whether by students or academy officials, to the Compliance Officer. Upon learning of retaliation, academy officials will take strong responsive action as appropriate.

Training

All staff will be trained so they know to report harassment to appropriate academy officials. This training will include practical information about how to identify and report sexual harassment, including sexual violence. The training will be provided to any employees likely to witness or receive complaints involving sexual harassment and/or sexual violence, including teachers, academy law enforcement unit employees or academy resource officers, academy administrators, academy counselors, and health personnel. Further, academy administrators responsible for investigating allegations of sexual harassment and sexual violence will be trained how to conduct such investigations and respond properly to such charges.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by Academy personnel related to the investigation and/or the Academy's response to the alleged violation of this policy;

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

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

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

Adopted 4/16/19

DISORDERLY CONDUCT

It is the purpose of the board of directors, acting within the intent and letter of the laws of this State, to provide instruction for students at public expense. Any act of any person(s) to interfere with or to thwart that purpose is unlawful or is in violation of board policy. Therefore, actions by a student(s) to interfere materially or substantially with the operations of the Academy by defacing or destroying Academy property, by rioting, breaking-in, sitting-in, lying-in, smashing-in, or picketing to force students not to cross picket lines are illegal. Students who engage in such activities may be punished to the full extent of the law and board policy and applicable administrative guidelines.

For the purposes of this policy, the term "disorderly conduct" shall mean any unlawful student assemblage; or group act of violence, disruption, vandalism, or building seizure; or interference with the functioning of Academy personnel or any student or group of students.

Adopted 6/2006

DRUG PREVENTION

The Board of Directors recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire Academy community.

As an educational institution in this community, the Academy should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Michigan statute;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to board policy;
- E. "look-alikes";
- F. performance-enhancing drugs as determined annually by the Department of Community Health;
- G. any other illegal substance so designated and prohibited by law.

In accordance with Federal and State law, the board hereby establishes a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on Academy property, within the Drug-Free School Zone, or at any Academy related event.

Note: In order to make this policy operational it must be transmitted to local authorities in order to establish this zone.

Furthermore, the Educational Service Provider/Principal shall take the necessary steps to report an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person for prosecution to the fullest extent of the law.

The Educational Service Provider shall prepare administrative guidelines for the identification, and regulation of drug use in the Academy. Such guidelines shall:

- A. emphasize the prevention of drug use;
- B. provide for a comprehensive, age-appropriate, developmentally based drug and alcohol education and prevention program which:
 - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;

2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
 3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
 4. promotes positive emotional health, self-esteem, and respect for one's body;
 5. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State's Department of Education;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on Academy premises or as a part of any Academy activity;
- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the Academy standards of conduct and a description of those sanctions.

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs;

- F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;
- I. provide a biennial review of the Academy's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;
- J. establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and ensure that the Academy's policy and administrative guidelines on Search and Seizure (Policy 5771) and Suspension and Expulsion (Policy 5610) are complied with fully.

The Educational Service Provider shall ensure that the warning notice concerning performance enhancing drugs is installed and properly maintained in each of the Academy's locker rooms and/or athletic dressing areas. This notice must contain the following warning: Use of a performance-enhanced substance by a student is a violation that will affect a student's athletic eligibility and extracurricular participation, as determined by the Board.

MCL 333.26301 et seq., 333.7410, 333.7410A
AC Rule R388.271 et seq.
Senate Bill 350, 1990
Drug-Free Schools and Communities Act of 1986, 20 USC 3171 et seq.
20 USC 3224A

Adopted 6/2006
Revised 06/07

PERFORMANCE-ENHANCING DRUGS/COMPOUNDS

The Board of Directors recognizes that the use of dietary supplements that contain performance-enhancing compounds and/or performance-enhancing drugs poses a serious health risk to students.

Accordingly, no staff member, volunteer, or contractor shall knowingly sell, market, distribute, or promote the use of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug (e.g., anabolic steroids) to a student with whom the staff member, volunteer, or contractor has contact as a part of his/her duties. Furthermore, the staff member, volunteer, or contractor shall not endorse or suggest the ingestion, intranasal application, or inhalation of a dietary supplement that contains a performance-enhancing compound or a performance-enhancing drug by a student with whom s/he has contact as part of his/her duties.

Use of a performance-enhancing substance regardless of source by a student is a violation that will affect a pupil's athletic eligibility and extra-curricular participation, as determined by the Board. A list of performance-enhancing substances developed by the State Department of Community Health shall be updated annually and included in AG 2431. This notice and list may also be published in the Parent/Student Handbook provided annually.

MCL 333.26301 et seq., 380.1318

Adopted 6/2006
Revised 06/07

THE ACADEMY AND GOVERNMENTAL AGENCIES

The board of directors is committed to protect students from individuals not associated with the Academy but also recognizes its responsibility to cooperate with law enforcement agencies and the Family Independence Agency.

When such agencies request permission to interrogate a student at the Academy, the principal shall attempt to inform the student's parents, when appropriate or when allowed by the investigator.

Whenever it has been determined that an agency has a legitimate purpose and it is necessary to interrogate a student within the confines of the Academy, the principal or representative shall attempt to be present throughout the proceedings. If the investigator refuses to allow an Academy representative to be present and the Principal believes there are compelling reasons to be present, s/he may request the investigator, other than one operating under the Child Protection Act, to obtain a court order to permit the interrogation without the presence of an Academy representative.

No student shall be released to an agency, other than a law enforcement or child protection agency, without proper warrant or written parental permission, except in the event of emergency or for the protection of life or property as determined by the principal.

The Educational Service Provider shall prepare administrative guidelines to promote understanding and cooperation between staff members and students and these agencies.

M.C.L.A. 722.627
Attorney General's Opinion No 6869, September 6, 1995

Adopted 6/2006

STUDENT DISCIPLINE

The Board of Directors acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment, which is, in part, reflected in the behavior of students.

The board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

The board shall require each student of this Academy to adhere to the Code of Conduct established by the School Leader and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The Board of Directors and/or the Educational Service Provider shall develop administrative guidelines for student conduct which carry out the purposes of this policy and:

- A. are not arbitrary but bear a reasonable relationship to the need to maintain a school environment conducive to learning;
- B. do not discriminate among students;
- C. do not demean students;
- D. do not violate any individual rights constitutionally guaranteed to students.

The School Leader shall designate sanctions, excluding corporal punishment, for the infractions of rules which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

The Academy shall publish to all students and their parents the rules of this Academy regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Code of Conduct.

The School Leader shall have the authority to assign discipline to students, subject to Academy administrative guidelines and the student's due process right to notice, hearing, and appeal.

Staff having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the Academy or threatens the health and safety of others.

The School Leader is authorized to include specific types of offenses, and to assign specific sanctions for such offenses. The School Leader is further authorized to implement a system of “graduate” sanctions, so that repeated offenses may result in more severe sanctions.

Adopted 6/2006
Revised 7/15/14

EMERGENCY REMOVAL, SUSPENSION, AND EXPULSION OF STUDENTS

Reference: M.C.L. 380.1301, 380.1309, 380.1310d, 380.1311
20 U.S.C. 3351
State Board of Education, Resolution to Address School Discipline Issues
Impacting Student Outcomes, Adopted June 12, 2012

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 Educational Service Provider shall establish Administrative Procedures to carry out Board policy and philosophy, and shall hold all staff, students, and parents responsible for the conduct of students at the academy, on academy provided transportation, 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.

The Educational Service Provider shall develop procedures 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.
- D. The Board has designated a Disciplinary Panel consisting of two (2) Board members and the Academy's Dean of Students or other administrator as designated by the School Leader if the Dean of students is unable to carry the suspensions/expulsions in accordance with the policy.

Factors to be Considered Before Suspending or Expelling a Student

Except as otherwise noted below with respect to possession of a firearm in a weapon free academy zone, if suspension or expulsion is considered, the Academy Discipline Committee shall consider the following factors:

- A. the student's age
- B. the student's disciplinary history
- C. whether the student has a disability
- D. the seriousness of the violation or behavior
- E. whether the violation or behavior committed by the student threatened the safety of any student or staff member
- F. whether restorative practices will be used to address the violation or behavior
- G. whether a lesser intervention would properly address the violation or behavior

The Disciplinary Panel will exercise discretion over whether or not to suspend or expel a student. In exercising that discretion for a suspension of more than ten (10) days or expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the Disciplinary Panel demonstrate that it considered each of the factors listed above. For a suspension of ten (10) days or fewer, there is no rebuttable presumption, but the Disciplinary Panel will still consider these factors in making the determination.

Restorative Practices

If the Academy determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will engage in restorative practices which emphasize repairing the harm to the victim and academy community caused by the student's misconduct.

Restorative practices may include victim-offender conferences that:

- A. are initiated by the victim;
- B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;

- C. are attended voluntarily by the victim, a victim advocate, the offender, members of the academy community, and supporters of the victim and the offender (the "restorative practices team");
- D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these.

The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Persistent Disobedience or Gross Misconduct or CSC Against Another Academy Student

A student may be removed from the classroom, suspended or expelled for persistent disobedience or gross misconduct or if the student commits criminal sexual conduct against another Academy student regardless of the location on the conduct. A student may not be expelled or excluded from the regular academy program based on pregnancy status.

In recognition of the negative impact on a student's education, the Board encourages the Academy's administrators to view suspensions, particularly those over ten (10) days, and permanent expulsions as discipline of last resort, except where these disciplines are required by law (Policy 5610.01). Alternatives to avoid or to improve undesirable behaviors should be explored when possible prior to implementing or requesting a suspension or expulsion.

Physical and Verbal Assault

Unless a different determination is made after consideration of the factors identified above, the Academy Discipline Committee shall permanently expel a student in grade six or above if that student commits physical assault at the Academy against a staff member, a volunteer, or a contractor.

Unless a different determination is made after consideration of the factors identified above, the Academy Discipline Committee shall suspend or expel a student in grade six or above for up to one hundred eighty (180) academy days if the student commits physical assault at the Academy against another student.

Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."

Unless a different determination is made after consideration of the factors identified above, the Academy Discipline Committee 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 academy against a Academy employee, volunteer, or contractor or makes a bomb threat or similar threat directed at academy building, property, or at a academy-related activity.

Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

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

Weapons, Arson, Criminal Sexual Conduct

Unless a different determination is made after consideration of the Discipline Factors, if a pupil possesses a dangerous weapon in a weapon free school zone, commits arson in a school building or on school grounds, commits criminal sexual conduct in a school building or on school grounds, or pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another Academy student, the Board shall permanently expel the student from the Academy, subject to possible reinstatement.

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 Academy Discipline Committee need not expel a student for possession of a dangerous weapon, including a firearm, if the student can establish in a clear and convincing manner the following to the satisfaction of the 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 Chief Administrative Officer or the police.

There is a rebuttable presumption that expulsion for possessing the weapon is not justified if the Educational Service Provider determines in writing that the student has established that he or she fits under one of the exceptions above by clear and convincing evidence, and that the student has no previous history of suspension or expulsion. 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 Chief Administrative Officer 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) academy 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 Chief Administrative Officer shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with federal law, the Chief Administrative Officer 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 Chief Administrative Officer 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 academy 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 academy zone.

A student permanently 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) academy days from the date of expulsion, but the student may not be reinstated before ninety (90) academy 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) academy 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 academy days from the date of the expulsion, but the student may not be reinstated before 180 academy days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Chief Administrative Officer.
- E. Within ten (10) academy days, the Chief Administrative Officer shall submit the request, together with any other information he/she deems pertinent, to a Board appointed committee consisting of two (2) Board members, a academy administrator, a teacher, and a academy-parent representative.
- F. Within ten (10) academy days after being appointed, the committee shall review all pertinent information and submit its recommendation to the Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of the following:
 - 1. 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 Board or academy staff;
 - 3. The age and maturity of the student;
 - 4. The student's academy 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 Board's decision shall be final and is not subject to appeal.

In the event a student who has been permanently expelled from another academy requests admission to this Academy, in making its decision, the Board shall follow the same procedure it has established in paragraphs A-F, above, for the reinstatement of a student.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition in accordance with the procedures set forth above.

The Chief Administrative Officer 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-ACADEMY DISCIPLINE

The purpose of this policy is to provide an alternative to out of academy suspension. The availability of in-academy discipline options is dependent upon the financial ability of the Board to support such a program.

In-academy discipline will only be offered at the discretion of the Principal for offenses found in the Student Code of Conduct.

The Principal is to establish procedures 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 Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Academy's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following:

The Board recognizes exclusion from the educational programs of the Academy, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without due process, since exclusion deprives a child of the right to an education. The Board also recognizes that it may be necessary for a teacher to remove a student from class for conduct disruptive to the learning environment, and that such removals are not subject to a prior hearing, provided the removal is for a period of less than twenty-four (24) hours. However, if an emergency removal may result in a suspension, then due process must be ensured.

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 Chief Administrative Officer may suspend a student for a period not to exceed 10 academy 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 Educational Service Provider may recommend to the Academy Discipline Committee 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 Chief Administrative Officer. 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 Chief Administrative Officer as its representative at any hearings regarding the appeal of a short-term suspension.

The Discipline Committee may either suspend a student for a period longer than ten (10) days, or expel him/her, or permanently expel him/her.

In all cases resulting in short-term suspension, long-term suspension, expulsion, or permanent expulsion appropriate due process rights must be observed.

The Educational Service Provider shall develop procedures to implement this policy that shall include the following:

- A. Strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the Academy's core curriculum;
- B. Standards of behavior for all students in accordance with Academy Board policy on student discipline;
- C. Procedures that ensure due process; and
- D. Provision for make-up work at home, when appropriate.

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 Chief Administrative Officer 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 Chief Administrative Officer whose decision will be final. A student removed from the same class for more than then ten (10) school days will be entitled to the process for a long-term suspension/expulsion/permanent expulsion described below:

Students subject to long-term suspension, expulsion, and permanent expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend, expel, permanently expel and the reasons therefore, and must also be given an opportunity to appear before the Academy Discipline Committee with a representative to answer the charges. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another academy.

The Chief Administrative Officer shall develop procedures to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or Academy through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

- A. restrain or remove a student who refuses to comply with a request to behave or report to the office;
- B. quell a disturbance threatening physical injury to self or others;

- C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or
- D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the Academy contracts for services.

The Chief Administrative Officer 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. Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under Federal law.

Adopted 8/22/05

Revised 2/23/09 ; 12/14/15; 10/18/17; 2/27/19

PERMANENT EXPULSION

The Board of Directors is continually concerned about the safety and welfare of Academy students and staff and, therefore, will not tolerate behavior that creates an unsafe environment or a threat to safety. The Board of Directors has designated a Disciplinary Panel consisting of two (2) board members and the Academy's Dean of Students or other administrator as designated by the School Leader if the Dean of Students is unavailable to carry out suspensions and expulsions in accordance with its Board Policies.

In compliance with state and federal law, the Disciplinary Panel shall expel any student who possesses a dangerous weapon in a weapon-free school zone or commits either arson or criminal sexual conduct in an Academy building or on Academy property, including Academy 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". The term "firearm" is defined as any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device. Such term does not include an antique firearm.

The Disciplinary Panel need not expel for possession of a dangerous weapon if the student can establish to the satisfaction of the Disciplinary Panel that:

- 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 by the student;
- C. the student did not know or have reason to know that the object or instrument possessed constituted a dangerous weapon;
- D. the weapon was possessed at the suggestion, request, or direction of, or with the express permission of an Academy administrator or the police.

The above exceptions will not apply to student misconduct involving sexual conduct or arson.

The Disciplinary Panel shall permanently expel a student in grade six or above if that student commits physical assault at school against a school employee, volunteer, or contractor. Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."

The Disciplinary Panel shall suspend or expel a student in grade six or above for up to 180 school days if the student commits physical assault at school against another student.

Students with disabilities under IDEA or Section 504 shall be suspended and/or expelled only in accordance with their rights under Federal law.

The School Leader shall ensure that the expulsion is duly noted in the student's record and that the student has been referred to the Family Independence Agency or Department of Community Health within three (3) school days after the expulsion and the parents have been

informed of the referral. Furthermore, the Principal shall ensure that, if a student who is expelled is below the age of sixteen (16), then notification of the expulsion shall be given to the Juvenile Division of the Probate Court. In compliance with federal law, the Principal 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 Principal shall ensure that a copy of this policy and Policy 5610 is sent to the State Department of Education as well as a description of the circumstances surrounding the expulsion of a student for possessing a weapon in a weapon-free school zone together with the name of the School, the number of students so expelled, and the types of weapons that were brought into the weapon-free school zone and other reasons listed in Policy 8400.

A student who has been expelled under this policy may apply for reinstatement to the Board of Directors in accordance with the following guidelines:

- A. If the student is in grade 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 parent(s) or legal guardian, or, if the individual is at least age 18 or is an emancipated minor, the individual may petition for reinstatement any time after sixty (60) school days from the date of expulsion, but the student may not be reinstated before the expiration of ninety (90) school days after the expulsion date.
- B. If the student is in grade 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 parent(s) or legal guardian, or, if the individual is at least age 18 or is an emancipated minor, the individual may petition for reinstatement at any time, but the student may not be reinstated before the expiration of ten (10) school days after the expulsion date.
- C. If the student is in grade 6 or above at the time of the expulsion, the parent(s) or legal guardian, or, if the individual is at least age 18 or is an emancipated minor, the individual may petition for reinstatement any time after 150 school days after 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 School Leader on the appropriate form.
- E. Not later than ten (10) school days after receiving a petition for reinstatement, the Board of Directors shall appoint a committee to review the petition and any supporting information submitted by the parent(s) or legal guardian or, if the individual is at least 18 or is an emancipated minor, by the individual. The committee shall consist of two (2) Board members, one (1) school administrator, one (1) teacher, and one (1) parent of an Academy student.
- F. No later than ten (10) school days after all committee members are appointed, the committee shall review the petition and any supporting information provided by the Academy and shall submit a recommendation to the Board of Directors on the issue of reinstatement. The recommendation shall be for unconditional reinstatement, conditional reinstatement, or against reinstatement, and shall be accompanied by an explanation of the reasons for the recommendation and of any recommended conditions for reinstatement. The recommendation shall be based on consideration of all the following factors:

1. the extent to which reinstatement would create a risk of harm to students or Academy personnel;
2. the extent to which reinstatement would create a risk of Academy or individual liability for the Board or Academy personnel;
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 incident that caused the expulsion;
6. the student's behavior since the expulsion and the prospects for remediation of the student;
7. if the request was filed by a parent or legal guardian, the degree of cooperation and support the parent or legal guardian has provided and that can be expected if the student is reinstated, including, but not limited to the parent's or legal guardian's receptiveness toward possible conditions placed on the reinstatement. The Board or its designee may require a student and, if the petition was filed by a parent or legal guardian, his or her parent or legal guardian to agree in writing to specific conditions before reinstating the individual in a conditional reinstatement. The conditions may include, but are not limited to:
 - a. abide by a behavior contract which may involve the student, parent(s) or legal guardian, and an outside agency;
 - b. participate in or complete an anger management program or other appropriate counseling;
 - c. periodic progress reviews;
 - d. consequences for failure to abide by a condition;
 - e. the committee may also allow the parent(s) or legal guardian or, if the individual is at least 18 or an emancipated minor, the individual may include proposed conditions in a petition for reinstatement.

No later than the next regularly scheduled board meeting after receiving the recommendation of the committee, the Board shall make a decision to unconditionally reinstate the student, conditionally reinstate the student, or deny reinstatement of the student.

In the event a student who has been permanently expelled from another public school academy or school district requests admission to this Academy, the Board shall, in making its decision, follow the same procedure it has established in paragraph A-F above for the reinstatement of a school student.

The School Leader, disciplinary panel, and Board shall ensure that Board policies and administrative guidelines regarding a student's rights to due process are adhered to when dealing with a possible expulsion under this policy.

Adopted 6/2006
Revised 2/18/11; 7/15/14; 9/15/15

IN-SCHOOL DISCIPLINE

It is the purpose of this policy 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 of Directors to support such a program.

In-school discipline will only be offered at the discretion of the School Leader for offenses found in the Student Code of Conduct.

The Educational Service Provider and/or the Board is to establish administrative guidelines for the proper operation of such programs and to ensure that appropriate due process procedures are followed as applicable.

Adopted 6/2006
Revised 7/15/14

DUE PROCESS RIGHTS

The Board of Directors recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Academy's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following:

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 School Leader shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the School Leader. The School Leader shall keep a record of all short-term suspensions and the reasons therefore for as long as a student remains enrolled at the Academy of Warren.

Students subject to long-term suspension and expulsion:

A student and his/her parent must be given written notice of the intention to suspend or expel and the reasons therefore, and an opportunity to appear with a representative of the student's choosing before the Academy's Disciplinary Panel (as defined in Board Policy 5610.01) to answer the charges. This hearing must be conducted in compliance with the Open Meetings Act. At the student's request, the hearing may be held in closed session, but the Disciplinary Panel must act publicly. The Board shall act on any appeal for alleged due process violations, which must be submitted in writing, to an expulsion (Policy 5610 and/or Policy 5610.01), to a request for reinstatement (Policy 5610.01), or to a request for admission after being permanently expelled from another school (Policy 5610.01).

The Educational Service Provider and/or the Board shall develop administrative guidelines to ensure that all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

Adopted 6/2006
Revised 7/15/14

CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the board of directors cannot condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or school through suspension or expulsion procedures.

All staff within the scope of their employment may use and apply reasonable force and restraint to:

- A. 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 upon or within the control of the student, in self-defense, or for 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 by hitting, paddling, spanking, slapping, or makes use of any other kind of physical force as a means of disciplining a student, s/he may be subject to discipline and possibly criminal assault charges. This prohibition applies as well to volunteers and those with whom the Academy contracts for services.

The Educational Service Provider shall provide administrative guidelines which shall include a list of alternatives to corporal punishment.

M.C.L.A. 380.1312

Adopted 6/2006

STUDENT SECLUSION AND RESTRAINT

This policy is intended to provide the framework for organizational supports that result in effective interventions based on team-based leadership, data-based decision-making, continuous monitoring of student behavior, regular universal screening and effective on-going professional development. The Academy is committed to investing in prevention efforts and to teach, practice and reinforce behaviors that result in positive academic and social outcomes for students.

In the event that staff members need to restrain and/or seclude students, it must be done in accordance with this policy, which is intended to:

- A. promote the care, safety, welfare and security of the school community and the dignity of each student;
- B. encourage the use of proactive, effective, evidence and research based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all students; and
- C. ensure that seclusion and restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation and reporting by trained personnel.
- D. define terms “seclusion”, “restraint”, “emergency seclusion”, and “emergency physical restraint” and state the procedures for the use of emergency seclusion and emergency physical restraint.

In furtherance of these objectives, the Academy will utilize Positive Behavioral Interventions and Supports (PBIS) to enhance academic and social behavior outcomes for all students. PBIS implemented by the Academy will include socially valued and measurable outcomes, empirically validated and practical practices, systems that efficiently and effectively support implementation of these practices, and continuous collection and use of data for decision-making.

EMERGENCY SECLUSION

A. Prohibited Practices and Limitations on Use

The following practices are prohibited under all circumstances, including emergency situations:

- 1. confinement of students who are severely self-injurious or suicidal
- 2. corporal punishment, as defined in M.C.L. 380.1312(1) of the revised school code, 1976 PA 451
- 3. the deprivation of basic needs
- 4. anything constituting child abuse
- 5. seclusion of pre-school children

6. seclusion that is used for the convenience of school personnel
7. seclusion as a substitute for an educational program
8. seclusion as a form of discipline or punishment
9. seclusion as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

B. Definition of Emergency Seclusion

Seclusion means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of students.

Emergency seclusion is a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the student to regain self-control while maintaining the safety of the student and others.

To qualify as emergency seclusion, there must be continuous observation by school personnel of the student and the room or area used for confinement:

1. must not be locked
2. must not prevent the student from exiting the area should staff become incapacitated or leave that area
3. must provide for adequate space, lighting, ventilation, viewing, and the safety of the student
4. must comply with State and local fire and building codes

C. Time and Duration Emergency seclusion should not be used any longer than necessary, based on research and evidence, to allow a student to regain control of his/her behavior to the point that the emergency situation necessitating the use of emergency seclusion is ended, but generally no longer than:

1. fifteen (15) minutes for an elementary school student;
2. twenty (20) minutes for a middle school or high school student

If an emergency seclusion lasts longer than the suggested maximum times

above, the following are required:

- a. additional support (which may include change of staff, introducing a nurse or specialist, or additional key identified personnel)
- b. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

A. Prohibited Practices

The following procedures are prohibited under all circumstances, including emergency situations:

1. mechanical restraint
2. chemical restraint
3. corporal punishment as defined in 380.1312(1) of the revised school code, 1976 PA 451, otherwise known as the Corporal Punishment Act
4. the deprivation of basic needs
5. anything constituting child abuse
6. restraint that is used for the convenience of school personnel
7. restraint as a substitute for an educational program
8. restraint as a form of discipline or punishment
9. restraint as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition
11. any restraint that negatively impacts breathing, including any positions, whether on the floor, facedown, seated or kneeling, in which the student's physical position (e.g., bent over) is such that it is difficult to breathe, including situations that involve sitting or lying across an individual's back or stomach
12. prone restraint (the restraint of a person face down)

NOTE: School personnel who find themselves involved in the use of a prone restraint as the result of responding to an emergency must take immediate steps to end the prone restraint.

13. the intentional application of any noxious substance(s) or stimuli that
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results in physical pain or extreme discomfort

A noxious substance or stimuli can either be generally acknowledged or specific to the student.

14. physical restraint, other than emergency physical restraint
15. any other type of restraint not expressly allowed
16. seclusion other than emergency seclusion

B. Definition of Restraint

Restraint means an action that prevents or significantly restricts a student's movement. Physical restraint is intended for the purposes of emergency situations only, in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

Emergency physical restraint is a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provide an opportunity for the student to retain self-control while maintaining the safety of the student and others. An emergency situation requires an immediate intervention. Emergency physical restraint may not be used in place of appropriate less restrictive interventions.

There are three (3) types of restraint: physical, chemical, and mechanical.

1. Physical restraint involves direct physical contact.

Restraint does not include actions undertaken for the following reasons:

- a. to break up a fight
- b. to take a weapon away from a student
- c. to briefly hold the student (by an adult) in order to calm or comfort him/her
- d. to have the minimum contact necessary to physically escort a student from one area to another
- e. to assist a student in completing a task/response if the student does not resist or if resistance is minimal in intensity or duration
- f. to hold a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car)
- g. to stop a physical assault as defined in M.C.L. 380.1310

- h. actions that are an integral part of a sporting event, such as a referee pulling football players off from a pile or similar action
- 2. Chemical Restraint is the administration of medication for the purpose of restraint.

Restraint does not include administration of medication prescribed by and administered in accordance with the directions of a physician.

- 3. Mechanical Restraint means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

Restraint does not include the following:

- a. an adaptive or protective device recommended by a physician or therapist (when it is used as recommended)
- b. safety equipment used by the general student population as intended (e.g., seat belts, safety harness on school transportation)

Emergency physical restraint is not permitted:

- 1. If the physical restraint is used:
 - a. for the convenience of school personnel;
 - b. as a substitute for an educational program;
 - c. as a form of discipline or punishment;
 - d. as a substitute for less restrictive alternatives;
 - e. as a substitute for adequate staffing;
 - f. as a substitute for school personnel training in positive behavioral intervention and support;
- 2. as prohibited under MCL 380.13076; or
- 3. when contraindicated based on (as documented in a record or records made available to the school) a student's:
 - a. disability;
 - b. health care needs; or
 - c. medical or psychiatric condition.

C. Time and Duration

Restraint should not be used:

1. any longer than necessary, based on research and evidence, to allow students to regain control of their behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended; and
2. generally no longer than ten (10) minutes.

