BOARDPOLICIES 2017

Covenant House Academy Detroit

2959 Martin Luther King Jr. Blvd., Detroit, MI 48208
(313) 463-2000 | www.covenanthouseacademy.org

NATIONAL CHARTER SCHOOLS INSTITUTE
EXPERIENCE • INNOVATION • RESULTS

About Our Cover

The featured artwork on the cover is from the National Charter Schools Institute's 2016 Midwest Charter Schools K-5 Art Contest: "When I grow up." Approximately 2,000 students from Illinois, Indiana, Michigan, Ohio, and Wisconsin submitted entries. Featured artwork represents some of the most outstanding and inspirational submitted.

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

Covenant House Academy Detroit

ADOPTION RESOLUTION

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operating policies and policies heretofore adopted by the Covenant House Academy Detroit Board of Directors are hereby rescinded, further be it

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

Take notice that the foregoing resolution was adopted by the Covenant House Academy Detroit Board of Directors at a public meeting held at Detroit, Michigan on July 22, 2013.

0000 **BOARD OPERATING POLICY**

0100 **Definitions**

0110 **Official Description**

0111 Name
0112 Purpose
0115 Address

0120 **Powers and Philosophy**

0121 Authority
0122 Board Powers

0130 **Functions**

0131 Legislative
0131.1 Charter Contract Bylaws and Board Policies
0132 Executive
0132.1 Selection of Educational Service Provider
0132.2 Administrative Guidelines BP
0133 Judicial

0140 **Membership**

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

0150 **Organization**

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

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

© National Charter Schools Institute

0160 **Meetings**

0161	Parliamentary Authority	
0162	Quorum	
0163	Presiding Officer	
0164	Call	
0164.1	Regular Meetings	
0164.2	Special Meetings	
0164.3	Emergency Meetings	
0165	Open Meetings Act Compliance	BP
0165.1	Posting Notice of Regular Meetings	BP
0165.2	Change of Regular Meetings	BP
0165.3	Posting Notice of Special Meetings	BP
0165.4	Posting Notice of Emergency Meetings	BP
0165.5	Recess	BP
0166	Agenda	
0166.1	Consent Agenda	
0167	Conduct	
0167.1	Voting	
0167.2	Closed Session, Open Meetings Act	
0167.3	Public Participation at Board Meetings, Open Meetings Act	
0167.4	Administrative Participation	BP
0167.5	Use of Electronic Mail	BP
0168	Minutes	BP
0168.1	**Open Meeting**	**L**
0168.2	Closed Meeting	BP
0168.3	Committee Meetings	BP
0169	Student Disciplinary Hearings – Due Process	BP
0169.1	Closed Hearing Requested	BP
0169.2	Open Hearing	BP

0170 **Duties**

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

1000 **ADMINISTRATION**

1110	Assessment of School's Goals	
1130	Conflict of Interest	BP
1217	Weapons	BP

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

© National Charter Schools Institute

1210	Board – Educational Service Provider Relationship	BP
1220	Employment of the School Leader	BP
1230.01	Development of Administrative Guidelines	BP
1240	Evaluation of the Educational Service Provider	BP
1241	Termination of the Educational Service Provider Agreement	BP
1400	Job Descriptions	
1420	School Administrator Evaluation	BP
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
1460	Physical Examination	BP
1461	Unrequested Leaves of Absences/Fitness for Duty	BP
1613	Student Supervision and Welfare	BP
1623	**Section 504/ADA Prohibition Against Disability Discrimination in Employment**	L

2000 **PROGRAM**

2105	Mission of the School	BP
2112	**Parent Involvement in the School Program**	**L**
2120	School Improvement	
2210.01	Right to Inspect Instructional Materials	BP
2220	Adoption of Courses of Study	BP
2221	Mandatory Courses	BP
2225	Students with Limited English Proficiency (LEP)	BP
2260	**Nondiscrimination and Access to Equal Educational Opportunity**	**L**
2260.01	**Section 504/ADA prohibition Against Discrimination Based on Disability**	**L**
2261	Title I Services	
2261.01	Parent Participation in Title I Programs	BP
2261.03	**Federal School Improvement Plan**	**L**
2270	Religion in the Curriculum	BP
2271	Post Secondary Enrollment Option Program	BP
2340	Field and Other School-Sponsored Trips	BP
2370	Educational Options	BP
2370.01	On-Line/Blended Learning Program	BP
2413	Health Education Program	BP
2416	**Student Privacy and Parental Access to Information**	**L**
2431.01	**Managing Heat and Humidity in Interscholastic Athletic Programs**	**L**
2433	**Operation of a Child Care Center or Before/After School Program**	**L**
2460.02	**Least Restrictive Environment (LRE) Position Statement**	**L**
2461	Recording of School Meetings Involving Students and/or Parents	BP
2510	Adoption of Textbooks	BP
2521	Selection of Instructional Materials and Equipment	BP

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

© National Charter Schools Institute

2605	Program Accountability and Evaluation	BP
2623	**Student Assessment**	**L**
2628	State Aid Incentives	BP

3000 **STAFF**

3110	**Conflict of Interest**	**L**
3112	Board-Staff Communications	BP
3121	**Criminal History Record Check**	**L**
3122	**Nondiscrimination and Equal Employment Opportunity**	**L**
3122.02	**Nondiscrimination Based on Genetic Information of the Employee**	**L**
3122.02a	**Nondiscrimination against State Universities in Student Teaching, Hiring and Counselor Recommendations**	**L**
3160	Physical Examination	BP
3161	Unrequested Leaves of Absence/Fitness for duty	BP
3215	**Use of Tobacco in the School**	**L**
3217	Weapons	BP
3220	Teacher Evaluation	BP
3362	**Anti-Harassment**	**L**
3419.02	Privacy Protections of Fully Insured Group Health Plans	BP
3430.01	**Family Medical Leaves of Absence (FMLA)**	**L**

5000 **STUDENTS**

5111	**Admission of Students**	**L**
5111.01	**Homeless Students**	**L**
5111.02	**Educational Opportunity for Military Children**	**L**
5111.03	**Children and Youth in Foster Care**	**L**
5113.02	School Choice Options Provided by the *No Child Left Behind Act*	BP
5114A	Foreign Students on Visa	BP
5136	Wireless Communication Devices	BP
5200	Attendance	BP
5223	Absences for Religious Instruction	BP
5320	Immunization	BP
5330	**Use of Medications**	**L**
5330.01	**Epinephrine Auto-Injectors**	**L**
5340	Student Accidents	BP
5340.01	**Concussions and Athletic Activities**	**L**
5341	Emergency Medical Authorization	BP
5460	Graduation Requirements	BP

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

© National Charter Schools Institute

5500	Student Conduct	BP
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5512	Use of Tobacco by Students	BP
5513	Care of School Property	BP
5514.01	Student Use of Motor Vehicles	BP
5515.01	Safe Operation of Motorized Utility Vehicles by Students	BP
5517	**Anti-Harassment**	**L**
5517.01	**Bullying**	**L**
5520	Disorderly Conduct	BP
5530	**Drug Prevention**	**L**
5540	The School and Governmental Agencies	BP
5600	Student Discipline	BP
5610	**Emergency Removal, Suspension & Expulsion of Students**	**L**
5610.01	Permanent Expulsion	L
5611	Due Process Rights	
5630	Corporal Punishment	
5630.01	**Student Seclusion and Restraint**	**L**
5722	School-Sponsored Publications and Productions	BP
5771	Search and Seizure	BP
5772	Possession of Weapons	BP
5830	Student Fund-Raising	BP

6000 **FINANCES**

6107	Authorization to Accept and Distribute Electronic Records and to Use Electronic Signatures	BP
6110	**Grant Funds**	**L**
6111	Internal Controls	BP
6112	Cash Management of Grants	BP
6114	Cost Principles - Spending Federal Funds	BP
6116	Time and Effort Reporting	BP
6144	**Investments**	**L**
6146	**Post-Issuance Compliance for Tax-Exempt and Tax-Advantaged Obligations**	**L**
6152	Student Fees, Fines and Supplies	B:
6210	Fiscal Planning	BP
6220	Budget Preparation	BP
6230	Budget Hearing	BP
6231	Budget Implementation	BP
6319	Procurement Policy	
6320	**Purchasing**	**L**
6321	**New School Construction, Renovation**	**L**
6420	**Conflict of Interest – Legal Counsel, Advisors, or Consultants**	**L**

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

© National Charter Schools Institute

6460	Vendor Relations	BP
6470	Payment of Claims	BP
6550	**Travel Payment & Reimbursement**	**L**
6670	Trust and Agency Fund	BP
6680	Recognition	BP
6800	System of Accounting	BP
6850	**Public Disclosure and Reporting**	**L**

7000 **PROPERTY**

7217	**Weapons**	**L**
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Instructional Materials and Equipment	BP
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
7434	**Use of Tobacco on School Premises**	**L**
7440	Facility Security	BP
7440.01	Video Surveillance and Electronic Monitoring	BP
7450	Property Inventory	BP
7455	Accounting System for Fixed Assets	BP
7530.01	Cellular Telephones	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**
7540.04	**Staff Education Technology Acceptable Use and Safety**	**L**
7540.05	Electronic Mail	BP
7540.07	**Personal Internet Account Privacy – Students**	**L**
7540.08	**Personal Internet Account Privacy – Staff**	**L**
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP
7542	**Network Access from Personally-Owned Computers and/other Web-Enabled Devices**	**L**
7545	Electronic Communications	BP

8000 **OPERATIONS**

8142	**Criminal History Record Check**	**L**
8142.01	Weapons	BP
8210	School Calendar	
8220	School Day	