If an emergency restraint lasts longer than ten (10) minutes, all of the following are required:

1. additional support, which may include a change of staff, or introducing a nurse, specialist, or additional key identified personnel
2. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

USE OF EMERGENCY SECLUSION/RESTRAINT

A. When to Use Emergency Seclusion/Restraint

Seclusion/restraint must be used only under emergency situations and if essential. Emergency situation means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

B. General Procedures for Emergency Seclusion/Restraint:

1. An emergency seclusion/restraint may not be used in place of appropriate, less restrictive interventions.
2. Emergency seclusion/restraint shall be performed in a manner that is:
 - a. safe;
 - b. appropriate; and
 - c. proportionate to and sensitive to the student's:
 - 1) severity of behavior;
 - 2) chronological and developmental age;
 - 3) physical size;
 - 4) gender;

- 5) physical condition;
 - 6) medical condition;
 - 7) psychiatric condition; and
 - 8) personal history, including any history of physical or sexual abuse or other trauma.
3. School personnel shall call key identified personnel for help from within the school building either immediately at the onset of an emergency situation or, if it is reasonable under the particular circumstances for school personnel to believe that diverting their attention to calling for help would increase the risk to the safety of the student or to the safety of others, as soon as possible once the circumstances no longer support such a belief.
4. While using emergency seclusion/restraint, staff must do all of the following:
 - a. involve key identified personnel to protect the care, welfare, dignity, and safety of the student
 - b. continually observe the student in emergency seclusion for indications of physical distress and seek medical assistance if there is a concern
 - c. document observations
 - d. ensure to the extent practicable, in light of the ongoing emergency situation, that the emergency seclusion/restraint does not interfere with the student's ability to communicate using the student's primary mode of communication
 - e. ensure that at all times during the use of emergency seclusion/restraint there are school personnel present who can communicate with the student using the student's primary mode of communication
5. Each use of an emergency seclusion/restraint and the reason for each use shall be documented and reported according to the following procedures:
 - a. document in writing and report in writing or orally to the building administration immediately
 - b. report in writing or orally to the parent or guardian immediately
 - c. a report shall be written for each use of seclusion/restraint (including multiple uses within a given day) and the written report(s) provided to the parent or guardian within the earlier of one (1) school day or seven (7) calendar days

6. After any use of an emergency seclusion/restraint, staff must make reasonable efforts to debrief and consult with the parent or guardian, or the parent or guardian and the student (as appropriate) regarding the determination of future actions.

C. Students Exhibiting a Pattern of Behavior

1. If a student exhibits a pattern of behavior that poses a substantial risk of creating an emergency situation in the future that could result in the use of emergency seclusion/restraint, school personnel should do the following:
 - a. conduct a functional behavioral assessment
 - b. develop or revise a PBIS plan to facilitate the reduction or elimination of the use of seclusion/restraint
 - c. develop an assessment and planning process conducted by a team knowledgeable about the student, including at least:
 - 1) the parent or guardian
 - 2) the student (if appropriate)
 - 3) people who are responsible for implementation of the PBIS plan
 - 4) people who are knowledgeable in PBIS
 - d. develop a written emergency intervention plan ("EIP") to protect the health, safety, and dignity of the student. An EIP may not expand the legally permissible use of emergency seclusion/restraint.

The EIP should be developed by a team in partnership with the parent or guardian. The team shall include:

- 1) a teacher;
- 2) an individual knowledgeable about legally permissible use of seclusion/restraint; and
- 3) an individual knowledgeable about the use of PBIS to eliminate the use of seclusion/restraint.

The EIP should be developed and implemented by taking all of the following documented steps:

- a. describe in detail the emergency intervention procedures
- b. describe in detail the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses

- c. inquire of the student's medical personnel (with parent or guardian consent) regarding any known medical or health contraindications for the use of seclusion/restraint
- d. conduct a peer review by knowledgeable staff
- e. provide the parent or guardian with all of the following, in writing and orally:
 - 1) A detailed explanation of the PBIS strategies that will reduce the risk of the student's behavior creating an emergency situation.
 - 2) An explanation of what constitutes an emergency, including examples of situations that would fall within and outside of the definition.
 - 3) A detailed explanation of the intervention procedures to be followed in an emergency situation, including the potential use of emergency seclusion/restraint.
 - 4) A description of possible discomforts or risks.
 - 5) A detailed explanation of the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses.
 - 6) Answers to any questions.

A student who is the subject of an EIP should be told or shown the circumstances under which emergency intervention could be used.

D. Data Collection and Reporting

- 1. The building administrator shall develop a system of data collection, collect the data and forward all incident reports and data regarding the use of seclusion/restraint to the Educational Service Provider.

The data must:

- a. be analyzed to determine the efficacy of the school's school-wide system of behavioral support;
- b. be analyzed in the context of suspension, expulsion, and dropout data;
- c. be analyzed for the purposes of continuous improvement of training and technical assistance toward the reduction or elimination of seclusion/restraint;
- d. be analyzed on a schedule determined by the Michigan Department of Education (MDE);`

- e. be reported to the MDE, if and as required;
- f. include a list of appropriately trained, identified personnel and their levels of:
 - 1) education;
 - 2) training; and
 - 3) knowledge.

NOTE: The Academy must report to the MDE on the use of seclusion and restraint periodically. MDE will develop guidelines that outline the process for reporting redacted, aggregated data regarding the emergency use of seclusion and restraint.

Training Framework

A comprehensive training framework will be implemented which includes the following:

- A. awareness training for all school personnel who have regular contact with students; and
- B. comprehensive training for key identified personnel.

All substitute teachers must be informed of and understand the procedures regarding the use of emergency seclusion and emergency restraint. This requirement may be satisfied using online training developed or approved by MDE and online acknowledgement of understanding and completion of the training by the substitute teacher.

Comprehensive Training for Identified Personnel

Each building administrator will identify sufficient key personnel to ensure that trained personnel are generally available for an emergency situation. Before using emergency seclusion or emergency physical restraint with students, key identified personnel who may have to respond to an emergency safety situation must be trained in all of the following:

- A. proactive practices and strategies that ensure the dignity of students
- B. conflict resolution
- C. mediation
- D. social skills training
- E. de-escalation techniques
- F. positive behavioral intervention and support strategies
- G. techniques to identify student behaviors that may trigger emergency safety situations
- H. related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used

- I. instruction in the use of emergency seclusion and emergency physical restraint
- J. identification of events and environmental factors that may trigger emergency safety situations
- K. instruction on the State policy on the use of seclusion and restraint
- L. description and identification of dangerous behaviors
- M. methods for evaluating the risk of harm to determine whether the use of emergency seclusion or emergency physical restraint is warranted
- N. types of seclusion
- O. types of restraint
- P. the risk of using seclusion and restraint in consideration of a student's known and unknown medical or psychological limitations
- Q. cardiopulmonary resuscitation and first aid
- R. the effects of seclusion and restraint on all students
- S. how to monitor for and identify physical signs of distress and the implications for students generally and for students with particular physical or mental health conditions or psychological limitations
- T. ways to obtain appropriate medical assistance

GLOSSARY OF TERMS

"Academy Personnel" includes all individuals employed in a public school or assigned to regularly and continuously work under contract or under agreement in a public school, or public school personnel providing service at a nonpublic school. Except for the obligations set out above to document seclusion or restraint, report to/consult with parents, undertake the required actions if a student shows a pattern of behavior, and collect and report data to the state, academy personnel does not include a law enforcement officer (as defined above) assigned to regularly and continuously work under contract or under agreement in a public school.

"Chemical Restraint" means the administration of medication for the purpose of restraint.

"De-escalation Techniques" means evidence- and research-based strategically employed verbal or nonverbal interventions used to reduce the intensity of threatening behavior before, during, and after a crisis situation occurs.

"Documentation" means documentation developed by the Michigan Department of Education that is uniform across the State.

"Emergency Situation" means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

"Functional Behavioral Assessment" means an evidence- and research-based systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavioral assessment shall describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.

"Key Identified Personnel" means those individuals who have received the mandatory training described in M.C.L. 380.1307G(B)(I) to (XVI), listed under Comprehensive Training for Identified Personnel above.

"Law Enforcement Officer" means an individual licensed under the Michigan Commission on Law Enforcement Standards Act, M.C.L. 28.601 to 28.615.

"Mechanical Restraint" means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

"Physical Restraint" means restraint involving direct physical contact.

"Positive Behavioral Intervention and Support (PBIS)" means a framework to assist school personnel in adopting and organizing evidence-based behavioral interventions into an integrated continuum of intensifying supports based on student need that unites examination of the function of the problem behavior and the teaching of alternative skill repertoires to enhance academic and social behavior outcomes for all students.

"Positive Behavioral Intervention and Support Plan" means a student-specific support plan composed of individualized, functional behavioral assessment-based intervention strategies, including, as appropriate to the student, guidance or instruction for the student to use new skills as a replacement for problem behaviors, some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and procedures for monitoring, evaluating, and modifying the plan as necessary.

"Prone Restraint" means the restraint of an individual face down.

"Regularly and Continuously Work Under Contract" means that term as defined in section M.C.L. 380.1230.

"Restraint" means an action that prevents or significantly restricts a student's movement. Restraint does not include the brief holding of a student in order to calm or comfort, the minimum contact necessary to physically escort a student from one area to another, the minimum contact necessary to assist a student in completing a task or response if the student does not resist or resistance is minimal in intensity or duration, or the holding of a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety, such as running in front of a car. Restraint does not include the administration of medication prescribed by and administered in accordance with the directions of a physician, an adaptive or protective device recommended by a physician or therapist when it is used as recommended, or safety equipment used by the general student population as intended, such as a seat belt or safety harness on school transportation. Restraint does not include necessary actions taken to break up a fight, to stop a physical assault, as defined in M.C.L. 380.1310, or to take a weapon from a student. Restraint does not include actions that are an integral part of a sporting event, such as a referee pulling football players off of a pile or a similar action.

Restraint that negatively impacts breathing means any restraint that inhibits breathing, including floor restraints, facedown position, or any position in which an individual is bent over in such a way that it is difficult to breathe. This includes a seated or kneeling position in which an individual being restrained is bent over at the waist and restraint that involves sitting or lying across an individual's back or stomach.

"Seclusion" means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of student.

Adapted from Michigan State Board of Education Policy for the Emergency Use of Seclusion and Restraint adopted in March of 2017

Adopted 12/08
Revised 8/15/17; 4/16/19

DELEGATION OF AUTHORITY FOR DISCIPLINARY MATTERS

- A. The board delegates to the Principal of any campus of the Academy the authority to administer discipline at the Academy, subject to the following limitation of authority: The Principal may not suspend or expel a student for a period of time in excess of ten days.
- B. If the Principal recommends the suspension or expulsion of a student for a period in excess of ten days, then a request for a disciplinary hearing shall be made to the superintendent. The superintendent shall appoint a committee of not less than two people to act as hearing officers. The hearing officers shall designate the date, time, and place of the hearing to consider the suspension or expulsion. The board delegates to the hearing officers the authority to suspend or expel any student to the same extent as the entire board has such authority.
- C. Any disciplinary hearing conducted by the hearing officers shall be conducted as an open meeting under the Open Meetings Act. The hearing shall be conducted in an open session, unless the parent or legal guardian of the student (or the student, if over 18) requests that the hearing be conducted in closed session. The hearing officers are deemed "other school officials", as such phrase is used in MCL 380.1311(1).
- D. If the Principal has recommended the suspension or expulsion of a student for a period of time in excess of ten days, and if the hearing officers have not scheduled a hearing prior to the expiration of the ten day period, then the board delegates to the superintendent the authority to administer discipline, including suspension or expulsion of a student in excess of ten days. Such authority shall cease upon the completion of the hearing officers' disciplinary hearing, at which time the applicable discipline, if any, shall be as determined by the hearing officers.
- E. For purposes of this resolution, the superintendent shall be the superintendent or deputy superintendent of the Educational Service Provider or the designee of such superintendent or deputy superintendent.
- F. Any person, other than the Principal and other staff at the Academy, may be appointed as a hearing officer. Generally, hearing officers shall be a member of the board of directors; an educational staff member at Educational Service Provider; a principal, administrator, or educator at another academy managed by the Educational Service Provider or a member of the community.
- G. Any disciplinary decision by the Principal (under ¶1 above), or the hearing officers (under ¶2 above), or the superintendent (under ¶4 above) shall be final, and no appeal will be permitted.

Adopted 2/18/11
Revised 9/17/13

STUDENT GRIEVANCE

The board of directors recognizes that, as citizens, students have the right to request redress of grievances. Further, the board believes that fostering respect for lawful procedures is an important part of the educational process. Accordingly, individual and group grievances should be provided for and appropriate appeal procedures implemented.

For purposes of this policy, a student complaint or grievance shall be any such that arises out of actions, procedures, and policies of this board, staff or the lack of such policy or procedure.

The board or its staff will hear the complaints and grievances of students, provided that such complaints and grievances are made according to procedures established by administrative guidelines of the principal.

Adopted 6/2006

ACADEMY-SPONSORED PUBLICATIONS AND PRODUCTIONS

The Board of Directors sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "Academy-sponsored student media" shall include both student publications and productions. "Student publications" shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other Academy-sponsored clothing), as well as material in electronic or on-line form (including, but not limited to, websites, web logs ("blogs"), video or audio clips, and newsletters or announcements transmitted by e-mail, wireless broadcast or other similar distribution/dissemination). "Student productions" shall include vocal and theatrical performances, impromptu dramatic presentations, or any electronic media (including, but not limited to, radio and television programs, podcasts, and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). Further, the term "publication" shall include distribution and dissemination of a student publication; and the term "performance" shall include presentation and broadcast of a student production.

The following speech is unprotected and prohibited in all Academy-sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to juveniles; speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates Academy policy and/or State or Federal law. The Board authorizes the administration to engage in prior review and restraint of Academy-sponsored publications and productions to prevent the publication or performance of unprotected speech.

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. Academy officials shall routinely and systematically review and, if necessary, restrict the style and/or content of all Academy-sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues, but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. Academy officials may prohibit speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudice, vulgar or profane, or unsuitable for immature audiences.

Academy-sponsored student media may not be published/performed outside the Academy community (i.e., publication/performance is limited to students, staff and parents/family members) except with the prior written approval of the Superintendent.

Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.

Advertising is not permitted in Academy-sponsored student publications/productions.

General Prohibitions

Regardless of their status as non-public or limited-purpose public forums, the Board prohibits publications, productions and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or questions submitted at any election;
- B. fail to identify the student or organization responsible for the publication/performance;
- C. solicit funds for nonschool organizations or institutions when such solicitations have not been approved by the Educational Service Provider.

Adopted 2/18/11

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 a Academy official. The Board directs the Educational Service Provider/Principal 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 Educational Service Provider/Principal 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.

The Michigan Department of Education has developed a model policy on searches of pupils' lockers and locker contents. This model policy is the policy of the Board of Directors. The Administrator is directed to provide appropriate notices of the policy and to include the model policy in the administrative guidelines.

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 Educational Service Provider'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 Principal. 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 Principal 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 Principal 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 Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The Educational Service Provider shall prepare Administrative Guidelines to implement this policy.

Adopted 6/2006
Revised 6/19/12

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 that is 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 including athletic events, or in an Academy vehicle.

The term *weapon* means any object capable of inflicting serious bodily harm or property damage or endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paintballs, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives or any other weapon described in 18 USC 921.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

The Educational Service Provider will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

This policy will be published annually in all Academy student and staff handbooks. Publication is not a precondition to enforcement of this policy.

Adopted 6/2006
Revised 12/20/16

STUDENT/PARENT RIGHTS

The board of directors recognizes that students possess not only the right to an education but the rights of citizenship as well.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted Academy authority, and compliance with the guidelines and rules of the Academy.

The board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those Academy matters previously handled by his/her parents, but s/he 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 principal.

20 U.S.C. 1232(h)

Adopted 6/2006

STUDENT GOVERNMENT

The board of directors acknowledges the importance of offering students the opportunity to participate in self-government within the establishment of the Academy.

Students may have the right to organize, conduct meetings, elect officers and representatives, and petition the board if such student governance is approved by the principal.

The board will recognize the student council as the official voice of the student body and for the purpose of:

- A. giving students practical experience in organizing, planning, and affecting outcomes;
- B. developing student leadership;
- C. providing a learning experience in democratic decision making;
- D. offering another avenue toward the realization of the goals of this Academy.

The Educational Service Provider may establish administrative guidelines to implement this policy.

Adopted 6/2006

STUDENT FUNDRAISING

Reference: MCL 380.1272b
7 CFR Parts 210 and 220
42 USC 1779

The Board of Directors acknowledges that the solicitation of funds from students must be limited since compulsory attendance laws make the student a captive donor and may also disrupt the program of the Academy.

For purposes of this policy "student fundraising" shall include the solicitation and collection of money from students for any purpose and shall include the collection of money in exchange for tickets, papers, or any other goods or services for approved student activities. Student fundraising also includes giving away goods or services, but suggesting a monetary donation.

The board will permit student fundraising by students in the Academy, on Academy property, or at any Academy sponsored event only when the profit there from is to be used for Academy purposes or for an activity connected with the Academy.

Fundraising by approved Academy organizations, those whose funds are managed by the Academy may be permitted in the Academy by the principal. Such fundraising off Academy grounds may be permitted by the principal.

The Board permits two (2) fundraisers per week per school that involve the sale of food items and/or beverages that are an exception to the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations for consumption on campus during the school day by students.

Other than approved non-compliant fundraisers, the food and/or beverage items to be sold for any other fundraisers by student clubs and organizations, parent groups, or booster clubs and consumed on campus, shall comply with the current USDA Dietary Guidelines for Americans, and the USDA Smart Snacks in Schools nutrition standards, and also be consistent with requirements set forth in Policy 8500 – Food Services.

If approved, fundraisers that involve the sale of food items or beverages to students on campus must be consistent with regulations established in Policy 8500, Food Services, pertaining to the sale of foods and beverages during food-service hours, whether those food items and beverages are compliant with, or an exception to, the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools nutrition standards.

Use of the name, logo, or any assets of the Academy, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Educational Service Provider.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Educational Service Provider.

All crowdfunding activities are subject to AG 6605.

Fundraising by students on behalf of those school-related organizations and Academy support organizations (with funds not managed by the Academy) may be permitted on or off school grounds by the Educational Service Provider. All fundraising by Academy-related organizations and Academy support organizations shall be done in accordance with Policy 9211 and Policy 9700.

The Educational Service Provider shall establish Administrative Procedures for the solicitation of funds that shall accomplish the following:

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation which do not place undue pressure on students;
- C. limit the kind and amount of advertising for solicitation;
- D. require that the Educational Service Provider approve the distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded; and
- E. limit the number of fund raising events.

Advisors for approved Academy organizations shall not accept any form of compensation from vendors that might influence their selection or a vendor that will provide a fundraising activity or a product that will be sold as a fundraiser. Furthermore, advisors for approved Academy organizations shall not accept any compensation from a vendor after a decision has been made regarding a fundraising activity or a product that will be sold as a fundraiser. In addition, advisors for approved Academy organizations who make the selection of a vendor that will provide a fundraising activity or a product that will be sold as a fundraiser shall not enter into a contractual arrangement whereby an advisor receives compensation in any form from the vendor that provides a fundraising activity or a product that will be sold as a fundraiser.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that an advisor of an approved Academy organization receives such compensation, albeit unsolicited, from a vendor, the individual shall notify the Educational Service Provider, in writing, that s/he received such compensation and shall thereafter properly transmit said compensation to the Educational Service Provider at his/her earliest opportunity.

The Educational Service Provider shall distribute this policy and the guidelines which implement it to each organization granted permission to solicit funds.

Adopted 6/2006

Revised 9/15/15; 12/20/16; 4/18/17

SOCIAL EVENTS

The board of directors recognizes the value of student social events in enhancing and enriching the educational experience for the children of this community.

The board will make Academy facilities available and provide appropriate staff for the conduct of social events within the Academy facilities which have been approved by the principal.

Academy social events which take place outside Academy facilities must be approved by principal.

As voluntary participants in Academy social events, students shall be held responsible for compliance with the rules set forth for their conduct, and infractions of those rules will be subject to the same disciplinary measures applicable during the regular 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 Educational Service Provider may develop administrative guidelines for the conduct of student social events which shall include:

- A. designation of a staff member who shall be the board employee responsible for the event;
- B. provision for chaperonage, adult supervision, and/or police protection required by the circumstances of the event;
- C. provisions for the safety of all students and adults involved.

A.C. Rule 340.241 et seq.

Adopted 6/2006

STUDENT EMPLOYMENT

The board of directors believes that attendance at Academy should occupy a student's full attention and should take precedence over non-Academy related employment.

If a student must work while attending the Academy, s/he should receive counseling and assistance in seeking appropriate job opportunities and in correlating work schedules with studies and activities.

The principal shall prepare administrative guidelines which will ensure that all students employed in out-of-school jobs are closely monitored by staff regarding school attendance and achievement in order to determine the effects on school performance of the student assuming out-of-school work commitments.

Adopted 6/2006

6000 **FINANCES**

6100	Academy Finance Policy	
6107	Authorization to Accept and Distribute Electronic Records And to Use Electronic Signatures	L
6110	Grant Funds	BP
6111	Internal Controls	BP
6144	Investments	L
6146	Post-Issuance Compliance for Tax-Exempt and Tax-Advantaged Obligations	BP
6151	Bad Checks	BP
6152	Student Fees, Fines, and Supplies	BP
6200	The Budget Process	
6210	Fiscal Planning	BP
6220	Budget Preparation	BP
6230	Budget Hearing	BP
6231	Budget Implementation	BP
6250	Fund Balance	
6260	Financial Reporting and Budget Monitoring	
6270	Annual Review and Audit	
6320	Purchasing	L
6321	New School Construction, Renovation	L
6325	Procurement – Federal Grants/Funds	L**
6420	Conflict Of Interest - Legal Counsel, Advisors, Or Consultants	L
6423	Use of Credit Cards	BP
6440	Cooperative Purchasing	BP
6460	Vendor Relations	BP
6470	Payment of Claims	BP
6510	Payroll Authorization	BP
6520	Payroll Deductions	L
6550	Travel Payment & Reimbursement	L
6605	Crowdfunding	BP
6620	Petty Cash	BP
6650	Finance of Class Businesses and Homerooms	
6680	Recognition	
6800	System of Accounting	BP
6850	Public Disclosure and Reporting	L

**Legally required for schools receiving funding under ESEA.

Adopted 6/2006

Revised 06/07; 12/08; 4/14/11; 11/15/11; 9/17/13; 10/28/13; 7/15/14; 12/20/16; 4/18/17; 4/16/19;
9/4/19

ACADEMY FINANCE POLICY

The Academy is a public school, operating almost entirely with public funds. The Academy's board members and administrators each have a fiduciary obligation to manage the financial affairs of the Academy. A fiduciary obligation means that each board member and administrator will handle the finances of the Academy at least as carefully as a reasonably prudent person would manage their own finances. This does not mean that board members or administrators personally guarantee or insure the Academy against financial loss. Nor does it mean that every board member, and every administrator, must review and approve every expenditure or deposit or receipt.

It does mean that those persons in a position of responsibility - board members and senior administrators - must ensure that policies and procedures are in place which:

- A. foster efficiency
- B. reduce risks of loss
- C. provide for internal and external checks and balances, and
- D. comply with all legal and prudent accounting requirements.

A large financial organization, such as the Academy, requires specialization and compartmentalization in order to operate efficiently. Each person associated with the academy has a different role in this process. The staff of the finance department of the ESP - bookkeepers, payroll and payables staff, controllers, finance director, and the chief financial officer - have the most direct role. All staff, whether working at the campus or in the central office, have the obligation to avoid waste and follow spending protocols. Board members generally, and the board treasurer and president in particular, have a significant role in financial planning and monitoring. The Academy's internal auditor assists the administration in compliance with the legal and accounting requirements, and the board's external auditor assists the board in reviewing the Academy's financial performance. In addition, the Academy's interim and audited financial statements are filed with the authorizer and the Michigan Department of Education.

Conceptually, the financial management process can be divided into four distinct, and sometimes overlapping, processes:

- A. the formation of an academy budget
- B. the implementation of the budget and the operation of the academy
- C. the financial reporting and budget monitoring process in the budget year
- D. the review and audit of the academy's financial affairs upon completion of the budget year.

Adopted 6/2006

AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS AND TO USE ELECTRONIC SIGNATURES

Reference: 15 U.S.C. 7001 et seq
M.C.L. 450.831-450.849

Unless a provision of law specifically prohibits the use of an electronic record for the specified purpose, the Board of Directors authorizes the acceptance and distribution/transmission of electronic records and electronic signatures to and from School staff and other persons, as well as between School staff members. The Board further authorizes School staff to create, generate, send, communicate, receive, store, process, use, and rely upon electronic records and electronic signatures.

The Educational Service Provider is authorized to develop administrative guidelines concerning the acceptance and distribution/transmission of electronic records and electronic signatures. After giving due consideration to security, the Educational Service Provider 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 7/15/14

GRANT FUNDS

Reference: 2 CFR 200.112, 200.302, 200.310, 200.403, 200.404 and 200.406
Compliance Supplement for Single Audits of State and Local Governments
20 U.S.C. 7906

It is the objective of the Board of Directors to provide equal educational opportunities for all students within the Academy. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the Academy that would benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance educational opportunities, the educational environment, and the physical and mental growth for each student.

The Educational Service Provider shall review new federal education legislation and prepare proposals for programs deemed to be of aid to the students of this Academy. The Board shall approve or ratify each such proposal prior to its submission, and the Board shall approve or ratify all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school districts, public school academies, and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accordance with Federal regulations and guidelines.

No federal funds received by the Academy shall be used (1) to develop or distribute materials, or operated programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on Academy grounds; (3) to provide sex education or HIV-prevention education unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution.

Grant Proposal Development

- A. All grant proposals must support at least one (1) Academy goal or priority.
- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.
- C. Each grant proposal shall be reviewed and approved by the Educational Service Provider prior to submission to the funding source.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, local, and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as Academy policies and administrative procedures/guidelines.
- B. The Educational Service Provider is responsible for the efficient and effective administration of grant awards through the application of sound management practices.

- C. The Educational Service Provider is responsible for administering grant funds in a manner consistent with underlying agreements, applicable statutes, regulations, and program objectives, and the terms and conditions of the grant award.
- D. The Academy, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls and the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the Academy will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Educational Service Provider shall require that each draw of Federal monies be aligned with the Academy's payment process (whether reimbursement, cash advance or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Financial Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as Academy policies and administrative procedures/guidelines.

At a minimum, the Academy shall provide for the following:

- A. Identification, in Academy accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of federal Domestic Assistance (CFDA) title and number, Federal award identification number and year, name of the Federal agency and name of the pass-through entity, as applicable.
- B. The Academy shall develop a procurement policy (or revise its current procurement policy) to comply with all grants which it is awarded. Further, to the extent applicable, the Academy shall adhere to the requirements of the Education Department General Administrative Regulations.
- C. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.
- D. Records that adequately identify the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
- E. Effective control over, and accountability for, all funds, property, and other assets. The Academy must adequately safeguard all assets and assure that they are used solely for authorized purposes.

Further, the Academy must:

1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the Academy is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;
 2. comply with Federal statutes, regulations and the terms and conditions of the Federal award;
 3. evaluate and monitor the Academy's compliance with statutes, regulations and the terms and conditions of the Federal award;
 4. take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings;
 5. take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.
- F. Comparison of expenditures with budget amounts for each Federal award.
- G. Recordkeeping and written procedures to the extent required by Federal, State, local, and grantor rules and regulations pertaining to the grant award and accountability, including but not limited to, the following areas:
1. cash management
 2. allowability
 3. conflict of interest
 4. procurement
 5. equipment management
 6. conducting technical evaluations of proposals and selecting recipients
 7. compensation and fringe benefits
 8. travel
- H. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.
- I. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the Academy.

Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the Academy uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the Academy is otherwise directed by the Federal awarding agency or pass-through entity.

Adopted 6/2006
Revised 06/07; 12/20/16

INTERNAL CONTROLS

The Educational Service Provider shall establish and maintain effective internal control over financial grants and awards that provide reasonable assurance that the program and funds are managed in compliance with applicable statutes, regulations and the terms and conditions of the awards.

The internal controls must provide reasonable assurance that transactions are properly recorded and accounted for in order to permit the preparation of reliable financial statements and Federal reports; maintain accountability over assets; and demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls must also provide reasonable assurance that these transactions are executed in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal award, as well as any other Federal statutes and regulations that are identified in the Compliance Supplement. Finally, the internal controls must provide reasonable assurance that all Federal funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

The Academy shall:

- A. comply with Federal statutes, regulations, and the terms and conditions of the Federal awards;
- B. evaluate and monitor its compliance with statutes, regulations, and the terms and conditions of the award;
- C. take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; and
- D. take reasonable measures to safeguard protected personally identifiable information and other information the awarding agency or pass-through entity designates as sensitive or the Academy considers sensitive information consistent with applicable Federal, state, local, and tribal laws and Academy policies regarding privacy and obligations of confidentiality.