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

© National Charter Schools Institute

8305	Information Security	BP
8310	**Public Records**	**L**
8310.01	**Enhanced Access to Public Records**	**L**
8315	Information Management	BP
8321	Criminal Justice Information Security (Non-Criminal Justice Agency)	BP
8330	**Student Records**	**L**
8340	**Letters or Reference**	**L**
8350	Confidentiality	BP
8351	Breach of Confidential Information	BP
8390	**Animals on School Property**	**L**
8400	**School Safety Information**	**L**
8401	**Fire Safety and Fire Department Notification**	**L**
8405	**Environmental Health and Safety Issues**	**L**
8410	Crisis Intervention	BP
8420	Emergency Evacuation of the School	BP
8431	**Preparedness for Toxic Hazards and Asbestos Hazard**	**L**
8442	Reporting Accidents/Incidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8462	Student Abuse and Neglect	BP
8500	**Food Services**	**L**
8510	**Wellness**	**L**
8510	**Appendix A – Specific Goals for Nutrition**	**L**
8510	**Appendix B – Specific Goals for Physical Activity**	**L**
8510	**Appendix C – Specific Goals for Other School-Based Activities Designed To Promote Student Wellness**	**L**
8510	**Appendix D – Specific Goals for Nutrition Promotion**	**L**
8510	**Appendix E – Nutrition Guidelines for All Foods Available on Campus During the School Day**	**L**
8540	**Vending Machines**	**L***
8660	Transportation by Private Vehicle	BP
8710	Insurance	BP
8740	Bonding	BP
8800	Religious/Patriotic Ceremonies and Observances	BP

9000 **RELATIONS**

9120	School Information Program	BP
9150	School Visitors, Animals	BP
9160	Public Attendance at School Events	BP
9211	**Academy Support Organizations**	**L**
9250	**Relations with Parents**	**L**
9500	Relations with Educational Institutions and Organizations	BP

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

© National Charter Schools Institute

9555	Partnerships with Business	BP
9700	Relations with Special Interest Groups	BP
9710	Volunteers	BP

***These policies are only legally required if the School serves food to students and receives direct or indirect federal aid for the program.**

Adopted 7/22/13
Revised 11/12/13; 3/11/14; 10/7/14; 2/3/15; 8/18/15; 11/01/16; 4/12/16; 11/01/16; 3/7/17; 9/19/17

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

© National Charter Schools Institute

GLOSSARY OF EDUCATIONAL TERMS AND ACRONYMS

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

ASSESSMENT

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

ATTITUDE

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

CONCEPT

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

CONTENT

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

COURSE OF STUDY

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

CRITERION (CRITERIA)

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

CURRICULUM

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

© National Charter Schools Institute

DIAGNOSIS

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

EVALUATION

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

FACT

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

GOAL

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

IDEA

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

IEP

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

INSTRUCTION

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

LEADERSHIP

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

MANAGEMENT

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

© National Charter Schools Institute

MEASUREMENT

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

MISSION

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

MODEL

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

NORMS

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

OBJECTIVE

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

OUTCOME

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

PARENT

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

PILOT

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

PLACEMENT

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

© National Charter Schools Institute

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 District schools or programs, as designated by the Board of Directors. The School Leader is responsible for the supervision of the school or program consistent with Board policy and directives of the Educational Service Provider/Board of Directors and may delegate responsibility to subordinates as appropriate.

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).

© National Charter Schools Institute

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).

© National Charter Schools Institute

ACRONYMS

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

A

ACH – Automatic Clearing House

ADA – Americans with Disabilities Act of 1990

AED – Automatic External Defibrillator

AEP – Alternative Education Program

AFS – American Field Service, International/Intercultural Programs

AIDS – Acquired Immunodeficiency Syndrome

AYP – Adequate Yearly Progress

B

C

CDL – Commercial Drivers License

CEPI – Center for Educational Performance and Information

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

COR – Custodian of Records

CPA – Certified Public Accountant

CPR – Cardiopulmonary Resuscitation

CTE – Career and Technical Education

D

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

DOE –Department of Education (Federal)

DRO – District Records Officer

E

ECD – Electronic Communication Device

EDP – Education Development Plan

© National Charter Schools Institute

EIP – Emergency Intervention Plan

EMS – Emergency Medical Services

ESI – Emergency Safety Intervention

EPA – Environmental Protection Agency

ESP – Educational Service Provider

ETO – Electronic Transfer Officer

F

FAPE – Free and Appropriate Public Education

FERPA – Federal Educational Rights and Privacy Act

FMLA – Family and Medical Leave Act

FOIA – Freedom of Information Act

FSA – Flexible Spending Accounts (Health Care)

FTE – Full Time Equivalent (Student Attendance)