Adopted 12/20/16

INVESTMENTS

Reference: MCL 124.301 et seq., 129.11 to 129.118, 380.1221, 380.1223(2), 380.622

The Board of Directors authorizes the Chief Administrative Officer to make investments of available monies from the several funds of the Academy in:

- A. bonds, bills, or notes of the United States; obligations, the principal and interest of which are fully guaranteed by the United States; or obligations of the state;
- B. certificates of deposit issued by a state or nationally chartered bank or a state or federally chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government and which maintains a principal office or branch office in Michigan under Michigan and federal laws;
- C. certificates of deposit of a public corporation(s) (CDs) in insured depository institutions in accordance with the following conditions:
 - 1. the funds are initially invested through a financial institution that is not ineligible to be a depository of surplus funds belonging to this State under MCL 21.146 (discriminatory lending practices)
 - 2. the financial institution arranges for the investment of the funds in certificates of deposit in one (1) or more insured depository institutions, as defined in 12 USC 1813, for the account of the Academy.
 - 3. the full amount of the principal and any accrued interest of each certificate of deposit 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 an Academy.
- J. any other investment permitted by a public school under MCL §380.1223.

The purpose of the investments is to maximize the returns on the Academy's excess cash balances consistent with safety of those monies and with the desired liquidity of the investments.

When there is a possibility that interest rate changes could adversely affect the fair value of a School's investment, as determined under Generally Accepted Accounting Principles (GAAP) standards, the Chief Administrative Officer shall determine which of the following method(s) will be used to assess and control such risks:

- A. segmented time distribution
- B. specific identification
- C. weighted average maturity
- D. duration
- E. simulation model

These methods shall be implemented as defined by the Government Accountability Standards Board. The Board may apply different methods to different investment.

Investments in U.S. Treasury securities and those other securities completely guaranteed by the Treasury as to payment of principal and interest may be purchased in any dollar amount or up to 100% of the available reserves.

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

Upon Board approval the Chief Administrative Officer is authorized to contract with a depository for the operation of a cash management system under the following conditions:

- A. the contract is in writing
- B. the contract provides for the investment of funds by the depository with the written approval of the Chief Administrative Officer.
- C. the investments are made in accordance with state law with maturities not to exceed five (5) years
- D. the contract is awarded using the Academy's bidding procedure

An obligation purchased in accordance with Section 380.1223(2), when received by the Chief Administrative Officer, 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 Chief Administrative Officer acting within the law.

The Chief Administrative Officer may request, no more often than four (4) times per year, that each public depository report the amount of monies deposited by him/her and the total value of the pool of securities pledged to secure the monies of this Academy held by the depository.

The Board also requires the Chief Administrative Officer to report to the Board quarterly the types and amounts of each investment and the interest earned on each and the transactions occurring since the last report.

The Board may adopt a resolution at its annual organization meeting, authorizing electronic transactions 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.

Adopted 6/2006
Revised 4/14/11

POST-ISSUANCE COMPLIANCE FOR TAX-EXEMPT AND TAX-ADVANTAGED OBLIGATIONS

Reference: Internal Revenue Code of 1986, as amended
Treasury Regulations
SEC Rule 15c2-12

The Board of Directors may, from time to time, finance its capital improvements and operations through the issuance of debt obligations that are eligible for tax benefits under the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder ("Treasury Regulations"). Such obligations may include tax exempt obligations and/or obligations eligible for tax credits (direct subsidies to the Academy or tax credits to bond owners). All such tax-exempt obligations or tax advantaged obligations are referred to herein as "Obligations," whether in the form of general obligation bonds, revenue bonds, bond anticipation notes, tax anticipation notes, lease-purchase obligations, installment-purchase obligations or otherwise.

This policy and related AG 6146 document practices and describes various procedures and systems designed to identify on a timely basis facts relevant to demonstrating compliance with the requirements that must be satisfied subsequent to the issuance of Obligations in order that the interest on such Obligations continue to be eligible to be excluded from gross income for federal income tax purposes or that the Obligations continue to receive tax-advantaged treatment. The Federal tax law requirements applicable to each issue of obligations will be detailed in the non-arbitrage or tax-compliance certificate prepared by bond counsel (the "Tax Certificate") and signed by officials of the Academy and the post-closing compliance checklist provided by bond counsel with respect to such issue. This policy and related AG 6146 establish a permanent, ongoing structure of practices and procedures that will facilitate compliance with the Code, Treasury Regulations and SEC Rule 15c2-12 (the "Rule").

The Board recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of the Obligations, and is an integral component of the Academy's debt management. Accordingly, the analysis of those facts and implementation of this Policy and Administrative Procedures will require on-going monitoring and consultation with an attorney experienced in legal work relating to the issuance of tax-exempt obligations or tax advantaged obligations ("Bond Counsel") and the Academy's accountants. Unless otherwise delegated to a specific entity (such as a Trustee) by the Board, the tasks enumerated hereunder may be delegated to an Educational Service Provider, and shall be deemed to be delegated, if the Educational Service Provider provides financial, business or accounting services to the Academy.

This policy and the related AG 6146 do not address any post-issuance compliance requirements under State law. Nor is this Policy and related AG 6146 a substitute, or a replacement, for any Tax Certificate or a post-issuance compliance checklist relating to specific Obligations. The Academy is responsible for compliance with any such Tax Certificate or post-issuance compliance checklist.

This policy may be modified, expanded, abridged, or otherwise amended only by the Board of Directors upon consultation with the Academy's attorney and Bond Counsel, but without any notice to or consent from any trustee, bondholder or any other person.

A. Investment and Expenditure of Proceeds

The Academy's system of internal controls and accounting will be capable of tracking the investment and expenditure of proceeds of Obligations and other amounts subject to special requirements, and the allocation of such proceeds and other amounts to Academy facilities. Appropriate coding will be developed to identify Academy facilities (or portions thereof) financed or refinanced by Obligations. Such Administrative Procedures will ensure that such proceeds are expended only for the purposes authorized by the resolution and, as applicable, referendum, pursuant to which such Obligations were issued and in compliance with the Tax Certificate relating to the Obligations or other instructions of Bond Counsel.

B. Financed Facilities

The Academy will track the use of facilities (or portions thereof) financed or refinanced by Obligations ("Financed Facilities") in the private trades or businesses of non-governmental persons. Arrangements for the sale, disposition, lease, sublease, management or other use of more than 1% of facilities financed or refinanced by Obligations with a term of (i) less than 200 days will be subject to prior review and approval by the Board, and (ii) equal to or greater than 200 days will be subject to prior review and approval by the Board and Bond Counsel. The Educational Service Provider or other delegated party ("contractor") will track the aggregate annual private use (if any) of facilities financed or refinanced by Obligations.

C. Periodic Review

The Academy will periodically review compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations. Such reviews will include final allocations of proceeds not later than 150 days after completion of facilities financed or refinanced with proceeds of Obligations and annual reviews to ensure private business use of such facilities does not exceed allowable levels. Such annual review will be conducted in connection with the preparation of the Academy's audited financial statements.

D. Potential Non-Compliance

If the Board, upon any annual review or otherwise, discovers non-compliance with any requirements of the Code or Treasury Regulations necessary to preserve the tax advantages of such Obligations, the Board will, after consultation with the Academy's attorney and Bond Counsel, take necessary actions to remedy any such non-compliance.

E. Retention of Professionals; Rebate Analyst

The Academy will engage such professionals or consultants as are necessary, in the judgment of the Contractor, to ensure that the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations are timely met, including, without limitation, the requirement to compute and pay rebatable arbitrage to the United States government or to confirm an exception thereto. The

Contractor will ensure that all information reports or other returns or filings with the United States Department of Treasury, Internal Revenue Service, or the State of Michigan will be timely filed on behalf of the Academy.

F. Purchase of Investments

All investments of the proceeds of Obligations will be purchased at fair market value, as defined in the Code and Treasury Regulations, and will comply with the requirements of the Code and Treasury Regulations relating to yield restriction as advised by Bond Counsel.

G. Credit Enhancement Transactions

The Contractor will consult with Bond Counsel prior to engaging in any post-issuance credit enhancement transactions (i.e., bond insurance or letters of credit) or hedging transactions (i.e., interest rate swaps, caps, etc.) relating to any Obligation.

H. Subsidy Payments

The Contractor will implement proper Administrative Procedures to ensure that any federal subsidy payable in respect of any direct-pay tax credit bonds is timely transmitted to the appropriate account of the Academy including the timely filing of any required return or other documentation.

I. Post-Issuance Modifications

The Contractor will consult with Bond Counsel prior to any modification of the interest rate, maturity date, or other material terms of any Obligation.

J. Records Retention

The Academy will retain records sufficient to demonstrate compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations for the period required by law, presently understood to be the life of the Obligations or any succeeding refunding Obligation plus three (3) years.

K. Continuing Disclosure

The Contractor will implement proper Administrative Procedures to ensure that the Academy complies with any undertakings to provide continuing disclosure in accordance with the Rule, including annual filing of operating and financial information and notices of listed "material events." The Educational Service Provider may enter into a contract with a third party to assist the Academy in complying with its continuing disclosure obligations.

L. Training and Education

The Board authorizes the Contractor and any other person assigned responsibilities under this Policy and the Administrative Procedures/Guidelines to attend educational seminars and conferences providing training and education on post-issuance compliance issues at

least once a year and will pay the authorized expenses of such person.

Adopted 12/20/16

BAD CHECKS

When the Academy receives a check from a student or parent that, when deposited, is returned marked "insufficient funds," the Educational Service Provider shall provide an opportunity for the payor to make proper payment or to arrange for a satisfactory payment schedule. If payment is not received within sixty (60) days, the payment schedule is not adhered to, or the monies do not appear to be collectable, the board of directors authorizes the Educational Service Provider 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 6/2006

STUDENT FEES, FINES, AND SUPPLIES

Reference: MCL 388.1904 [Suggested/Referred to, but not required]

Fees

The Board of Directors may assess certain charges to students to cover the costs for extra-curricular and noncredit activities. Such charges might be made for expendable items such as magazines, workbook materials, paperback selections, and laboratory supplies and materials for clubs, independent study or special projects, transportation costs and admission/participation fees for Academy-sponsored trips and activities.

If an eligible student enrolled in an eligible course offered by a career and technical preparation program does not complete the course, other than for reasons related to a family or medical emergency, the student shall repay to the Academy any funds expended by the Academy for the course that are not refunded by the career and technical preparation program, and may also be subject to such sanctions as are provided for in guidelines prepared by the Academy administration.

No student, however, shall be deprived of participation in any mandatory school activity or required curriculum activity due to a lack of financial ability to pay. Fees will not be charged for such activities. Extra-curricular activities for which fees will be charged may not be used in determining credit or grades in any course.

A fee shall not exceed the combined cost of the service(s) provided and/or materials used. An accurate accounting of all fees collected and all fees expended shall be provided to the Principal or his/her designee for each fee based activity at the conclusion of the activity, along with remission of any fees not expended.

Textbooks

Textbooks can be expensive and spending money to replace lost and/or damaged textbooks reduces funds available for other necessities. Therefore, students are responsible for returning the books they are given to use in reasonable condition.

For books not turned in at all, students will be charged the total replacement cost. For books turned in damaged or unusable, students will be charged an appropriate percentage of the replacement cost, generally 50%. For books turned in damaged but usable, students will be charged an appropriate percentage of replacement cost, generally 25%.

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 turned in to the Principal within twenty-four (24) hours after collection.

In the event the above course of action does not result in the fee being collected, the board authorizes the Educational Service Provider 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 if they desire to help conserve the limited resources for use by others. The teacher or appropriate administrator may recommend useful supplies for these purposes.

Adopted 6/2006
Revised 12/08

CHECK SIGNING

Any officer of the Academy is authorized to sign checks on behalf of the Academy. The board further authorizes the Administrator to sign checks on behalf of the Academy, to the extent that such is permitted by the Authorizer and by the charter contract.

Adopted 6/2006

THE BUDGET PROCESS

A budget is a financial plan, but it is also the Academy's operation and education plan. It is the allocation of the Academy's resources into functions and operations necessary for the educational program. It is also the statement of the Academy's financial plan for the school year.

While an Academy budget performs all of the functions of a personal family budget or a business entity budget, it is also a legal document. Under state law, a public school academy may not spend any funds unless the expenditure is within the academy's board-approved budget. In addition, each expenditure within a particular budget function area must be within the line-item budget for that function area.

Budget development is a multi-step process, involving all of the stakeholders of the Academy. The specific steps are:

1. ***The school improvement plan:*** The school improvement plan is the collaborative effort of parents, students, teachers, support staff, community leaders, and board members. The school improvement team evaluates school performance, identifies areas in need of improvement, and develops strategies for improving school performance and student achievement. These strategies are translated into specific programs and budget requests.
2. ***Budget center requests:*** Each of the Academy's budget centers, both within the school campus and at the central office, submits a budget request for the next fiscal year. These requests are evaluated in light of the Academy's school improvement plan and the Academy's projected revenues. The services which are provided at the central office, for the Academy and other academies managed by the Educational Service Provider, are converted into a "per pupil" allocation, so that an equitable share is allocated to each of the academies.
3. ***Parental input in Title budget:*** Separate public forums should be held for the Title budgets (federal Titles I, II and V and state Title 31a). This provides an opportunity for parents to comment on supplemental services and to suggest allocation of Title funds.
4. ***Budget preparation:*** The initial responsibility for the preparation of the budget rests with the the Educational Service Provider finance department - the controller and finance director. This is done after review of the school improvement plan and budget center requests, and in collaboration with the principal. The finance department will generate a functional level and operational level budget.
5. ***CAO review and approval:*** After preparation of the budget by the finance department, it is reviewed, modified as necessary, and ultimately approved by the CAO.
6. ***Board treasurer review and approval:*** The budget, as approved by the CAO, is further reviewed by the treasurer of the board. This is generally a collaborative effort of the treasurer, CAO, finance director, and principal. All of the significant budget assumptions are discussed and reviewed.

7. ***Public disclosure and public hearing:*** At this point, the budget is ready for public comment and scrutiny. The proposed budget is made available at the academy and at the central office for public review, and copies are distributed to the board members. The board also conducts a public hearing, after publishing a notice of the hearing in a local newspaper of general circulation. The CAO and board treasurer, together with other administrators and board members, must be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.
8. ***Board approval:*** After the public hearing, the budget is submitted to the entire board for review and approval. The budget is presented by the CAO. Typically, the presentation includes last year's actual results, the current year results (as projected to year-end), next year's proposed budget, and any other data relating to the fiscal condition of the academy which the CAO considers appropriate. The budget is adopted only after approval by majority vote of the board, at a meeting in which a quorum is present, conducted in compliance with the Open Meetings Act. The budget for each fiscal year must be approved no later than June 30th of the prior fiscal year.

Adopted 6/2006
Revised 9/17/13

FISCAL PLANNING

The administrator shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the Academy and to plan for the financial needs of the educational program. The board will strive toward maintaining both short and long range projections of Academy's financial requirements.

Accordingly, the board directs the Educational Service Provider to:

- A. prepare long range plan for cost of maintaining alignment of Academy's curriculum with Michigan Curriculum Frameworks as well as materials such as textbooks, computer software, computer replacement and professional development.
- B. include cost estimates in all ongoing financial requirements;
- C. prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment;
- D. report to the board any serious financial implications that emerge from the Academy's ongoing fiscal planning.

Adopted 6/2006

BUDGET PREPARATION

The Academy's operation and educational plan is reflected in its budgets. Each year, the board of directors will cause to have prepared and then review and approve the General Fund and Special Revenue Fund budgets.

Each budget shall be designed to carry out Academy operations in a thorough and efficient manner, maintain Academy facilities properly, and honor continuing obligations of the board.

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 Educational Service Provider to present the budgets to the board along with all available information associated with each budget in sufficient time to allow for proper analysis and discussion prior to the hearing.

When presented to the board for review and/or adoption, the information shall include, as appropriate:

- A. the proposed expenditure and revenue in each financial category for the ensuing year;
- B. the anticipated expenditure and revenue in each financial category for the current year;
- C. the actual expenditure, the approved budget, and the revenue in each financial category for the previous year;
- D. the amount of fund equity anticipated at the end of the current year;
- E. an appropriations resolution.

M.C.L.A. 141.434 et seq.

Adopted 6/2006

BUDGET HEARING

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, Educational Service Provider, and the principal shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The budget approved by the board will be made available to the public in the form and at the places required by law. A simplified form of the budget may also be prepared annually and may be sent to appropriate parties and distributed to each person attending the annual budget hearing.

A simplified budget may include the expenditure in each major category of current expense for the current year and the coming year and a summary of anticipated receipts as well as a brief explanation of significant increases and decreases from the preceding budget.

The final adoption of the proposed annual budget shall be made by the board after completion of the public hearing, but in no case later than June 30th.

M.C.L.A. 141.411 et seq.

Adopted 6/2006

BUDGET IMPLEMENTATION

The board of directors places the responsibility of administering the budget, once adopted, with the Educational Service Provider. The Educational Service Provider shall keep the board informed as to problems or concerns as the budget is being implemented.

The Educational Service Provider shall be authorized to proceed with making financial commitments, purchases, and other expenditures within limits provided in the budget, limitations stated in board policies, and within legal authority expressed in state statutes.

Listings of expenditures, appropriate financial reports, and budget comparison reports shall be submitted periodically to the board to keep members informed as to the status of the budget and overall financial condition of the Academy.

If, during the fiscal year, it appears to the Educational Service Provider that actual revenues are less than estimated revenues, including the available equity upon which the appropriations from the fund were based, the Educational Service Provider shall present to the board recommended amendments to the General Appropriations Act that will prevent expenditures from exceeding revenues.

M.C.L.A. 141.436 et seq.

Adopted 6/2006

FUND BALANCES

In public accounting terms, the fund balance is the Academy's accumulated reserves, or "savings account". In any year in which the Academy's revenue is greater than the Academy's expenses, the difference *increases* the Academy's fund balance. Conversely, in any year in which expenses are greater than revenue, the difference *decreases* the Academy's fund balance. The current fund balance is thus the amount of money which the Academy has accumulated over the years, which is available to be spent in this or future years.

Since the Academy's inception, it has been operated by the board and the Educational Service Provider with a conservative approach to spending and budgeting funds. The Academy has the responsibility to provide the best possible education for its students each school year, while ensuring that the school will exist to serve them in the future. The basic financial philosophy of the Academy is to **"live within our means, plan for our future, and work to maximize the taxpayer's dollar"**.

The policy of the Academy is to spend funds from the accumulated fund balance only for certain specific purposes, and to accumulate a fund balance sufficient to fund such purposes. These purposes are:

- A. *School Improvement Plans:* The school improvement plan is developed annually (and continuously) by parents, staff, students, and board members. Once approved, it is a living document through which the school delivers its educational program. The allocation of resources and the implementation of programs and strategies are based upon assessments included in the plan. The proper implementation of the plan in any year may require use of the Academy's fund balance.
- B. *Capital Improvements and Purchases:* The Academy will, from time to time, need to remodel or repair school facilities, upgrade its technology, or purchase furniture or equipment. Such capital improvements may be expensive, and may exceed the funds available in the Academy's current year budget. As a result, capital improvements and capital purchases may require use of the fund balance.
- C. *Acquisition of School Facilities:* Virtually all charter schools, including the Academy, lease its school facilities. The Academy may decide in the future to purchase its current facilities or another facility, or to construct a new school building. This can only be fulfilled if the state provides grant funding for such purpose, long-term financing is available to the Academy, or the Academy has accumulated a substantial fund balance.
- D. *Special Projects:* School improvement plans or Academy long-range plans sometime identify special projects to be implemented in the future. These may be capital improvements or facilities purchases, but they may be other, expensive projects. The Academy needs to save for such projects, and expend fund balance for such projects when prudent. Generally, when the board of directors decides to save money to fund a project in the future, it designates a specified sum of the fund balance for this purpose. This is known as the "designated fund balance". The remainder of the fund balance, which is saved for a variety of purposes, is known as the "undesignated fund balance". However, a designated fund balance is

created by action of the board of directors; board action can also change a designated fund balance to an undesignated fund balance by majority vote.

- E. *Prevention of a Deficit Budget:* A public school academy may not legally operate with a “deficit” budget. This does not mean that expenditures cannot exceed revenue in a given year. It is permissible to use the undesignated fund balance from prior years to cover a current year deficit. There are many variables associated with the operation of a public school academy, particularly the uncertainties of enrollment and the level of state funding. Coupled with increasing costs, these variables make it difficult to ensure that the current year revenue is sufficient to cover current year expenses. A positive fund balance can ensure that the Academy will not operate with a deficit budget, even in uncertain times.
- F. *Emergencies:* Emergencies can and do happen. Prudent administrators plan for the unexpected, but not every contingency can be foreseen. A positive fund balance can prevent an emergency, or unforeseen circumstance, from financially destroying the Academy.

Adopted 6/2006

FINANCIAL REPORTING AND BUDGET MONITORING

The Academy's financial staff generates a variety of financial reports, as part of the daily and periodic review of the Academy's finances. The financial reports provided to the board of directors during the course of the school year are:

- A. ***statement of monthly actual to budget comparison (general fund and special revenue fund)***: This statement shows the budgeted amounts in each functional category, and the year-to-date revenue and expenditures within such functional categories. This report is sometimes referred to as a statement of revenues, expenditures and changes in fund balance.
- B. ***balance sheet***: This states the assets and liabilities of the Academy, including the accumulated fund balance, as of a given date.
- C. ***check register***: This is a list of each check written on the Academy's checking account during the stated period.

These financial reports are provided to the board at each regular meeting (both business meetings and work sessions). They are not provided at special meetings of the board, unless the special meeting agenda is related to applicable financial matters. In order to keep the action items at work sessions to a minimum, the board is only asked to approve the financial reports at business meetings. As a result, the financial reports to be approved at a business meeting include the financial reports presented at that meeting, and the financial reports presented at the prior work session.

The ESP finance director is available to meet with the board treasurer prior to each board meeting, in order to review each of the financial statements in detail. Based upon this discussion and review, the treasurer may report the status to the full board, and recommend approval or concerns to the entire board.

The approval of any financial statement by the board remains "subject to audit". This means that any approval by the board will not negate any requirements or findings which may be made by the auditors.

The financial reports presented to the board are at least one full month in arrears. For example, the financial reports presented to the board in December are the monthly actual to budget comparison through October 31, the balance sheet as of October 31, and the check register for the month of October.

The financial reports provided to the board for review and approval consist of historical information. The reports are provided to assist the board in monitoring the budget and the financial affairs of the academy. Except in certain unusual circumstances (such as certain capital or major purchases), individual expenditures do not require the "pre-approval" of the board. The pre-approval comes with the board's approval of the budget.

The financial reports presented to the board are functional level statements. Operational level statements are prepared internally, and are available to treasurer or to the entire board for further review.

Each of the financial reports provided to the board are provided to the authorizer. The authorizer also requires a quarterly balance sheet and a quarterly statement of revenues, expenditures and changes in fund balance - budget to actual (general fund and special revenue fund). These financial reports are also available to the board for review.

The Department of Education reports payments to the academy of state school aid on the monthly "Financial Status Report". The FSR is a cumulative report of state aid to be disbursed to the academy for the current fiscal year. It also contains the academy's per pupil foundation allowance, the most recent September and February headcounts, and a detailed itemization of categorical funding. This report is available to the board for review and is available on MDOE's website.

The state's payment schedule provides for 11 equal payments of state school aid from October through August. No payment is received in September.

In addition to its financial reporting obligations, the Educational Service Provider has the obligation to:

- A. prepare a long range plan for maintaining the academy's academic program, including textbooks, technology, staff recruitment and retention, 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

Adopted 6/2006
Revised 9/17/13

ANNUAL REVIEW AND AUDIT

The audited financial statements must be completed in the Fall of each school year, reviewed and approved by the board of directors, and filed with the authorizer and the Michigan Department of Education. The audited financial statements must be prepared in accordance with auditing standards generally accepted in the United States, with the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, and with the standards contained in the United States Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

Among other things, these standards require that the auditor plan and perform the audit to:

- A. obtain reasonable assurance about whether the general purpose financial statements are free of material misstatement
- B. examine, on a test basis, evidence supporting the amounts and disclosures in the financial statements
- C. to assess the accounting principles used and the significant estimates made by management
- D. test compliance with certain provisions of laws, regulations, contracts, and grants, in instances in which noncompliance might have a direct and material effect on the amounts in the financial statements
- E. review the internal controls over financial reporting, and to note any material weaknesses of internal control

The audited financial statements are the board's primary tool in fulfilling its fiduciary responsibility and ensuring the accuracy of its financial reports, so long as (1) the auditor is selected by the Academy's board of directors and works directly for the board, (2) the audit is required to comply with strict professional and governmental standards, and (3) the auditor selected by the board, has considerable experience and expertise in the audit of charter schools and other public entities, and has a long history of professionalism and integrity.

Adopted 6/2006

PURCHASING

Reference: MCL 380.1267, 380.1274 et seq.

Procurement of all supplies, materials, equipment, and services paid for from Academy funds shall be made in accordance with all applicable federal and State statutes, Board policies, and administrative procedures. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts are established in Policy 1130, Policy 3110, and Policy 4110 (as applicable) – Conflict of Interest.

All procurement transactions shall be conducted in a manner that encourages full and open competition and in accordance with good administrative practice and sound business judgment.

The Board of Directors desires to provide teachers and staff at the Academy with quality supplies, materials and equipment (collectively the “Materials”) necessary to enable them to effectively and efficiently perform their task at the Academy.

The Board also desires to maintain the school facilities of the Academy (the “Facilities”) in order to provide for the health and safety of the students and staff, and to provide an environment which is conducive to learning.

It is the Board’s objective when acquiring Materials, and in the maintenance, repair, renovation and construction (collectively, “repair”) of the Facilities, with Academy funds, to seek the lowest reasonable cost balanced against the quality of Materials and the proper maintenance of the Facilities, and the best interest of the Academy.

This policy is intended to comply with applicable state and federal law, which requires that the Academy comply with certain procedures before commencing certain repairs to the Facilities, or before purchasing Materials.

Accordingly, the following guidelines must be followed in connection with the purchase of Materials or the repair of Facilities:

1. General Guidelines

- 1.1 Purchasing Agent. The Board designates Charter School Administration Services, Inc., the Academy’s educational service provider, and its designee (the “Purchasing Agent”), to serve and act as purchasing agent for the Board.
- 1.2 Authority of Purchasing Agent for Materials. The Purchasing Agent will purchase such Materials as the Purchasing Agent deems reasonably necessary to administer and operate the Academy and to implement the Academy’s educational program, and as necessary to implement the policies of the Board, within the budget established by the Board.
- 1.3 Authority of Purchasing Agent for Facilities. The Purchasing Agent will maintain the facilities of the Academy in such manner as the Purchasing Agent deems reasonably necessary to administer and operate the Academy and to implement the Academy’s educational program, and as necessary to implement the policies of the Board, within the budget established by the Board.

- 1.4 Payment for Materials and Repairs of Facilities. Subject to Section 1.10, the Academy will pay for the cost of all Materials and all repairs of the Facilities and, if the cost of such Materials or repairs is incurred in the first instance by the Purchasing Agent, then the Academy will reimburse the Purchasing Agent for such cost.
- 1.5 Conflict of Interest Policies. Each purchase of Materials and repair of Facilities is subject to the Academy's policies relating to conflicts of interest, which applies to members of the Board and to employees, officers, and directors of the Purchasing Agent and its related parties.
- 1.6 Anti-Competitive Practices. The Board and the Purchasing Agent will be alert to noncompetitive practices among contractors or vendors that restrict or eliminate competition or otherwise restrain trade. By way of illustration, any contractor or vendor that develops or drafts specifications, requests, statements of work, and invitations for bids or requests for proposals will be excluded from competing for such procurements.
- 1.7 Unnecessary Purchases; Lease/Purchase Alternatives; Contract Termination Provisions. The Academy and the Purchasing Agent will avoid purchasing unnecessary Materials. Further, the Academy and the Purchasing Agent will, where appropriate, analyze whether lease or purchase alternatives is more economical and practical for the Academy. Whenever possible, (a) any contract for the purchase or lease of Materials will contain a provision which allows the Academy to terminate the agreement on an annual basis, without penalty and without cause, and (b) any contract for longer than one year shall contain a provision permitting the termination of the contract upon the cessation of state school aid funding for the Academy.
- 1.8 Discretion of Purchasing Agent. Whenever this policy vests discretion in the Purchasing Agent to make procurement decisions, the Purchasing Agent will exercise reasonable judgment, acting in the best interest of the Academy, and will encourage competition among vendors.
- 1.9 Additional Definitions. For purposes of this policy:
 - a. "Maximum Amount" is the maximum dollar amount of purchases established in accordance with MCLA §380.1274. Such amount was \$12,500 during the 1995-1996 school year, and has been, and will continue to be, adjusted in each school year thereafter by the Michigan Department of Education. The Maximum Amount applicable for the 2003-2004 school year is \$17,932.]
 - b. "Federally Funded Project" is any purchase of Materials or any repair of Facilities funded in whole or in part by a grant from the United States for such purchase or repair.
 - c. "Federal Maximum Amount for Materials" is \$25,000.
 - d. "Federal Maximum Amount for Repairs" is \$100,000.
 - e. "Vendor" or "contractor" is any person or entity which provides, or is eligible to provide Materials for the Academy or repairs to the Facilities.

- 1.10 With the exception of emergencies where approval is only needed from one member of the Finance Committee, purchases totaling over \$2,500 in the aggregate to one vendor per month for repairs and maintenance must be approved by the Finance Committee in advance of the purchase. In addition to any other requirements imposed by this Policy, the acquisition of materials, equipment and supplies on behalf of the Academy from a vendor in an amount exceeding \$4,000 must be approved by the Finance Committee in advance of the purchase. Any proposed purchase subject to approval by the Finance Committee must be submitted with a copy of a formal quote, proposal, proposed contract or other similar document on the vendor's letterhead indicating the terms of the purchase before the Finance Committee shall consider such purchase.
2. Third Party Contractors and Service Providers
 - 2.1 Authorization and Limitation
 - a. Subject to this Purchasing Policy, the Purchasing Agent is authorized to negotiate and implement contracts on behalf of the Academy with service providers and vendors.
 - b. All contracts must be approved by the Board's attorney as to form before going into effect.
 - c. Any contract over \$10,000 must be approved by the Board prior to becoming effective.
 - d. Any contract subject to approval by the Board or Finance Committee must be proposed with a copy of a formal quote, proposal, proposed contract or other similar document on the vendor's letterhead indicating the terms of the contract before the Board or Finance Committee shall consider such contract.
 - 2.2 Consortium Purchases
 - a. The Purchasing Agent may negotiate and implement contracts with service providers and vendors under joint purchasing arrangements with other charter schools managed by the purchasing Agent, whenever such joint purchases are in the best interests of the Academy. Such contracts remain subject to Section 2.1.
3. Purchasing Procedures
 - 3.1 Competitive Bidding. It is the Board's desire to obtain vendor competition whenever practical. Competitive bids are not required:
 - a. if the amount of the transaction does not exceed the Maximum Amount;
 - b. if the Purchasing Agent reasonably determines that there is only one practical supply source (examples being an item for which competition is precluded by patent, copyright, secret process or monopoly; a film, manuscript or book; a utility service; or a captive replacement part or component);

- c. if the repair of the Facilities is normally performed by employees of the Academy or of the Purchasing Agent;
 - d. for emergency purchases or for emergency repairs, which may arise as a result of an accident or unforeseen occurrence, or which could affect the life, health, welfare or safety of the Academy's students, staff or property.
 - e. For items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and budget pursuant to MCL 18.1263.
- 3.2 Purchasing Considerations. The Purchasing Agent will consider the following when acquiring Materials for the Academy with Academy funds:
 - a. price;
 - b. quality of the Materials, or of the repairs to the Facilities;
 - c. service, delivery and maintenance of the Materials or the Facilities;
 - d. suitability of the Materials or the repairs of the Facilities to the Academy's needs;
 - e. conformity of the Materials or repairs to Facilities to specifications;
 - f. past service of the vendor to the Academy;
 - g. vendor reliability;
 - h. the vendor's location relative to the Academy; and
 - i.. the additional considerations stated in section 3.3.
- 3.3 Small Businesses, Michigan-Based Businesses, Minority-Owned Firms, and Women's Business Enterprises. The Academy will make positive efforts to utilize small businesses, Michigan-based businesses, minority-owned firms, and women's business enterprises whenever possible. In this regard, the Academy and the Purchasing Agent will:
 - a. ensure that such businesses are used to the fullest extent practicable;
 - b. make information on forthcoming opportunities available, and arrange time frames for purchases and contracts, and facilitate participation by such businesses;
 - c. consider in the contract process whether firms considered for larger contracts intend to subcontract with small businesses, Michigan-based businesses, minority-owned businesses, or women's business enterprises;
 - d. encourage contracting with consortiums of such businesses when a contract is too large for one of them to handle individually; and
 - e. use the services and assistance, as appropriate, of organizations such as the Small Business Administration and Department of Commerce's minority

business development agencies in the solicitation and utilization of such businesses.

A Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under MCL 18.1268. 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.

- 3.4 Documentation. The Purchasing Agent will obtain documentation with respect to the criteria in section 3.2 prior to purchasing Materials or repairing Facilities on behalf of the Board with Academy funds, unless the purchase is of a minor or emergency nature.
- 3.5 Informal Quotations. Subject to Section 1.10, the Purchasing Agent may use informal quotations (verbal information of price and terms on equal products or services) secured in person or by telephone or by means of other electronic communications to purchase ordinary supplies used by the Academy or materials which are commodities and are readily available in the market place.
- 3.6 Purchase Order System. The Board authorizes the Purchasing Agent to develop and implement a purchasing order system as a means of budgetary control.
- 3.7 Purchasing Rules and Regulations. The Purchasing Agent may develop any rules or regulations necessary to implement this policy, including requisition and approval procedures, verifications of purchases, and verification that goods have been received in an acceptable condition.
- 3.8 Consortium Purchases. Subject to Section 1.10, Section 4 and Section 5, the Purchasing Agent may purchase Materials under joint purchasing arrangements with other charter schools managed by the Purchasing Agent, whenever such joint purchases are in the best interests of the Academy (under the considerations stated in Section 3.2).

4. Competitive Bids

- 4.1 When Competitive Bids Are Necessary. The Purchasing Agent will obtain competitive bids or competitive proposals before purchasing Materials, or contracting for repairs of Facilities, with Academy funds if the purchase price or cost, and an item or a group of related items, exceeds the Maximum Amount, unless otherwise allowed by this Policy (inclusive of but not limited to section 3.1) and state statute or regulation.
- 4.2 Competitive Bids or Comparable Processes. The method for obtaining competitive bidding or competitive proposals will be determined by the Purchasing Agent, in its discretion, and such method need not include the issuance or advertisement of invitations for bid, an open bidding period, or sealed bids, unless the Purchasing Agent or the Board elects to use such methods for a particular procurement. However, the Board, in its sole discretion, retains the right to review and revise the competitive bidding and proposal process.

4.3 Solicitation and Notice of Bids.

The Purchasing Agent will determine the manner in which bids or proposals are solicited or obtained in connection with the purchase of Materials. Whenever competitive bidding is required in connection with the repair of Facilities, the notice of the time by when and place where the bids or proposals, or the response to a request for qualifications, will be received and opened will be published in a local newspaper of general circulation once a week for at least two weeks before the applicable deadline.

Competitive bids will be opened by the Purchasing Agent as stated in the bid advertising or in the invitation to bid quote. If no time and place is specified, the Purchasing Agent may open the bids at a time and place determined by the Purchasing Agent, in its discretion.

4.4 Invitation for Bid Content. The invitation for bid should generally include:

- a. notice that all information and bids submitted by bidders will be available for public inspection following award of the contract;
- b. instructions and information to bidders concerning bid submission requirements, including the time and date set for bid opening or bid evaluation, the address at which bids are to be received, the period during which bids will be accepted, and any other specific information;
- c. purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements;
- d. notice that the price evaluation criteria may include total life cycle cost and application benefits (which will be used as a criteria in the procurement of information systems and telecommunications systems);
- e. factors to be used in bid evaluations;
- f. contract terms and conditions, including warranty and bonding or other security requirements; and
- g. the name of the Purchasing Agent representative.

4.5 Low Bid; Exceptions. Subject to the factors in section 3.2, the lowest responsible and responsive bidder (as determined by the sole discretion of the Purchasing Agent) submitting a competitive price quotation or bid will ordinarily be awarded the contract. However, the Board delegates to the Purchasing Agent the right to accept or reject any bid when the Purchasing Agent feels it is in the best interest of the Academy to do so. In the case of repairs of Facilities, if all bids are rejected, the Purchasing Agent will re-advertise in the manner provided by law if the Academy elects to proceed with the repairs.

4.6 Late Bids. All bids received after the date and time specified by the Purchasing Agent will be returned to the bidder unopened. Changes in the amount or condition of the bid will not be allowed once the bid has been received.

- 4.7 Alternate Bids. Voluntary alternate bids submitted to the Purchasing Agent by a bidder will not to be considered in determining low bids. However, alternate bids may be negotiated after the successful bidder has been determined.
- 4.8 Retention of Bids. The Purchasing Agent will make available to the Board upon request the price quotations or competitive bids obtained from vendors for Materials or bidders for repairs of Facilities. This information will be retained by the Purchasing Agent until the audit for the fiscal year has been formally accepted by the Board.
- 4.9 Security for Construction Bids. Construction bidders shall be required to file security with the Academy or the Purchasing Agent in the amount of five percent (5.0%) of the amount of the bid, to secure the Academy from loss or damage by reason of the withdrawal of the bid or by failure of the bidder to enter into a

contract for the performance if the bid is accepted by the Board. The Board or the Purchasing Agent may require additional assurances.

- 4.10 Authority of Employees of Purchasing Agent. In order to ensure compliance with these policies, and with applicable state and federal law, the Purchasing Agent will not make any purchase of Materials, or repair of Facilities, at a cost in excess of the Maximum Amount, unless and until the purchasing or bidding process for such purchase or repair has been reviewed and approved by one of the following officers of the Purchasing Agent:
 - a. president;
 - b. vice-president and chief financial officer;
 - c. director of finance;
 - d. controller;
 - e. director of building and grounds; or
 - f. general counsel or legal counsel.

4.11 Board Approval of Award of Bid.

Whenever competitive bidding is required in connection with the purchase of Materials or the repair of Facilities at a cost in excess of the Maximum Amount, the Purchasing Agent may not expend funds for such purchase or repair until the purchase or repair, or the award of the applicable contract for the purchase or repair, has been approved by the Board. The Purchasing Agent is not required to obtain prior approval of the Board for any other purchase or repair, or enter into an applicable contract for such purchase or repair, so long as such expenditure is within the budget previously approved by the Board, and such purchase or repair is in compliance with this policy.

5. Federally Funded Projects

- 5.1 Contract Provisions. Any contract for the purchase of Materials in excess of the Federal Maximum Amount for Materials, and any contract for the repair of

Facilities in excess of the Federal Maximum Amount for Repairs, in a Federally Funded Project must contain the contract provisions required under OMB Circular A-110, relating to such matters as remedies, termination, guarantees and bonding, and auditing.

- 5.2 Applicable Federal Statutes. Any contract for the purchase of Materials in excess of the Federal Maximum Amount for Materials, and any contract for the repair of Facilities in excess of the Federal Maximum Amount for Repairs, in a Federally Funded Project must contain provisions relating to, and the vendor or contractor must acknowledge the obligation to comply with, the following federal statutes:
- a. Equal Employment Opportunity;
 - b. Copeland "Anti-Kickback Act";
 - c. Davis-Bacon Act, including the provisions relating to the payment of prevailing wages;
 - d. Contract Work Hours and Safety Standards Act;
 - e. statutes and regulations relating to rights to inventions made under a contract and/or agreement;
 - f. Clean Air Act and Federal Water Pollution Control Act;
 - g. Byrd Anti-Lobbying Amendment; and
 - h. statutes and regulations relating to debarment and suspension from Federally Funded Projects.
- 5.3 Review by Counsel. In order to ensure compliance with section 5, neither the Academy, nor the Purchasing Agent acting on behalf of the Academy, will enter into a contract for the purchase of Materials in excess of the Federal Maximum Amount for Materials, or a contract for the repair of Facilities in excess of the Federal Maximum Amount for Repairs, in a Federally Funded Project without the prior review of both counsel for the Board or counsel for the Purchasing Agent.

Adopted 6/2006
Revised 2/18/11; 11/15/11; 12/20/16

NEW ACADEMY CONSTRUCTION, RENOVATION

Reference: MCL 380.1267
M.C.L. 380.1264

Before commencing construction of any new academy building or the major renovation of an existing academy building, the Board shall consult on the plans for construction or major renovation regarding academy safety issues with the law enforcement agency that is the first responder for the academy building at issue. For purposes of this paragraph, academy building means any building intended to be used to provide instruction to students and any recreational or athletic structure or field intended to be used by students.

Before beginning construction of a new academy building, or an addition, repair or renovation of an existing academy 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 academy 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 an academy 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 academy 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.

The Board may consider and provide a preference to bidders:

- 1. which use a Michigan-based business as the primary contractor.
- 2. which use one (1) or more Michigan-based business(es) as subcontractors.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under 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:

- a. have filed a Michigan business tax return showing an allocation of income tax base to Michigan
- b. have filed a Michigan income tax return showing income generated in or attributed to Michigan
- c. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

- G. The competitive bid threshold amount specified in this policy (\$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 31st of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31st of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar. The current exempt amount must be confirmed with the Michigan Department of

Education prior to issuing contracts for construction, renovation, or repairs which exceed the amount listed in this policy.

Adopted 2/18/11
Revised 9/4/19

PROCUREMENT – FEDERAL GRANTS/FUNDS

Reference: 2 C.F.R. 200.317 - .326

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or Academy matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board policies, and administrative procedures.

The Educational Service Provider shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal grants and Federally-funded programs. The Educational Service Provider shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Academy's documented general purchasing Policy 6320 and AG 6320.

All Academy employees, whether employed by the Board or by an Educational Service Provider, all officers of the Academy, and all agents of the Academy who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, whether employed by the Board or by an Educational Service Provider, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130 and Policy 3110– Conflict of Interest.

The Academy will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the Academy may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

Competition

All procurement transactions paid for from Federal funds or Academy matching funds shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgement. In order to promote objective contractor performance and eliminate unfair competitive advantage, the Academy shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. unreasonable requirements on firms in order for them to qualify to do business;

- B. unnecessary experience and excessive bonding requirements;
- C. noncompetitive contracts to consultants that are on retainer contracts;
- D. organizational conflicts of interest;
- E. specification of only a “brand name” product instead of allowing for an “*or equal*” product to be offered and describing the performance or other relevant requirements of the procurement; and
- F. any arbitrary action in the procurement process.

Further, the Academy does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; or (2) the Academy is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the Academy uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The Academy allows vendors to apply for consideration to be placed on the list continuously.

Solicitation Language

The Academy shall require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Academy will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The Academy shall utilize the following methods of procurement:

- A. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$ 10,000. To the extent practicable, the Academy shall distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting

competitive quotations if Educational Service Provider considers the price to be reasonable. The Academy maintains evidence of this reasonableness in the records of all purchases made by this method.

B. Small Purchases

Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of \$ 24,459. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

C Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts more than to the amount allowed by Michigan statute and when the Board determines to build, repair, enlarge, improve, or demolish an academy building/facility the cost of which will exceed the amount allowed by Michigan statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

1. a complete, adequate, and realistic specification or purchase description is available;
2. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
3. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

1. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
2. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
3. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
4. A firm fixed price contract award will be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts

may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.

5. The Board reserves the right to reject any or all bids for sound documented reason.

D. Competitive Proposals

Procurement by competitive proposal, normally conducted with more than one source submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. (See Policy 6320 for competitive bid procedures.)

If this method is used, the following requirements apply:

1. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
2. Proposals shall be solicited from an adequate number of sources.
3. The Academy shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
4. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Academy may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E that firms are a potential source to perform the proposed effort.

E. Noncompetitive Proposals

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. the item is available only from a single source
2. the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation
3. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Academy

4. after solicitation of a number of sources, competition is determined to be inadequate

Contract/Price Analysis

The Academy shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Academy shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the Academy shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Time and Materials Contracts

The Academy uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the Academy is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Academy sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Academy shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The Academy will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the Academy and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Academy shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Educational Service Provider shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The Academy is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the Academy that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 CFR Part 180 Subpart G)

Debarment is an action taken by the Educational Service Provider to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred. (2 CFR Part 180 Subpart H)

The Academy shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the Academy shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 CFR Part 180 Subpart C)

Bid Protest

The Academy maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Educational Service Provider within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Educational Service Provider shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The Academy maintains records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Adopted 4/16/19
Revised 9/4/19

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 7/15/14

USE OF CREDIT CARDS

The board of directors recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

The board, therefore, authorizes the use of Academy credit cards with a total authorized limit not to exceed five percent (5%) of the General Fund Budget.

The Educational Service Provider shall develop administrative guidelines that specify those authorized to use credit cards, the types of expenses which can be paid by credit card, and their proper supervision and use.

Adopted 6/2006

COOPERATIVE PURCHASING

The board of directors recognizes the advantages of centralized purchasing in that volume buying tends to maximize value for each dollar spent. The board, therefore, encourages the Educational Service Provider to seek advantages in savings that may accrue to this Academy through joint agreements for the purchase of supplies, equipment, or services with the governing body(ies) of other governmental units, including governmental units managed by the Educational Service Provider.

The board authorizes the Educational Service Provider to negotiate such joint purchase agreements for services, supplies, and equipment which may be determined to be required from time to time by the board and which the board may otherwise lawfully purchase for itself, with governmental contracting units as may be appropriate in accordance with state law, the policies of this board, and the dictates of sound purchasing procedures.

Cooperative or joint purchases require an agreement approved by the board and the participating contracting body(ies) which shall specify the categories of equipment and supplies to be purchased; the manner of advertising for bids and of awarding contracts; the method of payment by each participating party and such other matters as may be deemed necessary to carry out the purposes of the agreement. Such agreements are subject to all legal bidding requirements.

M.C.L.A. 124.1 et seq.

Adopted 6/2006

VENDOR RELATIONS

Neither the board of directors, Educational Service Provider nor the principal shall enter a contract knowingly with any supplier of goods or services to this Academy under which any board member or officer, staff member, or agent of this Academy has any financial or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any textbook of which s/he is the author and which has been properly approved for use in the Academy.

For the purpose of this policy "beneficial interest" shall be determined in accordance with M.C.L.A. 15.321 et seq.

Board members and Academy personnel shall not accept any gifts or favors from vendors which might, in any way, influence their recommendations on the eventual purchase of equipment, supplies, or services.

All sales persons, regardless of product, shall clear with the principal before contacting any teachers, students, or other personnel of the Academy. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with policies of the board on the basis of quality, price, and delivery with past service a factor if all other considerations are equal.

M.C.L.A. 15.321 et seq.

Adopted 6/2006

PAYMENT OF CLAIMS

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 itemized fully, and verified before a warrant can be drawn for its payment.

When an invoice is received, the Educational Service Provider shall verify that a voucher is submitted properly, that acceptable goods were received or satisfactory services rendered, that the expenditure is included in the board's budget and funds are available for its payment, and that the amount of the invoice is correct.

All payments shall be submitted for board review in the form of a listing that includes the vendor name; the number and amount of the check; and the description of the item. Such review may be made "after-the-fact" by the board's review of the Academy's check register.

M.C.L.A. 380.1274

Adopted 6/2006

PAYROLL AUTHORIZATION

All payroll functions shall be the responsibility of the Educational Service Provider, the employer of record for all staff.

Adopted 6/2006

NEW POLICY FOR ACADEMY OF WARREN—FALL 2013
PAYROLL DEDUCTIONS

All payroll functions shall be the responsibility of the Educational Service Provider, the employer of record for all staff.

For Board Approval

TRAVEL PAYMENT & REIMBURSEMENT

Reference: 2 CFR 200.474

Travel expenses incurred for official business travel on behalf of the Board of Directors shall be limited to those expenses reasonably and necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with any applicable administrative guidelines.

Payment and reimbursement rates for meals, lodging, and mileage shall be in accordance with reasonable business practices approved by the Board in accordance with its budget. The Board shall utilize the Federal IRS prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

Travel payment and reimbursement provided from Federal funds must be authorized in advance by the Federal awarding agency or pass-through entity and must be reasonable and consistent with the Academy's travel policy and administrative guidelines. For travel authorized by and paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the Academy's travel policy.

All costs incurred with Federal funds must meet the Academy's cost allowability standards.

To the extent that the Academy's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or his/her designee), must apply to travel under Federal awards.

Adopted 12/20/16

CROWDFUNDING

This policy applies to the use of any form of crowdfunding utilizing an online service or website-based platform for the financial benefit or gain of the Academy – be it a specific classroom, grade level, department, school, or curricular or extracurricular activity.

“Crowdfunding” is defined as the solicitation of resources from individuals and/or organizations to support identified activities or projects that enhance the educational program or a specific cause approved by the Academy. The solicitation is typically from a large number of individuals/organizations utilizing internet-based technologies.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Educational Service Provider.

All approved crowdfunding activities shall protect the privacy of students, children, and young adults in accordance with Academy policies and administrative guidelines and applicable State and Federal law, including FERPA and IDEIA.

Materials, supplies, equipment, and other proceeds of the crowdfunding activity shall become property of the Academy. Cash or equivalent payment to Academy personnel is prohibited. All fiscal transactions shall comply with appropriate Academy policies.

All crowdfunding activities are subject to AG 6605.

Adopted 4/18/17
Revised 9/4/19

PETTY CASH

The board recognizes the convenience afforded to the day-to-day operations of the school by the establishment of petty cash funds. The Educational Service Provider shall impose appropriate controls as will prevent abuse of such funds, and such funds may be incorporated into the administrative guidelines.

The following current controls are approved by the board:

Petty cash is a determined amount of money that the school receives at the beginning of the school year to use on miscellaneous expenses that cannot be ordered or pre-purchased. The Educational Service Provider's accounting department will determine the amount of the petty cash that the Academy is to receive (typically, \$500). The school leader will designate a staff member (typically, the principal or director) who will be responsible and held accountable for petty cash. Petty cash will only be given to the single designated individual. This individual is the only person who can cash the check. Once the check is cashed, the petty cash should be kept in the school's safe at all times.

Policy

- A. Petty cash should not be mingled with any other funds.
- B. Petty cash disbursements should be properly approved.
- C. Responsibility of the funds should be vested in only one person.
- D. The accountant on a monthly basis should reconcile petty cash.

Procedures

- A. Original receipts need to be submitted to the designated accountant along with a petty cash form.
- B. The accountant will release a check to replenish what has been spent.
- C. Cash check and keep funds in safe at all times.
- D. Submit an expense reimbursement form for funds spent in excess of the allocated amount.
- E. Petty cash is terminated at the end of the school year, and any remaining funds along with receipts are closed out.

Adopted 6/2006

FINANCES OF CLASS BUSINESSES AND HOMEROOMS

The administrator shall establish administrative guidelines for the finances of class businesses and homerooms at the Academy. At a minimum, the guidelines shall provide that:

- A. All such funds are to be kept with the Academy's school leader or designee (i.e., director). No activity, homeroom, or class business may have a bank account other than the one permitted under this policy.
- B. Class business, homeroom, or activity accounts must be endorsed by the teacher/sponsor. Withdrawal slips must be signed by this person only.
- C. All funds collected by the teacher/sponsor must be turned over to the school leader or designee.
- D. Any fund-raising activity held on or off-campus in the name of the Academy must have the approval of the administrator.
- E. No funds may be kept within a classroom overnight.

Adopted 6/2006

RECOGNITION

The purpose of this policy is to permit the board of directors to honor staff, former board members, and other persons with plaques, pins, token retirement gifts and awards, and other amenities.

The board may, upon recommendation of the Educational Service Provider or the principal, consider, as appropriate, the presentation of token gifts to such individuals and groups who have rendered service to the Academy for a period of time.

The board authorizes expenses incurred as listed above when they do serve a public purpose. Public purposes include, but are not limited to, the promotion of education, rapport with the business community, community relations, and the encouragement of non-employees to serve as volunteers as well as furthering other interest. The funds shall be made available from the general fund.

Adopted 6/2006

SYSTEM OF ACCOUNTING

It is the policy of the board of directors that a chart of accounts be established in accordance with the requirements of the State Department of Education for the accounting of all Academy funds. The Educational Service Provider is responsible for an accounting of all capital assets to protect the financial investment of the Academy against catastrophic loss. Further, the Educational Service Provider will establish procedures and regulations necessary to properly account for capital assets and comply with generally accepted accounting principles (GAAP) and ensure that the Academy's capital assets are properly insured.

The Educational Service Provider shall be responsible for the proper accounting of all Academy funds. S/He shall ensure that expenditures are budgeted under and charged against those accounts which most accurately describe the purpose for which such monies are to be or have been spent. Wherever appropriate and practicable, salaries of individual employees, expenditures for single pieces of equipment, and the like shall be prorated under the several accounts which most accurately describe the purposes for which such monies are to be or have been spent.

The Educational Service Provider is responsible to implement procedures and practices that will determine capitalization policies for Academy 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.

A report of the revenues and expenditures in the General Fund shall be made to the board on a periodical basis by the Educational Service Provider.

The board's annual financial statements will include information such as beginning and ending balances of capital assets, beginning and ending balances of accumulated depreciation, total depreciation expense for the fiscal year. Such reporting shall include description of significant capital asset activity during the fiscal year including acquisitions through purchase or donation, sales or dispositions including the proceeds and gains or losses on the sale, changes in methods of calculating depreciation expense or accumulated depreciation, such as, estimates of useful life, residual values, depreciation methodology (e.g. straight line or other method).

Before implementing procedures or changing procedures, the Educational Service Provider 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.

M.C.L.A. 41.422 et seq., 141.421 et seq., 380.503
A.C. Rule R340.351 et seq.

Adopted 6/2006

PUBLIC DISCLOSURE AND REPORTING

Reference: MCL 4.415, 388.1617a, 388.1618, 388.1619, 388.1651a, 15.231 to 15.246, 380.1204a(1), 380.1219
20 USC 6311

Within fifteen (15) days after the Board of Directors adopts its annual operating budget for the following school fiscal year, or adopts a subsequent revision to that budget, the 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 Department ("Department"):

- A. the annual operating budget and subsequent budget revisions
- B. using data that have already been collected and submitted to the Department, a summary of Academy expenditures for the most recent fiscal year for which they are available, expressed in the following two (2) pie charts:
 1. a chart of personnel expenditures, broken into the following subcategories:
 - a. salaries and wages
 - b. employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits
 - c. retirement benefit costs
 - d. all other personnel costs
 2. a chart of all Academy expenditures, broken into the following subcategories:
 - a. instruction
 - b. support services
 - c. business and administration
 - d. operations and maintenance
 3. links to all of the following:
 - a. the audit report of the audit for the most recent fiscal year for which it is available
 - b. the Academy's written policy governing procurement of supplies, materials and equipment

- c. the Academy's written policy establishing specific categories of reimbursable expenses for a Board member
- d. the Academy's accounts payable check register for the most recent school fiscal year or a statement of the total amount of expenses incurred by Board members or employees of the Academy that were reimbursed by the Academy for the most recent Academy fiscal year
- e. the annual amount spent on dues paid to associations
- f. the annual amount spent on lobbying or lobbying services
- g. any required deficit elimination plan or enhanced deficit elimination plan
- h. identification of all credit cards maintained by the Academy as Academy credit cards, including the identity of all persons authorized to use the cards, the credit limit on each card and the dollar limit, if any, for each person's authorized use of the card
- i. costs incurred for out-of-state travel by the school administrator that is fully or partially paid for by the Academy and the details of each instance of such travel, including the identification of each individual on the trip, the destination and the purpose
- j. each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the Academy
- k. the bids required under Section 5 of the Public Employee Health Benefits Act
- l. the total salary and a description and cost of each fringe benefit included in the compensation package for the School Leader of the Academy and for each employee of the school whose salary exceeds \$100,000.00

As used in this subdivision, "lobbying" means that term as defined in Section 5 of 1978 PA 472, MCL 4.415.