FBA – Functional Behavioral Assessment

G

GAA – General Appropriations Act

GAAB – Generally Accepted Accounting Bulletin

GAAP – Generally Accepted Accounting Principles

GED – General Education Diploma

GPA – Grade Point Average

H

HACCP – Hazard Analysis Critical Control Point

HAV – Hepatitis A

HBV – Hepatitis B

HCV – Hepatitis C

HIPAA – Health Insurance Portability and Accountability Act of 1996

HIV – Human Immunodeficiency Virus

© National Charter Schools Institute

HTML – Hyper Text Mark Up Language

HVAC – Heating Ventilating Air Conditioning

I

ICHAT – Internet Criminal History Access Tool

IDEA – Individuals with Disabilities Education Act

IEP – Individualized Education Plan

IEPT – Individualized Education Planning Team

IEQ – Indoor Environmental Quality

IIS – Indentix Identification Services

IPM – Integrated Pest Management

ISD – Intermediate School District

J

K

L

LEA – Local Education Agency

LEIN – Law Enforcement Information Network

LEP – Limited English Proficient

LRE – Least Restrictive Environment

M

MCLA – Michigan Compiled Laws Annotated

MDCH – Michigan Department of Community Health

MDCIS – Michigan Department of Consumer and Industry Services

MDE – Michigan Department of Education

MEAP – Michigan Education Assessment Program

MEIS – Michigan Educational Information System

MHSAA – Michigan High School Athletic Association

MMC – Michigan Merit Curriculum

© National Charter Schools Institute

MME – Michigan Merit Examination

MOSHA – Michigan Occupational Safety Health Act

MPG – Michigan Promise Grant

MPSERS – Michigan Public School Employment Retirement System (MPSERS)

MRO – Medical Review Officer

MSDS – Material Safety Data Sheets

MSP – Michigan State Police

N

NAEP – National Assessment of Educational Progress

NASSP – National Association of Secondary School Principals

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

O

OCR – Office of Civil Rights

OCTP – Office of Career and Technical Preparation

OSHA – Office of Safety and Health Administration

OTC – Over the Counter

P

PBS – Positive Behavior Support

PBSP – Positive Behavior Support Plan

PPE – Personal Protection Equipment

PSA – Public School Academy

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

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

Q

R

RFP – Request for Proposal

© National Charter Schools Institute

RHO – Records Hearing Officer

S

SAT – Scholastic Aptitude Test

SEAB – Sex Education Advisory Board

SRO – School Resource Officer

STD – Sexuality Transmitted Disease

T

TAF – Trust and Agency Fund

TDP – Deferred Payment (TDP) Plan (MPSERS)

THP – Toxic Hazard Preparedness

U

USAS – Uniform School Accounting System

USC – United States Code

USDA – United States Department of Agriculture

USIA – United States Information Agency

V

W

X

Y

Z

Adopted 7/22/13

© National Charter Schools Institute

0000 BOARD OPERATING POLICY

0100 Definitions

0110 Official Description

0111	Name	BP
0112	Purpose	BP
0115	Address	BP

0120 Powers and Philosophy

0121	Authority	BP
0122	Board Powers	BP

0130 Functions

0131	Legislative	BP
0131.1	Charter Contract Bylaws and Board Policies	BP
0132	Executive	BP
0132.1	Selection of Educational Service Provider	BP
0132.2	Administrative Guidelines	BP
0133	Judicial	

0140 Membership

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

0150 Organization

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

© National Charter Schools Institute

0160 **Meetings**

0161	Parliamentary Authority	BP
0162	Quorum	BP
0163	Presiding Officer	BP
0164	Call	BP
0164.1	Regular Meetings	BP
0164.2	Special Meetings	BP
0164.3	Emergency Meetings	BP
0165	Open Meetings Act Compliance	BP
0165.1	Posting Notice of Regular Meetings	BP
0165.2	Change of Regular Meetings	BP
0165.3	Posting Notice of Special Meetings	BP
0165.4	Posting Notice of Emergency Meetings	BP
0165.5	Recess	BP
0166	Agenda	BP
0166.1	Consent Agenda	BP
0167	Conduct	BP
0167.1	Voting	BP
0167.2	Closed Session, Open Meetings Act	BP
0167.3	Public Participation at Board Meetings, Open Meetings Act	BP
0167.4	Administrative Participation	BP
0167.5	Use of Electronic Mail	BP
0168	Minutes	BP
0168.1	**Open Meeting**	**L**
0168.2	Closed Meeting	BP
0168.3	Committee Meetings	BP
0169	Student Disciplinary Hearings – Due Process	BP
0169.1	Closed Hearing Requested	BP
0169.2	Open Hearing	BP

0170 **Duties**

0171	Officers	BP
0171.1	President	BP
0171.2	Vice-President	BP
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

Adopted 7/22/13
Revised 11/12/13; 3/11/14; 10/7/14; 4/12/16; 11/1/16; 3/7/17; 9/19/17

© National Charter Schools Institute

DEFINITIONS

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

Administrative Guideline

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

Apps and Web Services

Apps/web services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100, above) over a network, or client-server applications in which the user interface runs in a web browser. Apps/web 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/web services also are used to facilitate communication to, from and among and between, staff, students, and parents.

Authorizer or Authorizing Body

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

Board

The Board of Directors. (See Charter Contract Bylaws.)

Board Operating Policy

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

Charter Contract

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

Due Process

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

© National Charter Schools Institute

Educational Management Organization 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.

Full Board

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

Information Resources

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

Management Agreement

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

May

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

Meeting

Any gathering attended by or open to all of the members of the School's Board of Directors. A meeting is held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body.

Parent

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

Personal Communication Devices

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

Policy

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

© National Charter Schools Institute

President

The official leader of the Board. In addition to the responsibilities listed in "Duties of President," contained in the Charter Contract Bylaws and Articles of Incorporation, the President has the authority to sign, execute and acknowledge, on behalf of the Board, all deeds, mortgages, bonds, contracts, leases, reports, and all other Board-approved documents.