The Board shall have an audit of the Academy's financial and pupil accounting records conducted at least annually at the expense of the Academy. The Board shall retain these records for the current fiscal year and from at least the three (3) immediately preceding fiscal years.

The Academy's annual financial audit shall include an analysis of the financial and student accounting data used as the basis for distribution of State school aid. The student accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the Department.

Not later than November 1st of each year, the Academy shall file its annual financial audit report with all appropriate agencies.

The annual financial audit reports and student accounting procedures reports shall be available to the public in compliance with the Freedom of Information Act.

By November 1st of each year, the Academy shall submit to the Center for Educational Performance Information (CEPI), in a manner prescribed by the CEPI, annual comprehensive financial data consistent with accounting manuals and charts of accounts approved and published by the Department. This submission shall contain the Academy's web address where the required financial data is posted. The Academy shall also include a link on its websites to the website where the Department posts this financial information.

By September 30th of each year, the Academy shall file with the Department the special education actual cost report on a form and in a manner as prescribed by the Department.

The Academy shall provide to the Department an annual progress report on the implementation of school improvement plans, curriculum, and accreditation as required by "Public Act 25 of 1990."

The Academy shall comply with the reporting requirements under State and Federal law, including reports to the CEPI, as set forth by State law and as directed by CEPI. This shall include by:

- A. June 30th of each year, providing CEPI with information related to safety practices and criminal incidents;
- B. the first business day in December and June 30th of each year, providing CEPI with requested information related to educational personnel;
- C. not later than five (5) weeks after the student membership count day, providing CEPI in a manner prescribed by the CEPI, the information necessary for the preparation of the high school graduation report;
- D. October 7th of each year, providing CEPI with the transportation expenditure report. and
- E. Before July 7th of each school fiscal year, providing to CEPI the budgetary assumptions used when adopting the annual budget pursuant to the Uniform Budgeting and Accounting Act if the Academy had a general fund balance of less than five percent (5%) of total general fund revenues for each of the two (2) most recently completed fiscal years.

Adopted 4/14/11
Revised 12/20/16

7000 **PROPERTY**

7217	Weapons	L
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	L
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
7434	Use of Tobacco on Academy Premises	L
7440	Plant Security	BP
7440.01	Video Surveillance and Electronic Monitoring	BP
7450	Property Inventory	
7455	Fixed Asset Policy	BP
7460	Conservation of Natural and Material Resources	BP
7510	Use of Academy Facilities	BP
7530	Lending of Board-Owned Equipment	BP
7530.02	Staff Use of Personal Communication Devices	BP
7540	Technology	BP
7540.01	Technology Privacy	BP
7540.02	Web Content, Services and Apps	L
7540.03	Student Education Technology Acceptable Use and Safety	L
7540.03a	Internet and Computer Use and Statement to Students	
7540.04	Staff Technology Acceptable Use and Safety	BP
7540.05	Academy-issued Staff E-mail Account	BP
7540.05a	Internet and Computer Use Forms and Agreement	
7540.06	Academy-issued Student E-mail Account	BP
7540.07	Personal Internet Account Privacy—Students	L
7541	Electronic Data processing disaster Recovery Plan	BP
7543	Remote Access to the Academy's Network	BP
7545	Electronic Communications	BP

Adopted 6/2006

Revised 06/07; 12/08; 2/18/11; 4/14/11; 6/19/12; 9/17/13; 7/15/14; 12/20/16; 4/18/17; 7/14/17;
11/13/18

WEAPONS

"Dangerous Weapon" includes, by way of description, such things as a firearm, knife, black jack, baton, iron bar, brass knuckles, martial arts devices, and incendiary and/or explosive devices. Under federal law, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device.

No person shall possess, transport, or transmit a dangerous weapon on Academy property, property used by the Academy for school-related purposes, or in a vehicle used for school related purpose.

State law establishes a "Weapon-Free School Zone" that extends 1,000 feet from the boundary of any school property.

A dangerous weapon may be permitted if (a) the person with the weapon is an on-duty law enforcement officer, (b) the person with the weapon is an off-duty law enforcement officer and is required by the law enforcement agency to carry the weapon, or (c) prior permission has been granted by the school leader of the Academy. Prior permission should only be granted by the school leader for specific educational purposes, such as part of a class or individual presentation under adult supervision, if used for the purpose and in the manner approved, and for such things as theatrical props used in the appropriate setting. Working firearms or any ammunition will never be pre-approved under this exception to the weapons policy.

Pursuant to state law, a student who violates this policy shall be expelled unless one of the statutory exceptions is established. In the event of a statutory exception to mandatory expulsion, the student shall remain subject to disciplinary action, up to and including suspension or expulsion.

Any staff member at the Academy who violates this policy shall be subject to disciplinary action, up to and including discharge from employment.

Any person who violates this policy, including a parent or guardian of a student, may be banned from entering Academy's school facilities, and any other property used by the Academy for school-related purposes.

Any person, including a student, who violates this policy will be reported to law enforcement authorities.

MCL 28.425
20 USC 414(g)

Adopted 6/2006
Revised 06/07

GIFTS, GRANTS, AND BEQUESTS

The board of directors duly appreciates 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 which it considers appropriate; and to reject those which it deems inappropriate or unsuitable. If accepted, the board will attempt to carry out the wishes of the donor.

All gifts, grants, or bequests having a value of more than \$1,000 shall be accepted by the board. The principal may accept for the board gifts of lesser value.

Gifts, grants, and bequests shall become the property of the Academy and will be subject to use by the Academy as determined by the policies and administrative guidelines applying to all properties, equipment, materials, and funds owned by the board.

Any equipment purchased by a parent organization for use in the Academy or at an Academy-related event shall be submitted to the Board, prior to acceptance, so it can determine if the Academy would incur any liability by its use, and that the item is consistent with school goals and objectives

The board reserves the right to not accept such liability and thus deny the use of the equipment by students or Academy employees.

Adopted 6/2006

DISPOSITION OF SURPLUS PROPERTY

Reference: 2 CFR 200.312, 200.313

The Board of Directors requires the Educational Service Provider to review the property of the Academy periodically and to dispose of that material and equipment which is no longer usable in accordance with the terms of this policy.

Instructional Material

The 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 Educational Service Provider is authorized to dispose of obsolete instructional and other property through sale to the highest bidder, donation to appropriate parties, or proper waste removal. When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, the Academy shall request disposition instructions from the Federal awarding agency, if required by the terms and conditions of the Federal award. Disposition of the equipment will then be made in accordance with disposition instructions of the Federal awarding agency.

If permitted by applicable law, items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.

Except as provided by applicable regulations or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of \$5,000 may be retained by the Academy or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Academy may deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.

The Academy may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the Academy shall be entitled to compensation for its attributable percentage of the current fair market value of the property.

Adopted 6/2006
Revised 12/20/16

MAINTENANCE

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.

The Educational Service Provider/principal shall develop, for implementation by the custodial and maintenance staff, a maintenance program which shall include:

- A. a regular summer program of facilities repair and conditioning;
- B. the maintenance of a critical spare parts inventory;
- C. an equipment replacement program;
- D. a long-range program of building modernization;
- E. repair or replacement of equipment or facilities for energy conservation, safety, or other environmental factors.

The Educational Service Provider/principal shall develop and make known to the custodial and maintenance staff such guidelines as may be necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant. Such guidelines are to include provision for handicapped parking signs which conform to state law.

Public Act 225 of 1993

Adopted 6/2006

HYGIENIC MANAGEMENT

The board of directors recognizes that the health and physical well-being of the students of this Academy depends in large measure upon the cleanliness and sanitary management of the Academy.

The board directs that a program of hygienic management be instituted in the Academy and explained annually to all staff members.

The board shall request that each facility be inspected for cleanliness and sanitation by the principal.

The Educational Service Provider/principal shall prepare procedures for the handling and disposal of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomit, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and any other body parts that contact such matter.

The Educational Service Provider/principal 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 Educational Service Provider/principal.

A.C. Rule R340.1301

Adopted 6/2006

SAFETY STANDARDS

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 law, the board will provide reasonable and adequate protection to the lives, safety, and health of its employees.

The Educational Service Provider/principal shall be responsible for the maintenance of standards in the facilities to prevent accidents and to minimize their consequences. S/He shall designate a staff member who shall conduct periodic audits of health and safety conditions within the facilities of the Academy in accordance with the Federal OSHA standards adopted by the state, and take appropriate action on any violations thereof to the Educational Service Provider/principal. The staff member shall also have the authority to organize and direct the activities of an Academy safety committee.

The Educational Service Provider/principal shall ascertain 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 Educational Service Provider/principal shall report the results thereof to the board at the meeting following the receipt of the state report.

M.C.L.A. 380.1288
A.C. Rule 29.1 et seq., 340.1301 et seq.

Adopted 6/2006

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 School Leader 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 6/2006
Revised 4/14/11; 6/19/12

FACILITY SECURITY

The Academy building constitutes the greatest investment of the Academy. It is in the best interest of the Board of Directors to protect the 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 Educational Service Provider/Principal 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 Academy 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 Educational Service Provider 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 in Academy buildings.

The Educational Service Provider/Principal 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 6/2006
Revised 2/18/11

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

In order to protect Board property, promote security and protect the health, welfare and safety of students, staff and visitors, the Board of Directors authorizes the use of video surveillance and electronic monitoring equipment on Academy property, and in Academy buildings and Academy buses. Information obtained through video surveillance/electronic monitoring may be used to identify intruders and persons breaking the law, Board policy, or the Student Code of Conduct (i.e., it may be used as evidence in disciplinary actions and criminal proceedings).

The Educational Service Provider 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 Academy parking lots and other outside areas, and in Academy buses. Except in extraordinary circumstances and with the written authorization of the Superintendent, 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 Educational Service Provider 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 or near the main entrance to buildings. Signs shall be reasonably designed to notify people that their actions/behaviors are being monitored/recorded.

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.

Video recordings will be totally without sound.

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 seven (7) days of the event/incident. Unless an investigation is being conducted, recordings shall be destroyed after seven (7) 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.

Adopted 2/18/11

PROPERTY INVENTORY

As steward of this Academy's property, the Board of Directors recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall conduct and maintain a continuous inventory of all Academy-owned equipment and supplies in accordance with all applicable law.

The duty of the Educational Service Provider shall be to ensure that inventories are recorded systematically and accurately and that property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Equipment acquired under a Federal award will vest upon acquisition to the Academy, subject to the following conditions:

- A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.
- B. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.
- C. The equipment may only be used and disposed of in accordance with the provisions of the Federal awarding agency or the pass-through entity and Board Policy and guidelines.
- D. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the Federal Award Identification Number (FAIN), title entity, acquisition date, cost of the equipment, percentage of Federal participation in the project costs for the award under which the equipment was acquired, the location, use, and condition of the equipment, and ultimate disposition data, including date of disposal and sale price of the equipment.
- E. A physical inventory of the property must be taken and results reconciled with property records at least once every two (2) years.
- F. A control system shall be developed to provide adequate safeguards to prevent loss, damage, or theft of the property. Any such loss, damage, or theft shall be investigated.
- G. Adequate maintenance procedures shall be implemented to keep the property in good condition.

Adopted 6/2006
Revised 12/20/16

FIXED ASSET POLICY

Capitalization

As a matter of definition, a fixed asset is a tangible non-consumable item such as land, buildings, vehicles, furniture and other equipment owned by the Academy with the intent to hold and continue its use for an extended period of time. Capitalized assets purchased or acquired are recorded at historical cost or estimated historical cost. Donated fixed assets are valued at their estimated fair market value on the date received. The cost of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized.

There are two categories of property subject to the fixed asset capitalization policy:

- A. Real Property: Land, buildings, buildings improvements, leasehold improvements, portable classrooms that cost more than \$1,000.
- B. Personal Property: School owned tangible, non-consumable items that cost more than \$1000.

The bulk purchase of items totaling more than \$1,000 and certain technology equipment may be capitalized at management's discretion.

Depreciation

Depreciation of real and personal property is calculated using the straight-line method over the estimated useful lives of the assets as follows:

Building and building improvements	39.5 years
Leasehold improvements	39.5 years
Portable classrooms	20 years
Computer equipment	3 years
Furniture and equipment	7 years
Vehicles	5 years

Adopted 6/2006
Revised 06/07

CONSERVATION OF NATURAL AND MATERIAL RESOURCES

The increasing costs of natural energy resources coupled with the growing need to inhibit pollution mandate, the Academy implement strategies which encourage proper recycling of reusable materials.

The board of directors directs the Educational Service Provider/principal 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 6/2006

USE OF ACADEMY FACILITIES

The Educational Service Provider will permit the use of Academy facilities when such permission has been requested in writing by a responsible organization or a group of citizens and has been approved by the principal.

Academy facilities shall be available for uses directly related to the Academy and the operations of the Academy

Adopted 6/2006

LENDING OF BOARD-OWNED EQUIPMENT

No item of Board-owned equipment shall be loaned for non-school use off Academy property. If equipment is required for the use of those granted permission to use Academy facilities, it may be loaned in accordance with Board of Directors policy on the use of academy facilities.

The Board may lend specific items of equipment on the written request of the user and approval granted by the Principal and only when such equipment is unobtainable elsewhere.

The user of Board-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. The use of Board-owned equipment off Academy property is subject to the same rules and conditions of use that are in effect when the equipment is used on Academy property.

Academy equipment may be removed from Academy property by students or staff members and/or Board members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the School Leader is required for such removal.

Individuals authorized to use Board-owned equipment off Academy property are prohibited from allowing anyone else to use the equipment (e.g., spouses, children, relatives, friends, etc. may not use Board-owned equipment, which is approved for use by a specific person).

A Board employee may use authorized Board-owned Technology Resources for school use off of Academy property. Academy Technology Resources (as defined in Bylaw 0100) may contain personally identifiable information ("PII") about students and/or staff. Federal and State laws prohibiting disclosure of such PII apply to electronic records stored on Academy Technology Resources. Board employees must exercise caution when saving/uploading/storing PII on mobile/portable storage devices (e.g., external hard drives, CDs/DVDs, USB thumb/flash drives, etc.), including mandatory encryption of the device, and when accessing PII that is stored on the Academy's network or contracted cloud storage. A Board employee who loses or misuses student or staff PII will be subject to disciplinary action.

Personal use of Board-owned equipment or facilities by staff or students will be in accordance with the Principal's Administrative Procedures.

Adopted 11/13/18

STAFF USE OF PERSONAL COMMUNICATION DEVICES

As the employer of record, the Educational Service Provider directs the proper use of personal communication devices of its employees.

Adopted 11/13/18

TECHNOLOGY

The Board of Directors is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of Academy operations.

Students' use of the Academy Technology Resources (see definitions in Bylaw 0100) is a privilege, not a right. Students and their parents must sign and submit a *Network and Internet Acceptable Use Agreement*. (See also, Policy 7540.03)

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Student Code of Conduct, further govern students' and staff members' use of their personal and wireless communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using Academy technology resources (including, but not limited to, privacy in the content of their personal files, e-mails and records of their online activity when using the Academy's computer network and/or Internet connection).

Further safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate responses if they experience cyberbullying.

For purposes of this policy, social media is defined as Internet-based applications that facilitate communication (e.g., interactive/two-way conversation/dialogue) and networking between individuals or groups. Social media is "essentially a category of online media where people are talking, participating, sharing, networking, and bookmarking online. Most social media services encourage discussion, feedback, voting, comments, and sharing of information from all interested parties." [Quote from Ron Jones of Search Engine Watch] Social media provides a way for people to stay "connected or linked to other sites, resources, and people." Examples include Facebook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of Academy-issued e-mail accounts.

Staff may use social media for business-related purposes. Authorized staff may use Academy Technology Resources to access and use social media to increase awareness of Academy programs and activities, as well as to promote achievements of staff and students, provided the Educational Service Provider approves, in advance, such access and use. Use of social media for business-related purposes is subject to Michigan's public records laws. See Policy 8310 – Public Records and AG 8310A – Public Records.

Instructional staff and their students may use Academy Technology Resources to access and use social media for educational purposes, provided the Principal approves, in advance, such access and use.

Students must comply with Policy 7540.03 and Policy 5136 when using Academy Technology Resources to access and/or use social media. Similarly, staff must comply with Policy 7540.04 and Policy 7530.02 when using Academy Technology Resources to access and/or use social media.

Adopted 6/2006
Revised 6/19/12; 4/18/17

TECHNOLOGY PRIVACY

The board of directors recognizes its staff members' right to privacy in their personal lives. This policy serves to inform staff members of the board's position with respect to staff-member privacy in the educational and workplace setting and to protect the board's interests.

All Academy Technology Resources (as defined in Bylaw 0100) are the Board's property and are intended to be used primarily for business purposes. The Board retains the right to access and review all Information Resources (as defined in Bylaw 0100), including but not limited to electronic and voice mail, computer files, data bases, and any other electronic transmissions contained within, or used in conjunction with, the Board's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members shall be notified that they have should have no expectation that any personal information/data maintained, stored, or transmitted contained on or through such systems is confidential or private.

Review of such information may be done by the board with or without the staff member's knowledge. The use of passwords does not guarantee confidentiality, and the Board retains the right to access information in spite of a password. A staff member's refusal to permit such access may be grounds for discipline up to and including discharge.

Academy Technology Resources are to be used only for business and educational purposes.

Personal messages via Board-owned technology should be limited in accordance with the Educational Service Providers guidelines. Staff members are encouraged to keep their personal records and personal business at home. Because Academy Technology Resources are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.

Academy Technology Resources must be used properly. Review of computer files, electronic mail, and voice mail will only be done in the ordinary course of business and will be motivated by a legitimate business reason. If a staff member's personal information is discovered, the contents of such discovery will not be reviewed by the board, except to the extent necessary to determine if the files/e-mail/voice mail constitute a public record or if the board's interests have been compromised. Any information discovered will be limited to those who have a specific need to know that information.

The administrators and supervisory staff members authorized by the Educational Service Provider/principal have the authority to search and access information electronically.

All Academy Technology Resources and Academy Information Resources are the property of the board. Staff members shall not copy, delete, or remove any information/data contained on the board's computers/servers without the express permission of the

Educational Service Provider/principal or communicate any such information to unauthorized individuals. In addition, staff members may not copy software on any board computer and may not bring software from outside sources for use on board equipment without the prior

approval of the Educational Service Provider. Such pre-approval shall include a review of any copyright infringements or virus problems associated with such outside software.

Adopted 6/2006
Revised 4/18/17

WEB CONTENT, SERVICES AND APPS

The board of directors authorizes the creation of web sites by employees and students of the School to be published on the World Wide Web. 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 School, its employees, and students. The content of all pages must be consistent with the board's mission statement and is subject to prior approval of the Educational Service Provider.

The Board intends that its websites shall be accessible to all and comply with Policies 2260 and 2260.01. While not all web pages can be made totally accessible, the Board will strive, to the extent technologically and economically feasible, to make its website(s) as accessible as possible. Individuals responsible for designing, developing and producing web pages, including any third party providers engaged by the Board, are expected to employ universal design principles to create websites that allow persons with disabilities to access the information and content. The Educational Service Provider shall develop administrative guidelines to carry out the paragraph

The School compliance officer, Madonna Draughn or designee, shall be the web accessibility coordinator(s) and the reporting processes outlined therein should be followed if a person wishes to report a complaint about the School website(s).

The purpose of such web sites is to educate, inform, and communicate. The following criteria should be used to guide the development of such web sites:

- A. Content provided in the web site should be suitable for and usable by students and teachers to support the curriculum and the board's objectives as listed in the board's strategic plan.
- B. Content may inform the community about the School, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.
- C. Content may provide an avenue to communicate with the community.

The information contained on the web site should reflect and support the board's mission statement, educational philosophy, and the school improvement process.

When the content includes a photograph or information relating to a student the board will abide by the provisions of Policy 8330 - Student Records.

All links included on the pages must also meet the above criteria and comply with state and federal law (e.g. copyright laws, Children's Internet Protection Act), ADA, Student Online Personal Protection Act (SOPPA) and Children's Online Privacy Protection Act (COPPA). Nothing in this paragraph shall prevent the School from linking the Board's website to (1) recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites) or (2) to websites that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party websites may contain age appropriate advertisements that are inconsistent with the requirements of Policy 9700.01, AG 9700B, and State and federal Law.

Under no circumstances is a web site to be used for commercial purposes advertising, political lobbying or to provide financial gains for any individual. Included in this prohibition is the fact no webpages contained on the School's website may: (1) include statements or other items that support or oppose a candidate for public office or a ballot proposal, the investigation, prosecution or recall of a public official, or passage of a tax levy or bond issue; (2) link to a website of another organization if the other website includes such a message; (3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization; or communicate a political position or advocate for an issue.

Under no circumstances is a staff member-created webpage/site, including personal webpages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. The Board maintains its own website (e.g.,[Progressbook]) that staff assigned to the School are required to use for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal webpages/sites (including, but not limited to, their Facebook or MySpace pages) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

If a staff member creates a webpage/site related to his/her class, it must be hosted on the Board's server.

Unless the webpage/site contains student personally identifiable information, Board websites that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features, whereby only staff, student(s), or other limited groups of people can access the site. Community members, parents, staff, students, and other website users will generally be given full access to the sites created pursuant to this policy.

Pages should reflect an understanding that both internal and external audiences will be viewing the information.

School web sites must be located on board or Educational Service Provider affiliated servers. The board retains all proprietary rights related to the design of web sites and/or pages that are hosted on the board's servers, absent written agreement to the contrary.

Students who want their class work to be displayed on the board's web site must have written parent permission and expressly license its display without cost to the board. Prior written parental permission is necessary for a student to be identified by name on the board's website.

The Educational Service Provider shall prepare administrative guidelines defining the standards permissible for web-site use.

Adopted 6/2006
Revised 11/14/17

REVISED POLICY—FALL 2014

STUDENT EDUCATION TECHNOLOGY ACCEPTABLE USE AND SAFETY

Source: 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 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 the Principal, 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 Principal. The Educational Service Provider 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 Educational Service Provider 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. Cyberbullying is defined as intimidation or assaults toward a student, teacher (staff member), volunteer, contractor or other Academy personnel through electronic means. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening or terrorizing another person by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, digital pictures/images, or Website postings including blogs.

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 Board directs the Educational Service Provider to implement procedures regarding the appropriate use of technology and online safety and security as specified above. Furthermore, the Educational Service Provider will implement monitoring procedures for the online activities while students are at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The Educational Service Provider 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 **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 guidelines.

Students will be assigned a school email account that they are required to utilize for all Academy-related electronic communications, including those to staff members and individuals and/or organizations outside the Academy with whom they are communicating for Academy-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their Academy-assigned email account when signing up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

Students and staff members are responsible for good behavior on the Academy's computers/network and the Internet just as they are in classrooms, Academy 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.

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 guidelines.**

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Internet through the Board's computers assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by this Board policy and its accompanying guidelines.

The Board designates the Educational Service Provider 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 6/2006

Revised 2/18/11; 6/19/12; 9/17/13

FOR BOARD APPROVAL

INTERNET AND COMPUTER USE STATEMENTS TO STUDENTS

The principal shall provide an appropriate statement of rights and responsibilities to students regarding the use of the Internet and of school computers. The statement may be in the following form, or in such other form as the principal deems appropriate:

Student Rights

A student has a conditional right to access the internet to facilitate diversity and personal growth in technology, to learn information gathering skills, and communicate with others electronically. Failure to follow the conditions in this policy may result in the loss of the student's rights to access the internet. Along with these rights come the responsibilities for the proper use of the internet.

Responsibilities

- A. Each student's responsibilities include the following:
- B. Passwords, if assigned, must be kept confidential.
- C. The student has the responsibility to respect the privacy of other users. For example, users will not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users. A student will not represent him or herself as another user.
- D. The student will adhere to the laws, policies, and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and a student's right to privacy created by federal and state law.
- E. The student must respect the integrity of computing systems. For example, users will not develop or use programs that harass other users or infiltrate a computer or computing system. A student will not damage or alter any software, any computer, or any computing system on or through the internet.
- F. It is the student's responsibility to keep computer viruses off any school equipment. The student will be held accountable for any attempt to install and/or run a computer virus.
- G. A student will also accept the responsibility for monitoring all materials received under his/her user name. If directed by a teacher or lab supervisor, the student will maintain a log of accessed internet sites.
- H. The student will not access, process or store pornographic materials, inappropriate text files, or files dangerous to the integrity of the network.
- I. The student will maintain the integrity of the electronic mail system. The student is responsible for all mail received under his/her user name. The student has the responsibility to make only those contacts leading to educational growth through the internet. A student who receives objectionable materials through the internet will report it immediately to the teacher or lab supervisor.

- J. The student will report immediately any misuse of the network to the teacher or lab supervisor. Misuse can include any message sent or received that indicates or suggests pornography, unethical or illegal solicitation, racism, sexism, or inappropriate language.

Other Guidelines

- A. Be polite. Never send or encourage others to send abusive message.
- B. Use appropriate language. The internet user is a representative of the Academy. The user may be alone at a computer, but what is said and done can be viewed globally. Never swear, use vulgarities, or any other inappropriate language.
- C. Never reveal a home address or personal phone number to anyone over the internet.
- D. Do not reveal the addresses or phone numbers of other students.
- E. Never agree to meet people face to face.
- F. E-mail is not guaranteed to be private.
- G. People who operate the Academy's system have access to all e-mail. Messages relating to or in support of illegal activities must be reported to the authorities.
- H. Do not use the network in any way that would disrupt its use by others.

Adopted 6/2006
Revised 2/18/11

STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

Source: P.L. 106-554, Children's Internet Protection Act of 2000
P.L. 110-385, Title II, Protecting Children in the 21st Century Act
18 USC 1460
18 USC 2246
18 USC 2256
20 USC 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)
47 USC 254(h), (1), Communications Act of 1934, as amended (2003)
47 C.F.R. 54.520

Technology has fundamentally altered the ways in which information is accessed, communicated, and transferred in society. As a result, educators are continually adapting their means and methods of instruction, and the way they approach student learning, to incorporate the vast, diverse, and unique resources available through the Internet. The Board of Directors provides Technology and Information Resources (as defined by Bylaw 0100) to support the educational and professional needs of its staff and students. The Board provides staff assigned to the Academy with access to the Internet for limited educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The Academy's computer network and Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

The Board regulates the use of Academy Technology and Information Resources by principles consistent with applicable local, State, and Federal laws, and the Academy's educational mission. This policy and its related administrative guidelines along with the guidelines and policies provide by the Educational Service Provider govern the staffs' use of the Academy's Technology and Information Resources and staff's personal communication devices when they are connected to the Academy's computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity (see Policy 7530.02).

Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Users have no right or expectation to privacy when using Academy's Technology and Information Resources (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using the Academy's computer network and/or Internet connection).

Staff assigned to the Academy are expected to utilize Academy Technology and Information Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by Board Policy 2521 – Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that brings incredible education and information resources to our students. The Internet connects computers and users in the Academy with computers and users worldwide. Through the Internet, students

and staff can access relevant information that will enhance their learning and the education process. Further, Academy Technology Resources provide students and staff with the opportunity to communicate with other people from throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

The Board may not be able to technologically limit access over its Technology Resources to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted procedures and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures, that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or Educational Service Provider, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on Staff members to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the Principal. The technology protection measures may not be disabled at any time that students may be using the Academy Technology Resources, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act.

The Educational Service Provider or the Principal may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. The Educational Service Provider or the Principal may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

The Educational Service Provider 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. Cyberbullying is defined in Board Policy 5517.01. Staff members are reminded that personally identifiable student information is confidential and may not be disclosed without prior written parental permission.

The Board directs the Educational Service Provider to initiate professional development programs in accordance with the provisions of law and this policy. Training shall include:

- A. the safety and security of students while using e-mail, chat rooms, social media and other forms of direct electronic communications;
- B. the inherent danger of students disclosing personally identifiable information online;
- C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying and other unlawful or inappropriate activities by students or staff online; and
- D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

Furthermore, the Board directs the Educational Service Provider to cause to provide instruction for students regarding the appropriate use of technology and online safety and security as specified above, and the Educational Service Provider will implement monitoring procedures for the online activities while students are at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs.

The disclosure of personally identifiable information about students online is prohibited.

The Educational Service Provider is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that guidance will be provided and instruction offered to students in the appropriate use of the Academy Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media including in chat rooms, and cyberbullying awareness and response. All users of Academy Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

The Educational Service Provider shall implement policies on school e-mails and when such e-mails shall be used by staff.

With prior approval from the Educational Service Provider or the Principal, staff may direct students who have been issued Academy-assigned email accounts to use those accounts when signing up/registering for access to various online educational services including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

The Board expects all Academy personnel to be responsible for good behavior when using Academy Technology and Information Resources – i.e., behavior comparable to that expected when in classrooms, Academy hallways, and other Academy premises and Academy sponsored events. Communications on the Internet are often public in nature. The Board does not approve any use of its Technology and Information Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

Staff members use of Academy Technology Resources to access or use social media is to be consistent with Policy 7544 and its accompanying procedure.

General Academy rules for behavior and communication apply.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Academy Technology and Information Resources that are not authorized by this policy and its accompanying guidelines.

In addition, Federal and State confidentiality laws forbid schools and Academy employees from using or disclosing student education records without parental consent. See Policy 8330. Education records include a wide variety of information; posting personally identifiable information about students is not permitted. Academy personnel who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential employee information may be disciplined.

Adopted 2/18/11

Revised 6/19/12; 9/17/13; 11/13/18

REVISED POLICY – FALL 2017 **ACADEMY-ISSUED STAFF E-MAIL ACCOUNT**

Staff

The Board of Directors is committed to the effective use of electronic mail ("e-mail") by all Academy staff and Board members in the conduct of their official duties. **This policy and any corresponding guidelines are intended to establish a framework for the proper use of e-mail for conducting official business and communicating with colleagues, students, parents and community members.**

When available, the Academy's e-mail system must be used by **Educational Service Provider** employees for any official Academy e-mail communications. Personal e-mail accounts on providers other than the Academy's e-mail system may be blocked at any time if concerns for network security, SPAM, or virus protection **arise**. Furthermore, Academy staff are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the Academy's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

Academy staff shall not send or forward mass e-mails, even if the e-mails concern Academy business, without prior approval of the Principal

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. 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 IT staff. The **site administrator** is authorized to block e-mail from list serves or e-mail services if the e-mails received by the staff member(s) **become excessive**.

Staff members are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages, appropriately saving e-mails that constitute a public record or student record and e-mails that are subject to a litigation hold (see Policy 8315 – Information Management), and purging all other e-mails that have been read. If the staff member is concerned that his/her e-mail storage allotment is not sufficient, s/he should contact the Academy's IT staff.

Public Records

The Academy complies with all Federal and State laws pertaining to electronic mail. Accordingly, e-mails written by or sent to Academy staff and Board members may be public records if their content concerns Academy business, or education records if their content includes personally identifiable information about a student. E-mails that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. E-mails that are student records **must** be maintained pursuant to Policy 8330 – Student Records. Finally e-mails may constitute electronically stored information ("ESI") that may be subject to a **litigation hold** pursuant to Policy 8315 – Information Management.

State and Federal law exempt certain documents and information within documents from disclosure, no matter what their form. Therefore, certain e-mails may be exempt from disclosure or it may be necessary to redact certain content in the e-mails before the e-mails are released pursuant to a public records request, the request of a parent or eligible student to review education records, or a duly served discovery request involving ESI.

E-mails written by or sent to Academy staff and Board members by means of their private e-mail account may be public records if the content of the e-mails concerns Academy business, or education records if their content includes personally identifiable information about a student. Consequently, staff shall comply with a 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.

The Academy maintains archives of all e-mails sent and/or received by users of the Academy's e-mail service. Staff members are required to forward copies of any e-mails received in their personal e-mail account(s) not affiliated with the Academy server to their Academy e-mail account so that these records are also archived for future retrieval, if necessary.

Unauthorized E-mail

The Board does not authorize the use of its **Technology Resources, including its** computer network ("network") to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering, utilizing, or remaining within the network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

Authorized Use and Training

Pursuant to Policy 7540.04, staff and Board members using the 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.

Furthermore, staff using the Academy's e-mail system shall satisfactorily complete training regarding the proper use and retention of e-mail.

Adopted 2/18/11

Revised

INTERNET AND COMPUTER USE FORMS AND AGREEMENT

The principal shall require parental permission, and student and staff agreement, for Internet and computer use. The permission and agreements may be in the following form, or in such other form as the principal deems appropriate:

Parent Permission Form and User Agreement

As a parent or guardian of a student at Academy of Warren, I have read the above information about the appropriate use of the computers at the school and I understand this agreement will be kept on file at the school. Questions will be directed to the principal for clarification.

____ My child MAY use Internet/e-mail while at school according to the rules outlined.

____ I would prefer that my child NOT use Internet/e-mail while at school.

Parent Name (print): _____

Parent Signature: _____

Date: _____

Parent Permission For the Publication of Student Work / Pictures

I understand that from time-to-time the school may wish to publish examples of student projects, photographs of students, and other work on an Internet accessible World Wide Web server.

____ My child's work/photograph CAN be published on the Internet.

____ I would prefer that my child's work/photograph NOT be published on the Internet.

Parent Name (print): _____

Parent Signature: _____

Date: _____

Student Agreement to Comply with Rules of Appropriate Use

As a user of the Academy of Warren computers and computer network, I agree to comply with the above stated rules and to use the computers and network in a constructive manner.

Student Name (print): _____

Student Signature: _____

Date: _____

Teacher Agreement to Comply with Rules of Appropriate Use

As a user of the Academy of Warren computers and computer network, I agree to comply with the above stated rules and to use the computers and network in a constructive manner.

Teacher Name (print): _____

Teacher Signature: _____

Date: _____

Adopted 6/2006
Revised 2/18/11

NEW POLICY – FALL 2017

ACADEMY-ISSUED STUDENT E-MAIL ACCOUNT

Students assigned an academy e-mail account are required to utilize it for all academy-related electronic communications, including those to staff members and individuals and/or organizations outside the Academy with whom they are communicating for academy-related projects and assignments. Further, as directed and authorized by their teachers, they shall use their academy-assigned e-mail account when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes.

This policy and any corresponding guidelines serve to establish a framework for student's proper use of e-mail as an educational tool.

Personal e-mail accounts on providers other than the Academy's e-mail system may be blocked at any time if concerns for network security, SPAM, or virus protection arise. Students are expected to exercise reasonable judgment and prudence and take appropriate precautions to prevent viruses from entering the Academy's network when opening or forwarding any e-mails or attachments to e-mails that originate from unknown sources.

Students shall not send or forward mass e-mails, even if educationally-related, without prior approval of their classroom teacher or the site administrator.

Students may join list serves or other e-mail services (e.g. RSS feeds) that pertain to academic work, provided the e-mails received from the list serves or other e-mail services do not become excessive. If a student is unsure whether s/he has adequate storage or should subscribe to a list serv or RSS feed, s/he should discuss the issue with his/her classroom teacher, the building principal or the Academy's IT staff. The site administrator is authorized to block e-mail from list serves or e-mail services if the e-mails received by the student becomes excessive.

Students are encouraged to keep their inbox and folders organized by regularly reviewing e-mail messages and purging e-mails once they are read and no longer needed for school.

Unauthorized E-mail

The Board does not authorize the use of its Technology Resources, including its computer network ("network"), to accept, transmit, or distribute unsolicited bulk e-mail sent through the Internet to network e-mail accounts. In addition, Internet e-mail sent, or caused to be sent, to or through the network that makes use of or contains invalid or forged headers, invalid or non-existent domain names, or other means of deceptive addressing will be deemed to be counterfeit. Any attempt to send or cause such counterfeit e-mail to be sent to or through the network is unauthorized. Similarly, e-mail that is relayed from any third party's e-mail servers without the permission of that third party, or which employs similar techniques to hide or obscure the source of the e-mail, is also an unauthorized use of the network. The Board does not authorize the harvesting or collection of network e-mail addresses for the purposes of sending unsolicited e-mail. The Board reserves the right to take all legal and technical steps available to prevent unsolicited bulk e-mail or other unauthorized e-mail from entering,

utilizing, or remaining within the network. Nothing in this policy is intended to grant any right to transmit or send e-mail to, or through, the network. The Board's failure to enforce this policy in every instance in which it might have application does not amount to a waiver of its rights.

Unauthorized use of the network in connection with the transmission of unsolicited bulk e-mail, including the transmission of counterfeit e-mail, may result in civil and criminal penalties against the sender and/or possible disciplinary action.

Authorized Use and Training

Pursuant to Policy 7540.03, students using the 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 7540.03 F1 annually.

Furthermore, students using the Academy's e-mail system shall satisfactorily complete training, pursuant to Policy 7540.03, regarding the proper use of e-mail annually.

FOR BOARD APPROVAL

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 7/15/14

REMOTE ACCESS TO THE ACADEMY'S NETWORK

Access to the Academy's Website (www.charteracademies.com) is encouraged.

The following resources shall be available on the Academy's website and/or via other online tools:

- A. the Academy's calendar of events
- B. (grade book program)
- C. annual education report
- D. budget
- E. food service program information

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, as 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 Educational Service Provider.

Any employee who violates this policy may be disciplined, up to and including termination; any contractor, vendor and/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 2/18/11

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.

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 Principal.

Adopted 2/18/11

8000 **OPERATIONS**

8120	Iran Economic Sanctions Act Compliance	L
8142	Criminal History Record Check	L
8142.01	Weapons	BP
8210	Academy Calendar	L
8220	School Day	
8310	Public Records	L
8315	Information Management	BP
8320	Personnel Files	BP
8321	Criminal Justice Information Security	L
8325	Receipt Legal Documents	BP
8330	Student Records	L
8350	Confidentiality	BP
8351	Breach of Confidential Information	BP
8390	Animals on Academy Property	L
8400	Academy Safety Information	L
8401	Fire Safety and Fire Department Notification	L
8402	Emergency Operations Plan	L
8405	Environmental Health and Safety Issues	L
8405.01	Integrated Pest Management	L
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	BP
8431	Preparedness for Toxic Hazards and Asbestos Hazard	L
8442	Reporting Accidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8452	Automatic External Defibrillators (AED)	BP
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	BP
8462	Student Abuse and Neglect	BP
8500	Food Services	L
8510	Wellness	L
8540	Vending Machines	BP
8660	Transportation by Private Vehicle	
8710	Insurance	BP
8740	Bonding	BP
8800	Religious/Patriotic Ceremonies and Observances	L

Adopted 6/2006

Revised 06/07; 12/08; 2/18/11; 4/14/11; 6/19/12; 9/17/13; 10/28/13; 7/15/14; 9/15/15; 12/20/16;
4/18/17; 11/14/17; 3/20/18; 4/16/19; 9/4/19

IRAN ECONOMIC SANCTIONS ACT COMPLIANCE

Reference: M.C.L. 129.311-129.316

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 7/15/14

CRIMINAL HISTORY RECORD CHECK

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

Before the School hires any employee (full or part-time) 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 School or with a third-party vendor, Management Company, or similar contracting entity, to provide food, custodial, transportation, counseling or administrative services on more than an intermittent or sporadic basis. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

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

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

Should it be necessary to employ a person or contract for a person to maintain continuity of the program prior to receipt of the criminal history report, the Principal 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 Principal may use a report received from

¹ Individuals who submit and receive such criminal history record checks on behalf of the School must be direct employees of the School or, if such access is approved by the Board, ESP personnel who are provided view only access by the Local Agency Security Officer. Notwithstanding this, Information Technology contractors and vendors may be granted access to CHRI subject to successful completion of a national fingerprint-based criminal history record check as detailed in Policy 8321

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

Individuals who previously received a statutorily required criminal background check and who have been continuously employed by a school district, intermediate school district, public school academy or non-public school within the State, with no separation, may have their previous record check sent to the School in lieu of submitting to a new criminal background check. If this method is used, the Principal must confirm that the record belongs to that individual and whether there have been any additional convictions by processing the individual's name, sex and date of birth through the Internet Criminal History Access Tool (ICHAT).

"No separation," for purposes of the preceding paragraph, means a lay-off or leave of absence of less than twelve (12) months with the same employer; or the employee transfers without a break in service to another school district, intermediate school district, public school academy or non-public school within the State.

All criminal history record check reports received from the State Police or produced by the State Police and received by the School from another proper source will be maintained in the individual's personnel record.

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

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

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

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

An applicant must submit, at no expense to the School, a set of fingerprints, prepared by an entity approved by the Michigan State Police, upon receiving an offer of employment, or as required by State law for continued employment.

Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those who have not been given access to the CHRI by the Principal or the Board. Records involving misdemeanor convictions for sexual or physical abuse or any felony are not subject to these restrictions. Violation of confidentiality is considered a misdemeanor punishable by a fine up to \$10,000.

Any notification received from the Michigan Department of Education or Michigan State Police regarding School staff 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.

Revised 3/20/18

TABLED POLICY – 12/20/16
NEW POLICY – SPRING 2016
WEAPONS

The Board prohibits any person who is under contract from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the Academy for the purpose of school activities approved and authorized by the Academy including, but not limited to, property leased, owned, or contracted for by the Academy, an Academy-sponsored event, including athletic events, or in an Academy vehicle.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the Academy or with a third-party vendor, Educational Service Provider, or similar contracting entity, to provide staffing, educational, food, custodial, transportation, counseling or administrative services to the Academy. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

The term "weapon" means any object which, in the manner in which it used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited firearms, guns of any type including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paint balls, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapon, ammunition, and explosives or any other weapon described in 18 U.S.C. 921.

The Educational Service Provider shall refer an individual who violates this policy to law enforcement officials. The Academy may also take other action against the individual and/or his/her employer, including, but not limited to, requiring that the individual not be allowed to provide services to the Academy in the future and/or terminating any contractual relationship with the individual and/or the employer.

Individuals under contract shall immediately report knowledge of dangerous weapons and/or threats of violence by students, staff members, or other individuals to the Educational Service Provider.

TABLED POLICY – 4/16/19
REVISED POLICY – FALL 2018
ACADEMY CALENDAR

Reference: MCL 380.1284, 380.1284(b), (as amended August 29, 2005); 388.1701
AC Rule R340.10 et seq.

The Board of Directors, shall ensure that its school calendar complies with the common calendar adopted by the Macomb Intermediate School District (ISD), unless the Academy is statutorily exempt from this requirement or receives a waiver from the Superintendent of Public Instruction in compliance with State law. The common calendar will identify the specific dates for each school year when the Academy will not be in session for at least a winter holiday break, and a spring break for at least the next five (5) school years, and may further describe them more generally for subsequent school years as long as the dates can be readily determined. This calendar shall be posted on the Academy's web site and distributed to the Academy's constituents. The calendar shall provide for the instructional program of the academies, for orderly educational planning, and for the efficient operation of the Academy.

The Board of Directors recognizes the necessity of preparing a calendar for the instructional program of the Academy for orderly educational planning, and efficient operation of the Academy.

The Board shall, in consultation with the Educational Service Provider, determine annually the total number of days the Academy will be in session for instructional purposes. **To avoid withholding of State school aid payments**, the number of days and number of hours will be in accordance with Michigan law. The Board shall ensure that Academy is not in session for students before Labor Day, **unless the Academy is statutorily exempt from this requirement or receives a waiver from the Superintendent of Public Instruction in compliance with State law.**

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; 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 1098 hours **during 180 days** of pupil instruction per school year, **unless it obtains a waiver from this requirement.**

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 Educational Service Provider/Principal 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.

No more than **six (6) days** 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. **With the approval of the Superintendent of Public Instruction, not more than three (3) additional days or the**

equivalent number of additional hours for which instruction is not provided due to unusual and extenuating occurrences resulting from conditions not within the control of academy authorities (such as those conditions described above) shall be counted. Hours lost due to strikes by school staff or to teacher conferences shall not be counted as hours of instruction.

The Educational Service Provider/Principal shall certify to the State Department of Education no later than August 1st of each year, the number of hours of student instruction during the previous school year.

Adopted 6/2006
Revised 06/07; 2/18/11

FOR BOARD APPROVAL

SCHOOL DAY

The board of directors authorizes the Academy school day to be arranged and scheduled by the Educational Service Provider. It is to offer the maximum education for the time spent within the limitations of Academy facilities and the laws and regulations of the State.

The Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider/principal shall have the authority to determine which Academy-related activities may be conducted if the Academy is closed for a period of time. The Educational Service Provider shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and conduct of such activities.

M.C.L.A. 380.1284

Adopted 6/2006

PUBLIC RECORDS

Reference: MCL 15.231 et seq.
MCL 445.81 et seq.
Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

The Board of Directors recognizes its responsibility and directs the Educational Service Provider to maintain the public records of the 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 or recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the Academy, the 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 any record of this Academy, in the performance of his/her official duties, except student records and certain portions of personnel records.

The Principal 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, but excluding student records and certain portions of personnel records.

The Educational Service Provider 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 Intermediate School District and the Center for Educational Performance and Information (CEPI).

The Educational Service Provider may establish administrative guidelines to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

Adopted 6/2006
Revised 06/07; 2/18/11

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 Educational Service Provider may initiate a "Litigation Hold" under this policy. If the Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider 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 2/18/11

PERSONNEL FILES

The Educational Service Provider, as the employer of record for all staff, shall be responsible for establishing and maintaining appropriate personnel files.

Adopted 6/2006

CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)

Reference: Criminal Justice Information Services - Security Policy (Version 5.2, 2013),
U.S. Dept. of Justice and Federal Bureau of Investigation
Noncriminal Justice Agency Compliance Audit Review, Michigan State
Police, Criminal Justice Information, Center, Audit and Training Section
Conducting Criminal Background Checks, Michigan State Police, Criminal Justice Information
Center

The School is required by State law to 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 School and contractors, vendors and their employees who work on a regular and continuous basis in the School. To assure the security, confidentiality, and integrity of the CHRI background check information received from the MSP/FBI the following standards are established.

Sanctions for Non-Compliance

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 Principal (employed by the Board) shall review, approve, sign and date all such corrective actions.

Local Agency Security Officer (LASO)

The LASO, as designated by the Board from time to time, shall be designated as the School's Security Officer ("LASO") 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. ensuring the MSP Information Security Officer 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 School equipment is connected to the MSP system;
- F. to the extent applicable, identifying who is using the MSP approved hardware, software and firmware, and ensuring that no unauthorized individuals have access to these items.

The Academy's LASO shall be the point of contact for the Michigan State Police and should be the person most knowledgeable about this policy. The School's LASO shall be designated

on the appropriate form as prescribed and maintained by the Michigan State Police. A new form shall be submitted every time a new LASO is designated. Each LASO must attend MSP Audit, Security and Access to Criminal History training.

Agency User Agreements

The School shall enter into any User Agreement required, and future amendments, by the MSP 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 School. The LASO shall be responsible for the School'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, Information Technology contractors and vendors, 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, and must be 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 Principal (if not the designated LASO) shall make the determination. If the Principal (employed by the Board) is also the designated LASO, the determination shall be made by the LASO's designee. Except that, as noted in (D)(1)(a), individuals with a felony conviction of any kind will have their access permanently suspended.

- 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 a direct employee of the School; however, if approved by the Board and an appropriate waiver obtained from the prospective employee, ESP personnel may be given view only access to the information by the LASO if needed to review the results for determining an individual's qualifications for employment. The School must maintain a readily accessible list that includes the names of all LASO-approved personnel with access to criminal justice information, as well as the reason for providing each individual access.
- E. Termination of Employment/Access – Within twenty-four (24) hours of the termination of employment, all access to criminal justice information shall be terminated immediately for that individual, such as requiring the individual to return any keys or access cards to buildings, offices, and/or files, or closing the individual's account and/or blocking access to any systems containing such information at the Academy.
- 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 shall 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 within the twenty-four (24) hour period immediately following the transfer or reassignment.
- G. Information Technology Contractors and Vendors¹ – Prior to granting access to criminal justice information to an IT contractor or vendor, identification must be verified via a Michigan (or state of residency if other than Michigan) and national fingerprint-based criminal history record check. A felony conviction of any kind, as well as any outstanding arrest warrant, will disqualify an IT contractor or vendor for access to criminal justice information. A contractor or vendor with a criminal record of any other kind may be granted access if the LASO determines the nature or severity of the misdemeanor offense(s) does not warrant disqualification. 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 digital and physical media in all forms, which contains criminal history background information provided by the MSP through the statutory record check process, is restricted to authorized individuals only. Only individuals involved in the hiring determination of both School employees and volunteers shall be authorized to access digital and physical media containing CHRI; provided, however, if approved by the Board and an appropriate waiver obtained from the prospective employee, ESP personnel may be given view only access to the information by the LASO if needed to review the results for determining an individual's qualifications for employment.

- A. Media Storage and Access – All digital 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 digital CHRI background data shall be encrypted. Digital media shall be stored on a School server. Storage on a third party server, such as cloud service, is not permitted. Storage of digital media must conform to the requirements in AG 8321.
- B. Media Transport – Digital 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.

To the extent possible, digital 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 Principal (employed by the Board) shall approve in writing the media to be affected. This record shall be maintained by the LASO during the individual's active employment plus an additional six (6) years. [Note: the regulations do not specify a specific period for maintaining this information. This time period is suggested based on the State of Michigan's background information retention schedule and will likely cover most statutes of limitation and can be retained in digital format.]
1. Digital 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.)

- D. Personal Mobile Devices – A personally-owned mobile device (mobile phone, tablet, laptop, etc.) shall not be authorized to access, process, store or transmit criminal justice information unless the School has established and documented the specific terms and conditions for personally-owned mobile devices.

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 most current and unaltered 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. Additionally, if the Board approves ESP personnel receiving view only access to the information if needed to review the results for determining an individual's qualifications for employment, an appropriate waiver allowing the results to be shared with the ESP must be obtained from the prospective employee.

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 the “Agency User Agreement” (RI-087), an offer letter, employment agreement, new hire checklist, employment contract, volunteer background check form, etc

The School shall retain the red light / green light letter received from an Authorized Recipient on site as documentation that a CHRI background check has been completed.

The Educational Service Provider shall retain the red light / green light letter received from an Authorized Recipient on site as documentation that a CHRI background check has been completed.

Controlled Area/Physical Protection

All CHRI obtained from the Michigan State Police pursuant to the statutorily required background checks shall be maintained in a physically secure and controlled area, which shall be a designated office, room, or area. 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 digital storage of criminal justice information. (See AG 8321.)

Passwords (Standard Authentication)¹

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 School 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 a program approved by the MSP. A template of the training is provided on the MSP's website. At a minimum, the training shall comply with the standards established by U.S. Department of Justice and FBI for Criminal Justice Information Services. (See AG 8321.)

Each LASO must attend MSP Audit, Security and Access to Criminal History training.

Secondary Dissemination of Information

If criminal history background information received from the MSP 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;

¹ Applicable to Academies that maintain CHRI within a digital system of records, such as a digital database, filing system, record keeping software, spreadsheets, etc. Not applicable if CHRI kept solely via e-mail and/or paper copies.

- E. the agency, and name of the individual at 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 School and the MSP. A release form consenting to the sharing of CHRI shall be maintained at all relevant times.

If CHRI is received from another School, 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.

Ref: Criminal Justice Information Services - Security Policy (Version 5.5, 2016),
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

Adopted 9/17/13
Revised 12/20/16; 4/18/17; 3/20/18; 11/13/18

RECEIPT OF LEGAL DOCUMENTS

Service of Process on the Board of Directors

In suits against the Board, only the Board President or Educational Service Provider and Board Attorney accepts service on behalf of the Board.

Service of Legal Documents on Academy Staff

Academy Staff may be served with legal documents (1) requesting not only public records (such as employees' personnel files), but also student education records and other documents and electronically stored information maintained by the Academy, or (2) directing them to testify at a deposition or hearing concerning issues that fall within the employees' employment responsibilities.

An employee served with legal documents in his/her official capacity as a staff member of the Academy shall immediately provide copies of those legal documents to his/her Principal or site administrator.

The Principal or site administrator shall immediately furnish copies to the Educational Service Provider and the Board attorney and shall follow his/her directives.

Generally, confidential personnel records, student records, or personal observations or opinions about student behavior/academic performance do not have to be disclosed. The law makes an exception for a subpoena or court order.

Board policy requires the Principal or a site administrator to release only the documents specifically identified in the subpoena or order. In circumstances where, in responding to a subpoena or order, information is developed or summarized from the student's education records, a copy of that information and a statement of the purpose for which it was prepared shall be filed in the student's cumulative folder.

If doing so is in the Board's best interest, the Educational Service Provider, designee or Board attorney shall accompany the employee to the deposition or hearing.

Actions Against the Board

In actions against the Board, it is not unusual for Board employees to be served with subpoenas and/or called as witnesses. Board legal counsel and the Educational Service Provider will assist Academy Staff in these matters.

Independent Legal Counsel

This policy does not prohibit Academy Staff from consulting with their own independent legal counsel, but they are prohibited from discussing or releasing student personally identifiable information to a third party except as expressly authorized by Board Policy (Policy 8330).

Adopted 9/15/15

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 Academy must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

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

The Board of Directors is responsible for maintaining records of all students attending this Academy. Only records mandated by the state or federal government and/or necessary and relevant to the function of the Academy or specifically permitted by this Board will be compiled. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. samples of student work
- C. information obtained from professionally acceptable standard instruments of measurement such as:
 - 1. interest inventories and aptitude tests;
 - 2. vocational preference inventories;
 - 3. achievement tests; and,
 - 4. standardized intelligence tests.
- D. authenticated information provided by a parent or adult student concerning achievements and other Academy activities which the parent or student wants to make a part of the record
- E. verified reports of serious or recurrent behavior patterns

- F. rank in class and academic honors earned
- G. psychological tests
- H. attendance records
- I. health records
- J. 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, adult students, and designated Academy officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

In situations in which a student has both a custodial and a non-custodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of adult students (individuals eighteen (18) and older), parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

An Academy official is a person employed by the Educational Service Provider as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); 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 school officials obtain access to only those education records in which they have legitimate educational interest.

The Board designates CSAS or the employees of CSAS as agents of the Academy having a legitimate educational interest such that they are entitled to access educational records .

The Board authorizes the Principal to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school in which a student of this Academy seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school Board in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;
- C. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- D. report a crime committed by a child with or without a disability to appropriate authorities and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and Academy officials for their consideration;
- E. release de-identified records and information in accordance with Federal regulations;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the School for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the 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.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities. The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

The Academy will verify that the authorized representative complies with FERPA regulations.

- H. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Academy 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 the 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 Academy 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/adult student consent was obtained. (if required)

Upon written request by a student's parent or legal guardian, the Academy shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the Academy as part of the student's education records.

If the Academy provides any personally identifiable information concerning the student that is collected or created by the Academy as part of the student's education records to any person, agency, or organization, then the Academy shall disclose to the student's parent or legal guardian upon his or her written request:

- A. The specific information that was disclosed.

- B. The name and contact information of each person, agency, or organization to which the information has been disclosed.
- C. The legitimate reason that the person, agency, or organization had in obtaining the information.

This information shall be provided without charge within 30 days after the Academy receives the written request and without charge to the parent or legal guardian.

The Academy is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the Academy as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

- A. Provision of such information to the Michigan Department of Education or CEPI.
- B. Provision of such information to the student's parent or legal guardian.
- C. Provision of such information to its authorizing body or to an educational management organization with which it has a management agreement.
- D. Provision of such information to or from its intermediate school board or to another intermediate school board providing services to the Academy or its students pursuant to a written agreement.
- E. Provision of such information to a person, agency, or organization with written consent from the student's parent or legal guardian or, if the student is at least age 18, the student.
- F. Provision of such information to a person, agency, or organization seeking or receiving records in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction.
- G. Provision of such information as necessary for standardized testing that measures the student's academic progress and achievement.
- H. Provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age 18 or is an emancipated minor, the student has signed and submitted the opt-out form referenced below.