Relative

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

School

The public school academy.

School Leader

The administrator employed by the Educational Service Provider who is responsible for the daily operations of the School and the implementation of the policies of the Board and Educational Service Provider. Throughout these policies, this administrator will be referred to as School Leader.

Secretary

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

Shall

This word is used when an action by the Board or its designee is required. (The words *will* and *must* also signify a required action.)

Student

A person who is officially enrolled in the School.

Support Employee

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

Technology Resources

Technology Resources 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.

© National Charter Schools Institute

Treasurer

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

Vice-President

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

Voting

The act of taking a vote at a meeting of the Board of Directors. The law requires Board members to be present to have their vote officially recorded in the Board minutes.

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

Adopted 7/22/13
Revised 3/7/17

© National Charter Schools Institute

OFFICIAL DESCRIPTION

0111 **Name**

The Board of Directors of this School shall be known officially as the Covenant House Academy Detroit Board of Directors.

0112 **Purpose**

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

0115 **Address**

The physical location of the School, the official address of the School, shall be 2959 Martin Luther King Jr. Blvd., Detroit, Michigan 48208 and the official name of the School shall be Covenant House Academy Detroit.

Adopted 7/22/13

© National Charter Schools Institute

POWERS AND PHILOSOPHY

Reference: MCL 380.503, 380.504a, 380.1225, 423.217

0121 Authority

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

MCL 380.1201 et seq.

0122 Board Powers

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

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

B. Provide for the safety and welfare of students while at the School or at a School-sponsored activity.

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

D. In accordance with the Charter Contract, hire an Educational Service Provider to hire, contract for, schedule, supervise, or terminate employees, independent contractors, and others to carry out School operations. The Board may contract with the Educational Service Provider to provide educational, administrative, and other services and to exercise certain said powers. The rights, responsibilities, and obligations of the School and the Educational Service Provider are set forth in the contract between the Educational Service Provider and the Board of Directors, in accordance with the Charter Contract. If there is any inconsistency between these policies and the Charter Contract or any provision of law, the Charter Contract and the law shall still govern.

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

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

The School is a corporate body and shall be governed by a Board of Directors. An act of this Board is not valid unless approved by a majority

© National Charter Schools Institute

vote of the Directors of the School present at a noticed meeting at which a quorum is present.

In addition to its other rights and powers granted by law, the Board has authority to make decisions regarding the following subjects:

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

G. The composition of the School's site-based, decision-making groups or school-improvement committee(s), if any.

H. Use of volunteers.

I. Decisions regarding the use of experimental or pilot programs including staffing, use of technology, and provision of the technology.

J. Compliance with, MCL 423.210(3), (barring the conditioning of public employment upon union membership or the payment of dues, fees or charitable contributions in lieu of dues).

K. Compliance with under MCL 380.1249a (the required notice to parents or legal guardians of certain teachers rated “ineffective” beginning with the 2015-2016 school year).

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

Adopted 7/22/13
Revised 11/12/13

© National Charter Schools Institute

FUNCTIONS

0131 **Legislative**

0131.1 **Charter Contract Bylaws and Board Policies**

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

Board policies neither dictated by the statutes or rules of the State of Michigan nor ordered by either the Charter Contract of the authorizing institution or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board.

A. provided the proposed adoption, amendment, or repeal was proposed at a previous Board of Directors meeting and, once proposed, remained on the agenda of each succeeding Board of Directors meeting until approved or rejected.

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

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

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

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

MCL 450.2223, 450.2231

© National Charter Schools Institute

0132 **Executive**

0132.1 **Selection of Educational Service Provider**

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

0132.2 **Administrative Guidelines**

The Board shall delegate to the Educational Service Provider/School Leader the responsibility to specify required actions and design the detailed arrangements under which the School will operate. These detailed arrangements shall constitute the Administrative Guidelines for the School that are consistent with the statutes and regulations of the State Department of Education, the provisions of the Charter Contract, the policies of this Board, and the contractual agreement with the Educational Service Provider.

Such Administrative Guidelines shall be binding on the staff and the students of this School.

The Board shall delegate authority to the Educational Service Provider/School Leader to take necessary action in circumstances not provided for in Board policy or administrative guidelines.

0133 **Judicial**

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

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

Adopted 7/22/13
Revised 10/7/14

© National Charter Schools Institute

MEMBERSHIP

0141 Number

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

0141.1 Student-Body Representatives

The Board shall have 1 representative(s) from the high school student body, selected by the Board or by the Administrator.

A. In the Board's sole discretion, each representative shall be allowed to participate in Board discussions and attend committee meetings to which they may be assigned or invited. At no time shall any student representative(s) have a vote. The student-body representative(s) shall not be allowed to attend closed sessions.

B. The Administrator shall arrange a place on the agenda for the student body representative(s) to provide the Board with items of concern and/or interest to the student body.