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is eighteen (18) years of age or older, 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 Educational Service Provider will provide public notice to students and their parents of its intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. address;
- C. telephone number;
- D. date and place of birth;
- E. participating in officially recognized activities and sports;
- F. height and weight if a member of an athletic team;
- G. date of promotion
- H. dates of attendance;
- I. awards received;
- J. honor rolls;
- K. scholarships;
- L. telephone number for inclusion in school or PTO directories;
- M. school photographs or videos of students participating in school activities, events or programs.

The Academy designates Academy-assigned email accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile 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.

The Educational Service Provider will also develop a list of uses for which the Academy commonly would disclose a student's directory information and develop an opt-out form that lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for 1 or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first 30 days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the Academy by a student's parent or legal guardian, the Academy shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age 18 or is an emancipated minor may act on his or her own behalf with respect to the opt-out form.

Parents and adult students may also refuse to allow the Academy to disclose any or all of such "directory information" upon written notification to the Academy within five (5) days after receipt of the Academy's public notice.

Whenever parental consent 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 Principal shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Academy shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

- A. Providing the information to an educational management organization with which the Academy has a management agreement.
- B. Providing the information as necessary for standardized testing that measures the student's academic progress and achievement.
- C. Providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the Academy.

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible students, must submit a written request to the building principal at least five (5) work days before the scheduled date of the activity. The instrument will be provided to the parent within ten (10) business days of the principal receiving the request.

The Educational Service Provider shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure or use of personal information collected from students from the exclusive purpose of developing, evaluating, or providing educational products or service for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment;

- B. book clubs, magazines, and programs providing access to low-cost literary products;
- C. curriculum and instructional materials used by elementary and secondary schools;
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- E. the sale by students of products or services to raise funds for school-related or education-related activities; and
- F. student recognition programs.

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the Educational Service Provider nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Educational Service Provider 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 Academy's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint of Academy noncompliance with the United States Department of Education;
- F. obtain a copy of the board policy and administrative guidelines on student records.

The Educational Service Provider shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Educational Service Provider 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 6/2006

Revised 2/18/11; 4/14/1; 9/17/13; 9/15/15; 11/14/17

CONFIDENTIALITY

Neither the Educational Service Provider nor any of its employees shall divulge confidential information contained in the records and files of this board, except to employees who may need such information in connection with their duties and to authorized parties in accordance with proper procedures. Freedom of Information Act requests shall only be responded to in accordance with the Academy's Policy.

When the Academy receives in trust from a public agency information identified to be confidential or exempt from disclosure under the Freedom of Information Act, Common Law, Privilege Case Law, or Federal Law, the board will maintain the confidentiality of said information to the maximum extent permitted by the law.

If the Educational Service Provider is approached to provide information inappropriately, the Educational Service Provider shall refuse to release the requested information and shall refer the requestor to the legal counsel.

In order to prohibit the unauthorized disclosure of information identified as confidential by the sending public agency, the board may seek to obtain court protection by denying requests for release of such information absent subpoena or court order and/or pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Educational Service Provider will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

This policy only applies identified confidential information received from a public agency.

Freedom of Information Act 1976, paragraph 15.243 et seq.

Adopted 6/2006

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 School Leader in writing. The School Leader 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 2/18/11

NEW POLICY FOR ACADEMY OF WARREN—SPRING 2015 **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., 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 Educational Service Provider 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 Principal 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 Educational Service Provider shall be notified when a service animal is removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Educational Service Provider'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~~ **Before** 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 Educational Service Provider and Transportation Supervisor 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 Educational Service Provider and Transportation Supervisor 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 Transportation Supervisor and the Educational Service Provider.

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 Educational Service Provider 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.

For Board Approval

ACADEMY SAFETY INFORMATION

Reference: Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended
MCL 380.1241, 380.1308, 380.1308a, 380.1310a, 752.913, 771.2a

The Board of Directors is committed to maintaining a safe academy environment. The Board believes that school crime and violence are multifaceted problems which need to be addressed in a manner that utilizes the best resources and coordinated efforts of Academy personnel, law enforcement agencies, and families. The board further believes that the Academy and local law enforcement officials must work together to provide for the safety and welfare of students while they are at Academy or an Academy sponsored activity or while en route to or from the Academy, or an Academy sponsored activity. The Board also believes that the first step in addressing academy crime and violence is to assess the extent and nature of the problem(s), and then plan and implement strategies that promote academy 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 academy property in relation to weapons, drugs, registered sex offenders and tobacco. Individuals are prohibited from engaging in these activities at any time on Academy property, within the Student Safety Zone, or at any Academy-related event.

The Academy may work with local officials in arranging signage defining the 1,000-foot boundary.

If it is discovered 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, the Educational Service Provider/Principal shall report such individual to the local authorities.

The Principal shall attend a meeting for the purpose of conferring regarding the *School Safety Information Policy Agreement*, and making modifications as 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 should include the Principal, members of the Board of Directors, the County Prosecutor or his/her designee, and representatives from the local law enforcement agencies. Others may also be invited to participate in the meeting.

The Educational Service Provider shall make a report to the board about all such reviews and recommend the approval and adoption of any proposed revisions or additions.

Academy Contact Person

Furthermore, in accordance with state law, the board hereby designates the Principal as the Academy contact person who shall receive information from law enforcement officials, prosecutors and the court officials, including receipt of information provided from the Michigan State Police relating to the student safety act hotline ("OK2Say"). The current contact information for Principal shall be provided to the Michigan State Police in the manner and frequency required by law.

The Academy contact person shall notify the Principal of the academy of attendance of a student about whom information is received from law enforcement officials, prosecutors, or court officials as soon as practicable of the receipt of that information. The Principal shall, in

turn, notify the building staff members who s/he determines have a need to know the information that has been received within twenty-four (24) hours of receipt of that information.

The Principal shall notify the appropriate law enforcement officials when an adult or a student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement* and shall report all information that is required to be reported to State or local law enforcement agencies and prosecutors. Reporting such information is subject to 20 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.

Required Reporting

The Educational Service Provider/Principal shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the Academy during the preceding school year and the reason for the expulsion.

The Educational Service Provider/Principal shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at the Academy. At least once annually, a copy of the most recent report of incidents of crime shall be made available to the parent or legal guardian of each student enrolled in the Academy. This report will include at least crimes involving:

- A. physical violence;
- B. gang related acts;
- C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;
- D. trespassing;
- E. property crimes, including but not limited to theft and vandalism, including an estimate of the cost to the Academy resulting from the property crime.

Each Principal 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.

Additionally, the Academy shall report all incidents of and attempted commissions of the crimes listed above to the Michigan State Police, in the form and manner prescribed by the Michigan State Police, within twenty-four (24) hours after the incident occurs.

Law Enforcement Information Network (LEIN)

The board authorizes the Principal to request vehicle registration information for suspicious vehicles within 1,000 feet of Academy property through the Law Enforcement Information Network (LEIN).

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the School report annually incidents which meet the statutory definition of violent criminal offenses that occur in an Academy, on academy grounds, on an academy conveyance, or at a academy-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not an academy is considered “persistently dangerous” as defined by State policy.

Pursuant to the Board’s stated intent to provide a safe academy environment, school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in the School exceed the threshold number established in State policy, the Educational Service Provider shall 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 that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Educational Service Provider/Principal shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

Adopted 6/2006
Revised 06/07; 11/14/17; 9/4/19

FIRE SAFETY AND FIRE DEPARTMENT NOTIFICATION

Reference: Michigan R 29.1908(3); R 29.2009(3)

The Academy administration shall develop written procedures that provide for all of the following:

- The designation of an ESP staff member on each shift to be responsible for notifying the local fire department in the event of a fire;
- The availability at all times of a non-pay telephone for designated employees to notify the local fire department;
- The conspicuous posting of the telephone number of the local fire department near the telephone;
- A requirement that notification of the fire department is incorporated into all fire drills.

Adopted 12/08

EMERGENCY OPERATIONS PLAN

References: M.C.L.380.1308a

By no later than January 1, 2020, each Academy shall 1) develop an emergency operations plan or 2) adapt its statewide academy information policy (referred to as the "Plan" throughout the remainder of this Policy) to comply with the requirements of this Policy. This action shall be taken with input from the public. Academy building means any building intended to be used to provide instruction to students and any recreational or athletic structure or field intended to be used by students.

Beginning in the 2019-2020 school year, and at least biennially thereafter, the Academy shall conduct a review of its Plan, including a review of the vulnerability assessment, with at least one law enforcement agency that has jurisdiction over the Academy.

The Plan must include guidelines and procedures that address all of the following:

- A. academy violence and attacks
- B. threats of academy violence and attacks
- C. bomb threats
- D. fire
- E. weather-related emergencies
- F. intruders
- G. parent and pupil reunification
- H. threats to an academy-sponsored activity or event whether or not it is held on academy premises
- I. a plan to train teachers on mental health and pupil and teacher safety
- J. a plan to improve academy building security
- K. an active violence protocol
- L. continuity of operations after an incident
- M. a vulnerability assessment

The Academy shall notify the Michigan Department of Education not later than thirty (30) days after it adopts its Plan and after each biennial review in the form and manner prescribed by the Department.

Adopted 9/4/19

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 Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider shall develop Administrative Guidelines for properly monitoring factors that contribute to excessive moisture and for developing mitigation plans when, and if, problems with IEQ are identified.

Diesel Exhaust and Academy Bus Idling

In accordance with the Environment Protection Agency's initiative to reduce pollution caused by buses on Academy property, the Board will take the recommended steps to reduce the negative effects of diesel exhaust on indoor and outdoor air quality on Academy campuses, including, but not limited to, reducing bus idling time and reinforcing smart driving practices.

The Educational Service Provider 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 Situations at the Academy
Policy	8431	Preparedness for Toxic Hazard and Asbestos Hazard
Policy	8442	Reporting Accidents
Policy	8450	Control of Casual-Contact Communicable Diseases
Policy	8453	Direct Contact Communicable Diseases

Adopted 12/08

Revised 7/15/14

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 school building and grounds. IPM is a pest management system that uses all suitable techniques in a total management system to prevent pests from reaching unacceptable levels or to reduce existing pest populations to acceptable levels while balancing the risk of the pest with the potential risk of the management technique.

Development of IPM program

The Academy's IPM program written under this policy states the Academy's goals regarding the management of pests and the use of pesticides. It reflects the Academy's site-specific needs and includes the following elements as required by law:

- Site evaluation, including site description, inspection, and monitoring and the concept of threshold levels;
- Consideration of the relationship between pest biology and pest management methods;
- Consideration of all available pest management methods, including population reduction techniques, such as mechanical, biological, and chemical techniques and pest prevention techniques, such as habitat modification;
- Pest controls methods selection, including consideration of the impact on human health, especially for children, and the environment; and
- Continued evaluation of the integrated pest management program.

The Principal 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 Principal 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 Principal will report to the Academy Board on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Educational Service Provider is responsible to develop guidelines for the implementation of this policy.

Adopted 12/08

CRISIS INTERVENTION

The board of directors believes that the staff, and students of the Academy, as well as visitors, are entitled to function in a safe school environment. In this regard, the board has adopted policies related to conduct in the school setting as well as those that address various crisis situations.

The Educational Service Provider shall develop administrative guidelines for responding to a crisis situation, developing a prevention plan, and providing effective intervention for students who may show warning signs that relate to violence or other troubling behaviors.

Adopted 6/2006

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.

A. Drills

1. Each Academy shall conduct a minimum of five (5) fire drills each school year. Three (3) of the fire drills shall be held by December 1st of the school year, and two (2) shall be held during the remaining part of the school year, with a reasonable spacing interval between each drill.
2. Each Academy shall conduct a minimum of two (2) tornado safety drills each school year. At least one (1) of the tornado safety drills shall be conducted during March of the school year. These drills shall be conducted for the purpose of preventing injuries caused by severe weather.
3. Each Academy shall conduct a minimum of three (3) drills in which the occupants are restricted to the interior of the building and the building secured each school year. At least one (1) of these drills shall be conducted by December 1st of the school year, and at least one (1) shall be conducted after January 1st of the school year, with a reasonable spacing interval between each drill. Such drills shall include security measures that are appropriate to an emergency such as the release of a hazardous material or the presence of a potentially dangerous individual on or near the premises. The Educational Service Provider 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 15th of each school year, the Principal 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 Principal shall notify the county emergency management coordinator of the rescheduled date for the drill.

B. Drill Result Publication

1. The Principal 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 Principal 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 Principal.

C. Cardiac Emergency Response Plan

1. Use and regular maintenance of the automated external defibrillators, if available.

2. Activation of a cardiac emergency response team during an identified cardiac emergency.
3. A plan for effective and efficient communication throughout the school campus.
4. If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.
5. Incorporation and integration of the local emergency response system and emergency response agencies with the school's plan.
6. An annual review and evaluation of the cardiac emergency response plan.

Adopted 6/2006
Revised 06/07; 9/15/15

PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

The board of directors is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of Academy officials or from the presence of asbestos materials used in previous construction.

Toxic Hazards

These hazards exist in chemicals, pesticides, and other substances used in the Academy setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Educational Service Provider will appoint a staff member to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will be responsible for the following:

Hazard Determination

Identification of potential sources of toxic hazards in cooperation with material suppliers, who shall supply the Toxic Hazard Preparedness Officer with Material Safety Data Sheets (MSDSs). The Educational Service Provider will rely on MSDSs from material suppliers to meet hazard determination requirements.

Labeling

Ensuring that all incoming materials are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party, and that any containers to which the materials are transferred are also properly labeled.

Material Safety Data Sheets

Maintaining a current file of MSDSs for all hazardous materials present on Academy property. The MSDS files will be kept at the custodian office; additional copies for employees' use will be located at the office of the Educational Service Provider.

MSDSs will be available for review to all staff members. Copies will be available upon request to the Toxic Hazard Preparedness Officer. Posters identifying the person responsible for monitoring MSDSs and where MSDSs are located at the principal's office. Posters notifying employees when new MSDSs are received will be located in the same location. The Toxic Hazard Preparedness Office shall contact the supplier, in writing, if a required MSDS is not received, and promptly procure the MSDS before releasing the material for use.

If s/he is unable to obtain an MSDS from a supplier, s/he should contact MIOSHA's Occupational Health Division (OHD) or General Industry Safety Division for assistance in obtaining the MSDS.

Multi-Employer Work Sites – Informing Contractors

Informing contractors and their employees of any hazardous substances to which they may be exposed; measures to be employed to control or eliminate exposure; container and pip labeling system used on-site; and where applicable MSDSs can be reviewed or obtained. Whenever Academy staff may potentially be exposed to hazards brought on site by contractors, the THP Officer will obtain information from the contractor pertaining the chemicals brought on-site, and measures that should be taken to control or eliminate exposure the chemicals.

Employee Information and Training

Providing information to and conducting a training program for all Academy staff on such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the Academy's plan for communication and labeling. Information to employees shall include the following:

- A. regulations of MIOSHA's hazardous communication standard;
- B. all operations in staff work areas where hazardous chemicals are present;
- C. location and availability of written hazardous communication program (i.e. the policy), the list of hazardous chemicals and the MSDSs.

Training should include:

- A. techniques used to detect presence or release of hazardous chemicals in work area;
- B. physical and health hazard of hazardous chemicals;
- C. the measures the staff member should take to protect themselves from these hazards;
- D. details of the hazardous communication program including an explanation of labeling system and MSDSs and how employees can obtain and use hazard information.

Staff shall be informed of the employer's anti-discrimination/discharge policy for employees accessing hazard information and how the employee can contact OHD or General Industry Safety Division for assistance in obtaining an MSDS if s/he is unable to obtain the MSDS from the employer.

Records of each employee's hazardous communication training should be maintained and all new employees should receive training regarding any hazardous chemicals they may potentially come in contact with as part of their job.

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. S/He shall provide written notification each year, prior to any application, to all parents and staff members that a pesticide is to be applied, the type of pesticide and its potential side effects, the location of the application, and the date of the application.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

Asbestos

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA) and the Michigan Occupational Safety and Health Act (MIOSHA), the Board recognized its responsibility to:

- A. inspect the building for the existence of asbestos or asbestos-containing materials;
- B. take appropriate actions, in accordance with State Law and EPA regulations, based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;
- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Educational Service Provider shall appoint a person to develop and implement the Academy's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Educational Service Provider shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the Academy is licensed pursuant to the Michigan Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the board or the Academy for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent act, or a deliberate act beyond the control of the board or its officers and staff.

The Academy may provide, however, legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the employee was performing the duties while in the course of his/her employment or while acting within the scope of his/her authority. The 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.

M.C.L.A. 324.8316, 380.1256

15 U.S.C. 2601

20 U.S.C. 4022

20 U.S.C. 4014

20 U.S.C. 4011

20 U.S.C. 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

Adopted 6/2006

REPORTING ACCIDENTS

The board of directors directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and the Educational Service Provider employees. The board requires that accidents be reported by the Educational Service Provider and evaluated. Any accident that results in an injury, however slight, to a student, staff or a visitor to the Academy must be reported promptly and in writing to the principal. Injured persons shall be referred immediately to the appropriate personnel for such medical attention as may be needed.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any staff who suffers a job-related injury must report the injury and its circumstances to the principal following established procedures, as soon as possible following the occurrence of the injury.

Adopted 6/2006

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, Educational Service Provider personnel, and the community at large, the Academy 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 Principal will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

The Educational Service Provider 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 6/2006
Revised 4/14/11

PEDICULOSIS (HEAD LICE)

Whenever a student is found to be infested with head lice, s/he is to be sent home for treatment and not readmitted until the parent completes the applicable form and it is confirmed that the child is free of any nits.

The other students in the infested student's classroom and the student's sibling(s) should be examined for evidence of either the lice or lice eggs (nits). The examinations should be done by

- A. each student's parents
- B. the classroom teacher
- C. the principal
- D. other trained staff members

Adopted 6/2006

AUTOMATIC EXTERNAL DEFIBRILLATORS (AED)

The board of directors has determined that an automatic external defibrillator (AED) placed within the building may enhance school safety.

An AED is a medical device that contains a heart monitor and defibrillator that is used to administer an electric shock through a person's chest wall to the heart. The built-in computer system of the AED assesses the patient's heart rhythm, determines whether defibrillation is needed, and then administers a shock, if necessary. Audible and/or visual prompts guide the user through a process of using the AED.

The board directs the Educational Service Provider to develop guidelines that govern AEDs, including the use of the AED, the placement of the AED, training and oversight. The board also directs the ESP to review the guidelines as appropriate.

Upon approval of the guidelines, and the completion of the necessary training, the AED devices will be located at the school by use of staff with property AED training.

21 C.F.R. §801.109

Adopted 6/2006

DIRECT CONTACT COMMUNICABLE DISEASES

The board of directors directs the Educational Service Provider to provide a safe educational environment for students and staff. This can best be accomplished by assuring that all persons with the Academy community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease.

For purposes of this policy, these diseases shall include: HIV (human immunodeficiency virus); AIDS (acquired immune deficiency syndrome); AIDS related complex (condition); HAV, HBV, HCV (Hepatitis A, B, C); and other disease that may be specified by the Michigan Department of Community Health as contact communicable diseases.

The Educational Service Provider recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

The board will allow student and staff members to attend school unless there is definitive evidence to warrant exclusion. When the principal learns that a student or staff member may be infected with a non-casual contact communicable disease, as defined above, the principal shall immediately obtain written consent from the staff member or the student's parents to disclose confidential information to a communicable disease review panel (CDRP) and to communicate such information as may be necessary to appropriate members of the school staff. If the staff member or parent refuses to consent to the disclosure, the principal shall direct the local department of health to make a "need to know" determination that disclosure is necessary to the CDRP. The principal and superintendent are each designated as an authorized individual to receive information from the local or state department of health pertaining to a student or a staff member who has, or is suspected to have, a non-casual communicable disease.

The CDRP shall consist of:

- A. Two health professionals knowledgeable in the disease, one of whom is a health officer or other representative from the local or state department of health;
- B. two members of the school staff; and
- C. the infected person (or parent, if under 18), and his/her representative.

The principal shall also consult with either the infected person's physician or local health department to determine if the initial evidence warrants exclusion.

If the evidence is not sufficient to justify exclusion, the person shall remain in his/her current school environment.

The board of directors directs the Educational Service Provider to assure that students or staff that reveals the fact they have contracted one of these diseases will have their status safeguarded in accordance with Federal and State statutes dealing with confidentiality and

that their civil rights will be respected. Staff members will have access to leave policies in accordance with Educational Service Provider 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 Educational Service Provider to develop an educational program in accordance with Michigan law that will ensure proper instruction of guidance counselors, nurses (need not be included if a "licensed health care professional"), teachers, and other Academy personnel who teach students about HIV and AIDS. Such a program shall include information about:

- A. the nature of the disease;
- B. its causes and effects;
- C. the means of detecting it and preventing its transmission;
- D. the availability of appropriate sources of counseling and referral; and
- E. any other information that is appropriate considering the age and grade levels of students.

The Educational Service Provider shall develop administrative guidelines which establish procedures to fulfill the intent of this policy.

M.C.L.A. 380.1169
Michigan Public Health Code (Act 368 of 1978 as amended)
Family Education Rights and Privacy Act (FERPA)
P.L. 94-142, P.A. 451

Adopted 6/2006

CONTROL OF BLOOD-BORNE PATHOGENS

The board of directors directs the Educational Service Provider to protect staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The Educational Service Provider shall implement administrative guidelines which will:

- A. identify those categories of staff members whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

29 C.F.R. 1910.1030

Adopted 6/2006

STUDENT ABUSE AND NEGLECT

The board of directors is concerned with the physical and mental well-being of the students of this Academy and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Any staff who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The staff member or appropriate administrator in the presence of the staff member shall immediately call the local office of the Family Independence Agency and may secure prompt medical attention for any such injuries reported.

S/He 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 only to disclosure by consent or court order. A reporting employee shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the Educational Service Provider is a violation of the law and subjects the disseminator to civil liability for resulting damages.

The Educational Service Provider should be mindful of the possibility of physical or mental abuse being inflicted on a student by an Academy staff member. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Educational Service Provider.

M.C.L.A. 722.621 et seq.

Adopted 6/2006

FOOD SERVICES

Reference: Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 USC 1751 et seq.
Child Nutrition Act of 1966, 42 USC 1771 et seq.
7 CFR Parts 15b, 210, 215, 220, 225, 226, 240, 245, 3015
OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)
SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

The Board of Directors may provide food service for the purchase and consumption of lunch for all students.

The Board may also provide a breakfast program in accordance with procedures established by the State Department of Education.

The Board's Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity shall apply to any food service program offered by the School.

Any food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, and to the fiscal management of the program. Operation of such a program shall be as follows.

Substitutions

If determined appropriate by a student's Section 504 team, substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a healthcare provider who has prescriptive authority in the State of Michigan has provided medical certification that the student has a disability which restricts his/her diet, in accordance with all applicable law.

If determined appropriate by a team of qualified individuals, substitutions to the standard meal requirements may be made, at no additional charge, for a student who is not a "disabled person" but has a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs.

For non-disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent or guardian is required.

The operation and supervision of the food-service program shall be the responsibility of the Educational Service Provider. Food services shall be operated on a self-supporting, nonprofit basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

A periodic review of the food-service accounts shall be made by the Educational Service Provider and such accounts shall be audited as part of the School's annual audit.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable by the end of the school year in which the debt was incurred. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFSA for the total amount of the bad debt. The funds may come from the School general fund, State or local funding, academy or community organizations such as the PTA, or any other non-federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 CFR 210.9(b) (17) and 7 CFR 210.15(b).

The Educational Service Provider is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the School during the school year.

With regard to the operation of the School food service program, the Educational Service Provider shall ensure:

- A. the maintenance of sanitary, neat premises, free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the purchase of foods and supplies, in accordance with State and Federal law, USDA regulations, and Board policy;
- D. complying with food holds and recalls in accordance with USDA regulations;
- E. the management (accounting and disposition) of food-service funds pursuant to Federal and State law and USDA regulations;
- F. the safety and safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations.
- G. the planning and execution of menus in compliance with USDA requirements;
- H. the regular maintenance and replacement of equipment.

The School shall serve only nutritious food as determined by the Food Service Program in compliance with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food-service program must comply with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines, and may be vended subject to Board Policy 8540.

Adopted 6/2006

Revised 6/19/12; 9/15/15; 12/20/16; 11/14/17; 9/4/19

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 Educational Service Provider as the individual(s) charged with operational responsibility for verifying that the Academy meets the goals established in this policy.

The Educational Service Provider shall appoint an Academy wellness committee that includes parents, students, representatives of the Academy food authority, educational staff (including **health and physical education teachers**), **mental health and social services staff**, school health professionals, members of the public and Academy administrators to oversee development, implementation, evaluation and periodic update of the wellness policy. The Wellness Committee shall be an ad hoc committee with members recruited and chosen annually.

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 Educational Service Provider any revisions to the policy it deems necessary and/or appropriate. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.

The Educational Service Provider is also responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Educational Service Provider shall include information in the student handbook and post the policy on the Academy's website, including the Wellness Committee's assessment of the implementation of the policy.

The Academy shall assess the Wellness Policy at least once every three (3) years on the extent to which Academies are in compliance with the Academy policy, the extent to which the Academy policy compares to model wellness policies, and the progress made in attaining the goals of the Academy Wellness Policy. The assessment shall be made available to the public on the School Website.

Adopted 12/08
Revised 9/15/15; 11/14/17

SPECIFIC GOALS FOR NUTRITION

Select one or more of the following:

- () 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.
- () Nutrition education shall be included in the sequential, comprehensive Health curriculum in accordance with the curriculum standards and benchmarks established by the State.
- () Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.
- () Nutrition education standards and benchmarks shall be age-appropriate and culturally relevant.
- () The standards and benchmarks for nutrition education shall be behavior focused.
- () Nutrition education shall include enjoyable, developmentally appropriate and culturally relevant participatory activities, such as contests, promotions, taste testing, and others.
- () Nutrition education shall include opportunities for appropriate student projects related to nutrition, involving, when possible, community agencies and organizations.
- () Nutrition education shall extend beyond the classroom by engaging and involving the school's food service staff.
- () Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.
- () The school cafeteria shall serve as a learning lab by allowing students to apply the knowledge, attitudes, and skills taught in the classroom when making choices at mealtime.
- () Nutrition education shall extend beyond the school by engaging and involving families and the community.
- () Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
- () Nutrition education benchmarks and standards include a focus on media literacy as it relates to food marketing strategies.

- () 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.
- () Staff responsible for providing instruction in nutrition education shall regularly participate in professional development activities designed to better enable them to teach the benchmarks and standards.
- () Instruction related to the standards and benchmarks for nutrition education shall be provided by highly qualified teachers.
- () 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.
- () other:

- () other:

SPECIFIC GOALS FOR PHYSICAL ACTIVITY

It is recommended that one (1) or more of the following be selected from both categories:

Physical Education

- () A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the standards and benchmarks established by the State.
- () All students in grades ____ - ____, 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 _____ (____) minutes [] **daily** [] _____ **days per week** for the entire school year.
- () All students, 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 _____ (____) minutes [] **per day** [] _____ **days per week** for at least _____ semesters in grades ____ -12.
- () All students in grades K-12, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive daily physical education for the entire school year, for 150 minutes per week for K- ____ students and 225 minutes per week for students in grades ____ - 12.
- () The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.
- () Physical education classes shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, health-enhancing physical activity.
- () The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- () The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.
- () Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks established by the State.
- () The K-12 program shall include instruction in physical education as well as opportunities to participate in competitive and non-competitive team sports to encourage lifelong physical activity.

- () 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.
- () Properly certificated, highly qualified teachers shall provide all instruction in physical education.
- () All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.
- () Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
- () Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- () Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, or harassment of any kind.
- () Planned instruction in physical education shall include cooperative as well as competitive games.
- () Planned instruction in physical education shall take into account gender and cultural differences.
- () Planned instruction in physical education shall promote participation in physical activity outside the regular school day.
- () other:

Physical Activity

- () Physical activity [] **shall** [] **should** not be employed as a form of discipline or punishment.
- () Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.
- () Schools shall encourage families to provide physical activity outside the regular school day, such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities like bowling, swimming, or tennis.
- () All students in grades K- ____ shall be provided with a daily recess period at least _____ (____) minutes in duration. Recess shall not be used as a reward or punishment.

- () The Academy shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.
- () The Academy shall encourage families and community organizations to institute programs that support physical activity of all sorts.
- () The Academy shall provide students in grades ____ - ____ with the opportunity to use physical activity in which they participate outside the regular school day (other than organized interscholastic athletics) to satisfy curricular requirements.
- () All students in grades ____ - ____ shall have the opportunity to participate in extracurricular activities and intramural programs that emphasize physical activity.
- () All students in grades ____ -12 shall have the opportunity to participate in interscholastic sports programs.
- () Schools shall offer a wide range of physical activities outside the regular school day that meet the needs, interests, and abilities of all students, including males, females, students with disabilities, and students with special healthcare needs.
- () In addition to planned physical education, the Academy shall provide age-appropriate physical activities (e.g., recess during the school day, intramurals and clubs before and after school, and interscholastic sports) that meet the needs of all students, including males, females, students with disabilities, and students with special healthcare needs.
- () All after-school programs shall provide developmentally appropriate physical activity for the students who participate.
- () Schools shall discourage extended periods of student inactivity, defined as two (2) hours or more without some physical activity.
- () other:

SPECIFIC GOALS FOR OTHER ACADEMY-BASED ACTIVITIES DESIGNED TO PROMOTE STUDENT WELLNESS

Select one or more of the following:

- ☐ The schools shall provide at least _____ (____) minutes daily for students to eat.
- ☐ The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
- ☐ The Academy shall provide attractive, clean environments in which the students eat.
- ☐ Students at _____ (insert name(s) of building(s)) are not permitted to have drinks in the classroom.
- ☐ Students at _____ (insert name(s) of building(s)) are permitted to have bottled water only in the classroom.
- ☐ Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
- ☐ Schools ☐ **may** ☐ **shall** limit the number of celebrations involving serving food during the school day to no more than _____ (____) party(ies) per class per month.
- ☐ Students, parents, and other community members shall have access to, and be encouraged to use, the Academy's outdoor physical activity facilities outside the normal school day.
- ☐ An organized wellness program shall be available to all staff.
- ☐ The schools ☐ **shall** ☐ **may** use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
- ☐ The schools ☐ **shall** ☐ **may** provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the Academy dining areas.
- ☐ The schools ☐ **shall** ☐ **may** demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.
- ☐ Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.

[] 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.

[] other:

SPECIFIC GOALS FOR NUTRITION PROMOTION

With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards.

Additionally, the Academy shall:

- A. encourage students to increase their consumption of healthful foods during the school day;
- B. 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:
- C. designate wellness champions at each school that will promote resources through the Academy's website for wellness for students, families, and the community;
- D. provide opportunities for students to develop the knowledge and skills for consuming healthful foods.

Revised 9/15/15; 11/14/17

NUTRITION GUIDELINES FOR ALL FOODS AVAILABLE ON CAMPUS DURING THE SCHOOL DAY

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).

The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.

- C. The sale of foods and beverages to students that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus, defined as the Academy's physical plant as delineated in the Academy's charter during the school day is prohibited.
- D. All food items and beverages available for sale to students for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) between midnight and thirty (30) minutes after the close of the regular school day (the "School day"), as defined in the Academy's charter contract shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entrée items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered from vending machines, from school stores, or as authorized fundraisers including those operated by student clubs and organizations, parent groups, or boosters clubs.
- E. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines.
- F. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include classroom snacks, for classroom parties, and at holiday celebrations) shall comply with the food and beverage standards approved by the Educational Service Provider.
- G. 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.

- H. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.

Revised 9/15/15; 11/14/17

VENDING MACHINES

Reference: 42 USC 1779
7 CFR Parts 210 and 220

The Board of Directors recognizes that vending machines can produce revenues which are useful to augment programs and services to students and staff. It will, therefore, authorize their use in Academy facilities providing that the following conditions are satisfied.

- A. a contract is made with a reputable supplier of vending machines and products to install, service, stock, and maintain each vending machine.
- B. The Academy's share of the revenues is managed by the Academy in accordance with relevant Board policies and administrative guidelines.
- C. No products are vended which would conflict with or contradict information or procedures contained in the Academy's educational programs on health and nutrition.
- D. No food or beverages are to be sold or distributed which will compete with the Academy's food-service program.
- E. Food items and beverages available for sale to students in vending machines for consumption on the Academy campus (any area of property under the jurisdiction of the Academy that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day) shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards.

The Educational Service Provider shall develop and implement administrative guidelines which will require that these conditions are adhered to on a continuing basis.

Adopted 6/2006
Revised 6/19/12

TRANSPORTATION BY PRIVATE VEHICLE

Staff are not permitted to transport a student at any time in their own car.

If transportation is provided by the Academy for a school sponsored field trip or the like, the transportation must be in a state approved vehicle.

No person shall be permitted to transport students who is not the holder of automobile liability and personal injury insurance in the amount required by the administrative guidelines. The principal may withdraw the authorization of any private vehicle driver whose insurance is inadequate.

A.C. Rule 340.282

Adopted 6/2006

INSURANCE

The board of directors/Educational Service Provider shall purchase with Academy funds the type and amount of insurance necessary to protect the Academy from major financial losses.

Insurance purchased may include, but need not be limited to, the following:

- A. negligent acts or omissions which cause personal injury or wrongful death
- B. fire and extended coverage on buildings and contents
- C. comprehensive bodily injury, property damage on automobiles, buses, and trucks
- D. boiler and machinery
- E. special coverage for equipment not ordinarily covered under a standard policy
- F. employee insurance coverage as specified in the Master Agreement(s) or by board action
- G. worker's compensation coverage
- H. legal liability for board members and employees

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The chief administrative officer or his/her designee shall administer the insurance program.

M.C.L.A. 129.51

Adopted 6/2006

BONDING

The board of directors recognizes that prudent trusteeship of the resources of this Academy dictate that Educational Service Provider employees responsible for the safekeeping of Academy monies and property be bonded.

The Academy shall be indemnified against loss of money and property by bonding of Educational Service Provider employees holding the positions and in the amounts determined by the board and administrative guidelines and in accordance with State law.

Adopted 6/2006

RELIGIOUS/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 made it clear that it is not the province of a public school to advance or 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 which should be the exclusive province of individual religious groups, churches, private organizations, 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 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 an 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. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged, allowed, celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members 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 regular Academy program.

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 6/2006
Revised 7/15/14

9000 **RELATIONS**

9111	Communications	BP
9120	Academy Information Program	BP
9130	Public Complaints	BP
9150	Academy Visitors	BP
9160	Public Attendance at Academy Events	L
9211	Academy Support Organizations	BP
9250	Relations with Parents	L
9255	Parental Behavior	
9300	Parent/Student Contract	
9400	Parent Orientation and Parent Academy	
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP
9600	Academy Consortium	
9700	Relations with Special Interest Groups	BP

***Volunteer Policy

*** This policy is not a NCSI policy and will not be maintained by the Institute.

Adopted 6/2006

Revised 12/08; 4/14/11; 6/19/12; 10/28/13; 7/15/14; 9/15/15; 4/18/17

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.

Adopted 6/2006

ACADEMY INFORMATION PROGRAM

The board of directors directs that the educational service provider employ reasonable means to keep the parents and other interested parties informed on matters of importance regarding Academy policies, finances, programs, personnel, and operations.

Adopted 6/2006

PUBLIC COMPLAINTS

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. It is the intent of this policy to provide the means for judging each public complaint in a fair and impartial manner and to seek a remedy where appropriate.

It is the desire of the board to rectify any misunderstandings between the public and the Academy by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences, that more formal procedures shall be employed.

Any requests, suggestions, or complaints reaching the board, board members, and the administration shall be referred to the educational service provider or principal for consideration according to the following procedure.

Matters Regarding a Professional Staff Member

First Step

The matter must be addressed, initially, to the concerned staff member who shall discuss it promptly with the complainant and make every effort to provide a reasoned explanation or take appropriate action within his/her authority and administrative guidelines.

This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by Academy officials prior to approaching the staff member. As appropriate, the staff member shall report the matter and whatever action may have been taken to the principal.

Second Step

If the matter cannot be satisfactorily resolved, it shall be discussed by the complainant with the staff member's supervisor and/or principal.

Third Step

If a satisfactory solution is not achieved by discussion with the principal, a written request for a conference shall be submitted to the superintendent or the educational service provider. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the manner in which it is alleged that the complainant (or child of the complainant) has been affected adversely;

- C. the reason(s) that the matter could not be resolved in discussions with the principal;
- D. the relief which the complainant seeks and the reasons why it is felt that such relief is needed.

Fourth Step

Should the matter still not be resolved, or if it is one beyond the educational service provider's authority and requires a board decision or action, the complainant shall request, in writing, a hearing by the board.

The board, after reviewing all material relating to the case, may provide the complainant with its written decision, grant a hearing before the board or a committee of the board.

The professional staff member, the principal, and any other person associated with Academy of the educational service provider need not respond to any public complaint once a decision on the matter has been made by the board, unless the board decision requires an explicit response by staff.

The complainant shall be advised, in writing, of the board's decision no more than fourteen (14) business days following the board's decision or action. The board's decision will be final on the matter, and it will not provide a meeting to other complainants on the same issue.

If the complainant contacts an individual board member to discuss the matter, the board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy.

Matters Regarding a Support Staff Member

In case of a support staff member, the same procedure is to be followed as for professional staff members, except that the complaint may be made directly to the principal.

Matters Regarding the Principal

First Step

The matter must be addressed to the principal who shall discuss it promptly with the complainant and make every effort to provide a reasoned explanation or take appropriate action within her/his authority and the Academy's administrative guidelines.

Second Step

Should the matter be a concern regarding the principal which cannot be resolved through discussion with the principal, the complainant may submit a written request for a conference to the educational service provider. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;

- B. the manner in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason that matter was not able to be resolved with the Principal;
- D. the relief which the complainant seeks taken and the reason why it is felt that such relief is needed.

The complainant shall be advised, in writing, of the superintendent's decision within ten (10) business days.

Matters Regarding the Educational Service Provider

Should the matter be a concern regarding the educational service provider or the education service provider's decision regarding a complaint with principal which cannot be resolved through discussion with the educational service provider, the complainant may submit a written request for a conference to the board. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason that matter was not able to be resolved with the educational service provider;
- D. the relief which the complainant seeks and the reasons why it is felt that such relief is needed.

The complainant shall be advised, in writing, of the board's decision within ten (10) business days, following the next regular meeting of the board. The board's decision will be final and not subject to appeal.

Matters Regarding the Educational Program, Services or Operations

If the request, suggestion, complaint, or grievance relates to a matter of educational program, procedure or operation, it should be addressed, initially, to the educational service provider. Should the matter still not be resolved, or if it is one beyond the educational service provider's authority and requires a board decision or action, the complainant shall request, in writing, a hearing by the board.

The board, after reviewing all material relating to the case, may 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 fourteen (14) business days following the next regular meeting. The board's decision will be final on the matter, and it will not provide a meeting to other complainants on the same issue.

If the complainant contacts an individual board member to discuss the matter, the board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy

Matters Regarding Instructional Materials

The educational service provider shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their right to inspect instructional materials and the procedure for completing such an inspection per Policy 2210.01.

If the request, suggestion, complaint, or grievance relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the Academy, the following procedure shall be followed:

The criticism is to be addressed to the principal, in writing, and shall include:

- A. author;
- B. title;
- C. publisher;
- D. the complainant's familiarity with the material objected to;
- E. sections objected to by page and item;
- F. reasons for objection.

Upon receipt of the information, the principal may, after advising the educational service provider of the complaint, and upon the educational service provider's approval, appoint a review committee which may consist of one (1) or more professional staff members, one (1) or more board members, and one (1) or more lay persons knowledgeable in the area. The principal shall be an ex official member of the committee.

The committee, in evaluating the questioned material, shall be guided by the following criteria:

- A. the appropriateness of the material for the age and maturity level of the students with whom it is being used
- B. the accuracy of the material
- C. the objectivity of the material
- D. the use being made of the material

The material in question may be withdrawn from use pending the committee's recommendation to the principal.

The committee's recommendation shall be reported to the principal in writing within thirty (30) business days following the formation of the committee. The principal will advise the complainant, in writing of the committee's recommendation and advise the board of the action taken or recommended.

The complainant may appeal this decision, within thirty (30) business days, to the board through a written request. The educational service provider shall forward all written material relating to the matter to the board.

The board shall review the case and advise the complainant, in writing, of its decision within ten (10) business days.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any board action to remove material will be accompanied by the board's statement of its reasons for the removal.

20 U.S.C. 1232 h

Adopted 6/2006

ACADEMY VISITORS

The board of directors welcomes and encourages visits to Academy by parents, other adult residents of the community and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the Academy, it is necessary to establish visitor guidelines.

All visitors must report to the Office. The Principal 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 Academy grounds or creates a disturbance, the Principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

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 Educational Service Provider and Principal. 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 Principal after consultation with the teacher whose classroom is being visited. Classroom visitations must be non-obtrusive to the educative process and learning environment and should not occur on an excessive basis. The Principal is authorized to adopt and implement reasonable restrictions, controls, and limits.

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.

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, no other animals may be brought or released onto school premises at any time.

The Educational Service Provider 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 Academy grounds or premises shall be posted conspicuously at or near the entrance to such grounds or premises if there are no formal entrances, and at the main entrance to the building. All visitors, including parents, must report to the office immediately upon entry to the building and secure a visitor's pass that must be visible at all times while within the building.

Individual board members who are interested in visiting the Academy or classrooms on an unofficial basis shall make the appropriate arrangements with the Principal. In keeping with board bylaws, such board member visits shall not be considered to be official unless designated as such by the Board.

The board member shall be visiting as an interested individual in a similar capacity of any parent or citizen of the community. These visits should not be considered to be inspections nor as supervisory in nature.

If, during a visit a board member observes a situation or condition which causes concern, s/he should discuss the situation first with the Principal as soon as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board. If the board member believes the situation or condition serious enough, s/he may wish to also inform the Educational Service Provider.

Revised 12/08; 6/19/12

PUBLIC ATTENDANCE AT SCHOOL 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 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 and AG 7440 B, 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 Principal in accordance with Policy 9211 - School Support Organizations and Policy 9700 - Relations with Special Interest Groups.

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

For facilities constructed or altered after June 3, 1977, the Academy will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the Academy is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from an academy event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the Academy's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See also Policy 8930)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned or leased or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. Such prohibition also applies to:

A. Academy grounds;

- B. any Academy-related events;**
- C. except at designated times;**
- D. and in designated areas as defined in statute and by Michigan's Smoke Free Workplace Program.**

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 Academy 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 Educational Service Provider to establish rules and procedures governing the use of non-Academy 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 an Academy activity which is not a public event shall obtain prior permission from the Principal.

The Principal shall ensure that all notices, signs, schedules, and other communications about Academy events contain the following statement:

"Upon request to the School Leader or Designee, the Academy shall make reasonable accommodation for a disabled person to be able to participate in this activity."

Adopted 6/2006

Revised 4/14/11; 6/19/12; 7/15/14

TABLED POLICY – 12/20/16
REVISED POLICY—FALL 2015
ACADEMY SUPPORT ORGANIZATIONS

The board of directors appreciates the efforts of any 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 provided for, at the time, by the board.

The Board recognizes that parent-teacher organizations and other school-related organizations are channels through which Academy personnel, parents, and other citizens may discuss educational concerns, problems, and needs and then work together toward solutions.

No organization may hold itself out as affiliated in any manner with the Academy unless directly approved to do so by the Academy Board of Directors, and then only as a “booster” or PTA/PTO organization for support purposes. No support organization shall be, or hold itself out as, an agent of the Academy for any purpose whatsoever.

Adopted 6/2006
Revised 9/15/15

RELATIONS WITH PARENTS

The board of directors believes that the education of children is a joint responsibility, one it shares with the parents of the Academy. To ensure that the best interests of the child are served in this process, a strong program of communication between home and the Academy must be maintained.

The parents have the right to participate in the education of their children as well as the ultimate responsibility for their children's in-school behavior, including the behavior of students who have reached the legal age of majority, but are still, for all practical purposes, under parental authority.

In accordance with board policies and administrative guidelines 2240 (Opt-Out), 2413/14 (Health/Sex Education), and 9150 (Academy Visitors), the Academy shall provide the opportunity for parents to review curriculum and instructional materials and to visit the Academy to observe the instructional process.

With regard to student behavior, during school hours, the board, through the educational service provider/principal, acts in loco parentis or in place of the parents.

The board recommends that the following activities be implemented to encourage parent-Academy cooperation:

- A. parent-teacher conferences to permit two-way communication between home and school
- B. meetings of staff members and parents of those students having special abilities, disabilities, needs, or problems
- C. open houses to provide parents with the opportunity to see the Academy facilities, meet the faculty, and sample the program on a first hand basis

For the benefit of children, the board believes that parents have a responsibility to encourage their child's career in school by:

- A. supporting the Academy in requiring that the children observe all Academy rules and regulations and by accepting their own responsibility for children's willful in-behavior;
- B. sending children to school with proper attention to their health, personal cleanliness, and dress;
- C. maintaining an active interest in the student's daily work and making it possible for the student to complete assigned homework by providing a quiet place and suitable conditions for study;
- D. reading all communications from the Academy, signing, and returning them promptly when required;
- E. cooperating with the Academy in attending conferences set up for the exchange of information of the child's progress in school.

M.C.L.A. 380.10, 380.1137

Adopted 6/2006

PARENTAL BEHAVIOR

The administration and staff of the Academy are committed to bringing about cooperation and understanding among parents, students and staff. The main focus of the staff is to provide a school climate that fosters an unobstructed student learning environment.

Supportive parental participation is essential for the education of Academy students. The Academy encourages parents to take an active role in the education of their children. Parents have the right to review the curriculum, textbooks and teaching materials at the school, and to be present to observe the instructional activity. Parents need to establish positive communication with the school, so that the parents and staff can be partners in the education of the students.

Unfortunately, there are occasions in which a parent becomes an obstacle to education. Too often, a parent exhibits uncooperative behavior toward Academy staff. Such behavior often includes cursing, failure to cooperate, yelling, intimidating body gestures, threats, and dictating school policies. Often such behavior is in connection with Academy efforts to discipline a student, when the parent is in a state of "denial".

Misbehavior by a parent is as disruptive to education as misbehavior by a student. Such behavior will not be tolerated. Any adult (other than a student's sole custodial parent or guardian) who is guilty of such misbehavior may be banned from the campus. If the student's sole custodial parent or guardian is guilty of such misbehavior, the custodial parent or guardian may likewise be banned from the campus and, if necessary to enforce the ban, the child may be suspended or expelled from school.

Adopted 6/2006

PARENT/STUDENT CONTRACT

The parent-student handbook provided to parents and students each school year shall contain a "parent/student contract" in the following form, or in a similar form:

Academy of Warren Parent/Student Contract:

Parent Involvement

The Academy is a school based on the concept that parent commitment, involvement and participation is critical to the success of a child's educational process. During this process, each child will encounter different challenges and situations that will need the attention of the school administration, staff and their parents/guardians. With this in mind, we are requiring as a part of our admission that parents and students (grade 4 and above) subscribe to the goals and pledges as outlined in the Parent/Student contract.

Good Faith Agreement

Acting in good faith, the Academy will accept students from other schools based on information given to us during parent and student interviews with the School's administration. However, if this information turns out to be false or misleading, your child will be dropped from the Academy. Any student who has been expelled (or whose expulsion is pending) from another public or private school will not be accepted for enrollment.

Parent Goals and Pledges

- A. To fully endorse and support the policies and educational goals as outlined in the student/parent handbook.
- B. To actively participate in school activities, parent-teacher associations and fund-raisers.
- C. To volunteer a minimum of two hours per week or as requested by school administration.
- D. To attend or send an adult representative to every parent/teacher conference.
- E. To seek other community, business and corporate support in the way of gifts, grants and volunteers in the classroom and extra curricular activities.
- F. To accept a goal of raising or contributing funds each semester per each student to enhance and expand the business and entrepreneurial curriculum.
- G. To take an active position in assisting my child(ren) with the completion of homework and bring specific needs to the attention of his/her teacher(s).

Student Goals and Pledges:

- A. To behave in a way that shows respect for myself, teachers, peers and others as well as school property.
- B. To do my best academically, physically and emotionally.
- C. To refrain from smoking, using drugs or alcohol.
- D. To attend school daily, and arrive on time.
- E. To complete and return homework on time.
- F. To adhere to the school dress code.
- G. To ask for help when needed.
- H. To follow all the policies listed in the student/parent handbook.

Adopted 6/2006

PARENT ORIENTATION AND PARENT ACADEMY

Parent Orientation

The administration and staff of the Academy is committed to bringing about cooperation and understanding among parents, students and school staff. The main focus of the Academy staff is to provide a school climate that fosters an unobstructed student-learning environment.

Supportive parental participation is essential for the education of Academy students. The Academy encourages parents to take an active role in the education of their children.

Parents have the right to review the curriculum, textbooks and teaching materials at the school, and to be present to observe the instructional activity. Parents need to establish positive communication with the school, so that parents and school staff can be partners in the education of the students.

To facilitate this process Parent Orientations are scheduled at prior to the date students report to school. Parent orientations may also be scheduled during the course of the school year. All parents of enrolled students are expected to attend.

Parent Academy

Each school will establish a Parent Academy which will offer workshops to promote collaboration and involvement between parents, school staff and community.

Adopted 6/2006

RELATIONS WITH EDUCATIONAL INSTITUTIONS AND ORGANIZATIONS

It is the policy of the board of directors that strong lines of communication be maintained by the Academy with other schools and with institutions and organizations which provide Academy students with programs, training, or services not available in the Academy.

The educational service provider may recommend for board approval such cooperative ventures with institutions or organization for the purpose of providing programs, which correlate to the Academy's curriculum and help students better, accomplish the educational outcomes established by the board.

Before entering into any agreements, the educational service provider/principal 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 6/2006

PARTNERSHIPS WITH BUSINESS

The board of directors is well aware of the role that education will play in increasing the nation's productivity and future well-being. To ensure success requires the combining of talent and resources within the region between business and education. It also recognizes that the 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 seek to establish partnerships between the Academy and individual companies. The purpose will be to seek opportunities for students and staff to share in new strategies and technologies being created in the business world and offer, in exchange, the knowledge and skill of 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 as well as on the manner in which students are taught to learn.

The educational service provider/principal is authorized to actively seek and present such partnerships.

Adopted 6/2006

ACADEMY CONSORTIUM

The Academy is part of a consortium of public school academies in Michigan, and charter schools in several other states, each of which is managed by the Educational Service Provider. The consortium is to provide a forum and a mechanism to discuss and potentially resolve issues of mutual concern. Such issues may include, but are not necessarily limited to, the purchase of materials and supplies for use by the academies; the borrowing of funds for the operation of the academies; the transportation of students to and from the academies and to and from extra-curricular activities or field trips; the review and supervision the educational service provider as the manager of the academies; the selection of, and consultation with, an educational consultant for the boards of directors of the academies; the compliance by the academies with all legal requirements imposed upon charter schools; and any other matter in which it may be advantageous for the members of the consortium to act jointly rather than independently. The officers of the Academy are authorized to meet with the officers of the other members of the consortium to discuss such issues and to negotiate the terms of a binding consortium agreement. However, unless and until the board approves a binding consortium agreement, the Academy will not be bound by any action taken by the consortium, unless such action is specifically ratified or approved by the board.

Adopted 6/2006
Revised 9/17/13

RELATIONS WITH SPECIAL INTEREST GROUPS

It is the policy of the board of directors that students, staff members, and Academy facilities not be used for advertising or promoting the interests of any non-Academy agency or organization, public or private, without the approval of the board or its delegated representative; and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this board.

Political Interests

All materials or activities proposed by outside political sources for student or staff use or participation shall be reviewed by the educational service provider/principal on the basis of their educational contribution to part or all of the Academy program, benefit to students, and no such approval shall have the primary purpose of advancing the name, product, or special interest of the proposing group.

The board shall not permit the use of any type of educational material, program, or equipment in its curricular, co-curricular, or extra-curricular activities or at any time during the Academy 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. Professional staff may, however, utilize political materials or those provided by special interest-groups in adopted courses of study with the approval of the principal.

School facilities or equipment may not be used as a means of producing or disseminating to the community any materials that advertise or promote a political party, a political cause, or the candidacy of an individual for public office. Students and employees of the Educational Service Provider shall not be used to distribute campaign literature within the school or on school grounds.

Contests/Exhibits

The board recognizes that 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 unless the student body as a whole derives benefit from such activities;
- 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 of Literature

No outside organization or staff member or student representing an outside organization may distribute or post literature on that organization's behalf on Academy property either during or

after school hours without the permission and prior review of the Educational Service Provider.

Solicitation of Funds

Because the Academy cannot accommodate every organization that desires to solicit funds for worthy purposes, the Board shall not permit any outside organization to solicit funds on Academy property.

Permission to solicit funds will be granted only to those organizations, individuals, or staff members 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 as specified in the administrative guidelines. In accordance with Board Policy 5830, no Academy student may participate in the solicitation without the principal'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 guidelines shall be given to any individual granted permission to solicit funds on Academy property.

This policy does not apply to the raising of funds for Academy-sponsored activities.

Use of the name, logo, or any assets of the Academy, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Educational Service Provider.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Educational Service Provider.

All crowdfunding activities are subject to the procedures/guidelines in AG 6605.

Prizes/Scholarships

The board is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this Academy. But, in accepting the offer of such scholarships or prizes, the board directs that these guidelines be observed:

No information either academic or personal shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student who is eighteen (18), or the parents of a student who is younger in accordance with the board's policy on student records.

The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the Educational Service Provider.

The principal, together with a committee of staff members designated by the principal, shall be involved in the selection of the recipient and, if agreeable to the sponsoring organization, the selection shall be left entirely to the principal and staff committee.

Sale of School 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

Neither Academy related nor non-school related organizations shall be allowed to administer a survey or questionnaire to students or staff unless the instrument and the proposed plan are submitted, in advance, to the principal. If approved, a copy of the results and the proposed manner of their communication are to be provided to the principal 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 6/2006
Revised 4/18/17

VOLUNTEER POLICY

The Board 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 Academy's professional staff responsible for the conduct of those programs and activities.

The School Leader or designee shall be responsible for recruiting volunteers, reviewing their capabilities, and making appropriate placements. S/he 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 at any school sponsored event or activity shall submit to a criminal history records check on an annual basis in a form acceptable to Bay Mills Community College, the Academy's Authorizer, prior to being allowed to participate in any activity or program. A conviction of a misdemeanor crime will not automatically disqualify a person from volunteering at the Academy, however, the School Leader or designee will consider each situation on a case by case basis. If a prospective volunteer has a felony conviction, s/he will not be eligible to volunteer. The volunteer may provide additional information and appeal the decision. If the School Leader or designee or the volunteer wishes to appeal the decision, approval must be received from the School Leader or designee and the Educational Service Provider. If the School Leader or designee and the Educational Service Provider approve the appeal, the Board of Directors must vote to approve the volunteer at a board meeting.

All volunteers agree to abide by the following:

- Volunteers shall make arrangement with the appropriate staff member regarding date(s), time, and length of service in a particular classroom;
- To optimize the assistance provided to the teacher and students, volunteers are not permitted to bring siblings/children into the Academy during their volunteer time;
- All volunteers must be willing and prepared to
 - Engage with, and assist any student or group of students as directed by the teacher(s);
 - Learn and support Academy procedures, social protocols, and routines;
 - Engage in a positive manner with all students, and report all incidents of injury and/or medical issues as well as any incidents of disruption, non-compliance, or concerning student behavior to the teacher (i.e. volunteers shall not engage in disciplinary action with students);
 - It is expected that the volunteer's full attention must be given to assisting the teacher and supporting the students. If volunteers wish to socialize with each other, they must do so outside the classroom; and
 - Volunteers shall not use cell phones and/or other electronic devices in the classroom.
- Confidentiality is of the utmost importance, especially when parents volunteer in the classroom and school. Communication of personal and educational information regarding students, parents, staff, or administration must be regarded as confidential and safeguarded;

- Volunteers must not be privy to student personal and educational information in the course of the duties assigned to them (i.e. helping with report cards, transferring assessment data, etc.); and
- Any questions regarding confidential information should be directed to the School Leader.