C. No such items may be presented to the Board in its agenda without the prior approval of the Administrator.

0142 Appointment

0142.1 Term

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

0142.2 Oath

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

0142.3 Vacancies

(See Provision of Charter Contract Bylaws.)

0142.31 Filling a Board Vacancy

(See Provision of the Bylaws.)

0142.4 Orientation

The preparation of each Board member for the performance of Board duties is essential to the effective functioning of the Board. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the School, and learn Board procedures. Accordingly, in conjunction with the

© National Charter Schools Institute

Authorizer, and the Educational Service Provider 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. the Charter Contract;

B. the Educational Service Provider Contract;

C. the Board Policies manual;

D. the current budget statement, audit report, and related fiscal materials;

E. the student handbook;

F. the Open Meetings Act;

G. materials concerning the conduct of meetings (standard agenda, recording minutes, handling of a motion); and

H. 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 and 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 reflected in its minutes, not through its individual members. An act of the Board shall not be valid unless approved by majority vote of the Directors where there is a quorum. (See Bylaws.)

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

0143.1 **Public Expression of Board Members**

The Board President functions as the official spokesperson for the Board. Occasionally, however, individual Board members make public statements on School matters to local media and to local and/or state officials.

Sometimes such statements imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the Board member and the Board. Therefore, when writing or speaking on School matters to the media, legislators, and other officials,

© National Charter Schools Institute

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

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

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

B. routine "thank you" letters of the Board;

C. statements by Board members on non-School matters (providing the statements do not identify the author as a member of the Board); or

D. personal statements not intended for publication.

0144 **Operations**

0144.1 **Compensation**

Board members shall not receive any 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 by a majority vote at an open meeting 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 (not to exceed the then-current rate established by the Internal Revenue Service) and, meals and housing;
- Expenses related to the purchase of printed or other materials relating to Board membership; and
- Expenses of attending a community or School-related event, if the individual attends as the designated representative of the Board rather than as a private citizen.

© National Charter Schools Institute

The following categories of expenses shall not be reimbursable:

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

Prior to reimbursement, a voucher detailing the amount and nature of each expense must be approved by a majority vote of the Board at an open meeting. Records of all reimbursements made under this policy must be open to the public.

0144.2 **Board Member Ethics**

Reference: Board of Directors, National School Boards Association

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

A. attend all regularly scheduled and special Board meetings, insofar as possible, and stay informed concerning the issues to be considered at those meetings;

B. endeavor to make policy decisions only after full discussion at publicly held Board meetings;

C. render all decisions based on the available facts and independent judgment, refusing to surrender that judgment to individuals or special interest groups;

D. encourage the free expression of opinion by all Board members and seek systematic communications among the Board and students, staff, and all elements of the community;

E. work with the other Board members to establish effective Board policies and delegate authority for the administration of the School to the Educational Service Provider or Administrator;

F. communicate to other Board members and the Educational Service Provider/Administrator expressions of public reaction to Board policies and School programs;

G. inform themselves concerning current educational issues through individual study and participation in programs, which provide relevant information;

H. support the employment of persons best qualified to serve as staff and insist on regular and impartial evaluation of all staff;

I. avoid conflict of interest and refrain from using their Board positions for personal or partisan gain;

© National Charter Schools Institute

J. take no private action that may compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law;

K. remember that their first and greatest concern must be for the educational welfare of the students attending the School**;**

L. 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 School.

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 School, the following requirements must be met:

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

1. In writing, to the Board President (or, if the member is the Board President, to the Board Secretary) at least seven (7) days prior to the meeting at which the vote on the contract will be taken. The disclosure shall be made public in the same manner as the Board's notices of its public meetings. (See Board Operating Policy 0165.)

2. By 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 (M.C.L. 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).

© National Charter Schools Institute

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 the School.

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

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

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

1. A contract or other financial transaction between the School and any of the following:

    a. A corporation in which the individual is a stockholder owning 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owning stock that has a present market value of $25,000.00 or less if the stock is listed on a stock exchange.

    b. A corporation in which a trust, if the individual is a beneficiary under the trust, owns 1% or less of the total stock outstanding in any class if the stock is not listed on a stock exchange or owns stock that has a present market value of $25,000.00 or less if the stock is listed on a stock exchange.

    c. A professional limited liability company organized pursuant to the Michigan limited liability company act, if the individual is an employee but not a member of the company.

2. A contract or other financial transaction between the School and any of the following:

    a. A corporation in which the individual is not a director, officer, or employee.

© National Charter Schools Institute

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 School 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 involved with grant funds, except that a Board member may accept an unsolicited gift of nominal value.

F. A board member may serve as a volunteer coach or supervisor of a student extra-curricular activity if ALL of the following conditions are present:

1. The Board member receives no compensation as a volunteer coach or supervisor;

2. The Board member abstains from voting on issues before the Board concerning the program during the period of time s/he serves as a volunteer coach or supervisor; and

3. The appointing authority has received the results of a criminal history record check and criminal records check from the Michigan State Police and the Federal Bureau of Investigation for the Board member.

No Board member shall accept any money, goods, or services with a value in excess of $75 within any one (1) month period from any person who does business or seeks to do business of any kind with the School.

© National Charter Schools Institute

0144.4 **Indemnification**

MCL 691.1408, 450.2561 - 2569

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

0145 **Discriminatory Harassment**

MCL 37.1101 et seq., 37.2101 et seq., 380.1300a

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

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

Adopted 7/22/13
Revised 11/12/13; 3/11/14; 4/12/16; 11/01/16

© National Charter Schools Institute

ORGANIZATION

0151 **Annual Organizational Meeting**

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

0152 **Officers**

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

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

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

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

A. Call to order and roll call

B. Business items: Election of Officers (President, Vice President, Secretary, and Treasurer)

C. Adoption of calendar of regularly scheduled Board meeting dates and times

D. Adoption of resolution designating public places to post calendar and notices of regularly scheduled and special meeting dates for the Board

E. Adoption of resolution designating the depository for Board funds

F. Adoption of resolution designating principal print media source(s)

G. Adoption of resolution designating Board members and personnel eligible to sign checks

H. Adoption of resolution designating Educational Service Provider or other personnel authorized to negotiate and implement contracts with service providers (vendors)

I. Adoption of the school year calendar

J. Appointment of Title IX, Freedom on Information, and Civil Rights Coordinators

K. Appointment (or reappointment) of Legal Counsel

© National Charter Schools Institute

L. Appointment (or reappointment) of External Auditor

M. Appointment of the Electronic Transfer Officer (ETO), in accordance with Policy 6144.

0155 **Committees**

See Bylaws.

Adopted 7/22/13

© National Charter Schools Institute

MEETINGS

0161 Parliamentary Authority

The Board shall utilize rules of order for its operation. The rules shall apply in all cases, consistent with statute, administrative code, and the Bylaws. The Board may not adopt any rules of order that prevent or preclude the vote of any member.

0162 Quorum

Refer to Bylaws.

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, as provided by the Bylaws; 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 meetings on a date and at a time and place as designated at the Annual Organizational Meeting.

0164.2 Special Meetings

Refer to Bylaws.

0164.3 Emergency Meetings

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

0165 Open Meetings Act Compliance

0165.1 Posting Notice of Regular Meetings

Within ten days after the Boards organizational meeting, the Board shall post, at the school entrance 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, address, and telephone number of the School. The notice shall also contain the following statement:

© National Charter Schools Institute

> "Upon request, the School shall make reasonable accommodation for a person with disabilities to participate in this meeting."

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

0165.2 **Change of Regular Meetings**

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

Notice of special meetings shall state the date, time, and place of the meeting and the business to be transacted, as well as the name, address, and telephone number of the School. A notice of any special meeting shall be posted at least eighteen hours before the meeting. A copy of the notice shall be given or emailed to each member of the Board at least twenty-four hours prior to the meeting.

0165.4 **Posting Notice of Emergency Meetings**

No notice of any emergency meeting shall be required.

0165.5 **Recess**

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

MCL 15.265

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

© National Charter Schools Institute

Board and serve as a guide for the order of procedure for the meeting. Individual Board members may include items on the agenda, with the concurrence of the Board President.

The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Educational Service Provider/School Leader about the School, with such recommendations as he/she shall make. Each agenda shall contain the following statement:

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

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

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

0166.1 **Consent Agenda**

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

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

A. minutes of prior meetings;

B. financial report;

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

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action or 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.

0167 **Conduct**

0167.1 **Voting**

All regular and special meetings of the Board at which the Board is authorized to perform business shall be conducted in public, except as permitted by the Open Meetings Act. No act shall be valid unless approved by a majority vote at a meeting of the Board with a quorum and when a

© National Charter Schools Institute

proper record is made of the vote. Meetings of the Board shall be public, and no person shall be excluded except as provided by law.

Unless abstention is authorized by Michigan conflict of interest laws, failure to vote constitutes a breach of the Board member's duty as a public official. If the Board member's decision to abstain is not authorized by a conflict of interest requirement, the abstention shall be recorded and shall be deemed to constitute acquiescence to the action taken by the majority. In situations in which there is a tie vote and the abstaining member represents the deciding vote, the motion shall fail for lack of a majority. In situations in which a specified number of affirmative votes are required and abstentions have been noted, the motion shall fail if the specified number of affirmative votes have not been cast. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority. (184 Mich App 681(1990)

All actions requiring a vote may be conducted by voice, show of hands, or roll call, provided the vote of each member is recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled, except as provided by law.

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

0167.2 **Closed Session, Open Meetings Act**

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

- to consider the dismissal, suspension, or discipline of a student, only if the student or student's parents request a closed hearing (majority vote required). (Also see Operating Policy 0169, Student Disciplinary Hearings.)

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

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

- to consider material, such as written opinions of counsel, that are exempt from discussion by State or Federal statute (two-thirds (2/3) vote required).

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

© National Charter Schools Institute

Board members shall not record or communicate by any means, electronic or otherwise, with party or parties outside such meetings, regarding the substance of such meetings, either during or after the course of such meetings.

MCL 15.267, 15.268

0167.3 **Public Participation at Board Meetings, Open Meetings Act**

The Board of Directors recognizes and values the public's right to comment on educational issues and express themselves on School matters. Any person or group that wishes to place an item on the agenda shall register their intent with the Board President and/or Educational Service Provider no later than two (2) days prior to the date set by the Board for mailing the Board Member Meeting Agenda and information (see Section 0166). A request for public expression shall include the following:

A. name and address of the participant;

B. group affiliation, if and when appropriate;

C. topic to be addressed.

Such requests for public expression shall be subject to the approval of the Board President.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board.

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

B. With approval of the Board President, anyone with concerns related to the operation of the schools or to matters within the authority of the Board may express themselves during the public participation.

C. Upon their arrival at the meeting, participants must register to participate in the public portion of the meeting.

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

E. Each statement made by a participant shall be limited to three (3) minutes duration, as established by Board policy.

F. No participant may speak more than once on the same topic, unless all others who wish to speak on that topic have been heard.

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

© National Charter Schools Institute

H. All statements shall be directed to the presiding officer; no person may address or question Board members individually.

The presiding officer may take the following actions:

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

B. interrupt, warn, or terminate a participant's statement, when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;

C. request any individual to leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct of the meeting;

D. call for a recess or an adjournment to another time, when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;

E. request the assistance of law enforcement officers to remove a disorderly person, when that person's conduct interferes with the orderly progress of the meeting or when necessary for the protection of privacy or the administration of the Board's business.

Tape or video recordings of meetings open to the public are permitted subject to the following conditions:

A. No obstructions may be created between the Board and the audience.

B. No interviews may be conducted in the meeting room while the Board is in session.

C. No commentary, adjustment of equipment, or positioning of operators may be made that would distract either the Board or members of the audience while the Board is in session.

The person operating the recorder should contact the School Leader prior to the Board meeting to review appropriate placement of the equipment.

MCL 15.263(1)

0167.4 **Administrative Participation**

The Educational Service Provider/School Leader and staff members, selected by the School Leader, shall attend all meetings, when feasible. Administrative Staff participation shall be carried out through counsel, guidance, and recommendations for Board members - as distinct from deliberation, debate, and voting.

© National Charter Schools Institute

0167.5 **Use of Electronic Mail**

Since electronic mail (email) is a form of communication that could conflict with the Open Meetings Act, it may not be used to conduct official business of the Board, but may be used for the purposes of communicating the following:

A. messages between Board members or between a Board member and employee(s) that do not involve deliberating or rendering a decision on matters pending before the Board;

B. possible agenda items between the Educational Service Provider/School Leader and the Board President;

C. times, dates, and places of regular or special Board meetings;

D. a Board meeting agenda or public record information concerning items on the agenda;

E. requests for public record information from a member of the administration, staff, or community, pertaining to School operations;

F. responses to questions posed by members of the public, administrators, or School staff.

Under no circumstances shall Board members use email to discuss among themselves Board business that is to be discussed only in an open meeting of the Board, or as part of an executive session.

Messages, deleted or otherwise, may be subject to disclosure under the Freedom of Information Act, unless an exemption applies.

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(s) for which a closed session is called. The minutes shall also include all roll-call votes taken at the meeting. These proposed minutes must be approved by the Board and endorsed by the Secretary at the next meeting. Proposed minutes shall be available for public inspection no later than eight business days after the meeting to which the minutes refer. Approved minutes shall be available for public inspection no later than five business days after the meeting at which the minutes are approved. The minutes shall be available for inspection at the main office of the School and shall be available for purchase, for a fee determined by the business office to cover the cost of printing and copying. The official minutes shall be preserved as provided by law.

© National Charter Schools Institute

The Board Secretary shall not include in, or with, the minutes any personally identifiable information on any student of the School that, if released, would violate 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.

MCL 15.269, 380.1201

0168.2 Closed Meeting

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

MCL 15.267, 15.269, 15.270-71, 15.273

0168.3 Committee Meetings

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

0169 Student Disciplinary Hearings-Due Process

0169.1 Closed Hearing Requested

Those invited into closed session should include the student, parent(s) and/or representative(s) and the School administrator(s) requesting disciplinary action. Others may be admitted at Board discretion, if needed for the proceeding, or at the request of student/parents.

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

The Administration shall present a written summary of the requested discipline and an overview of the incident(s) supporting the reason for discipline. The Administrator shall call and question witnesses. As a witness, the Administrator may testify regarding the results of his/her investigation of the incident and the student's past record.

The student and/or parent (or only one person authorized to represent the student) shall be allowed to ask the witness(es) questions about issues related to the discipline. Additional questioning by the Administrator, the student/parent/representative, and/or the Board may be allowed, at the Board's discretion.

© National Charter Schools Institute

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

When the presentation of evidence is concluded, the Board will deliberate. It may exclude the Administrator, the student, and the parent (or representative) or may allow both sides to remain. If the Board desires clarification of any testimony during its deliberation, it shall assure that the Administrator, the student, and the parent (or representative) 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, in which 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. If the parents refuse to sign the student authorization, or if information relating to other students must be presented at the hearing, the students must be referred anonymously, by use of code numbers or pseudonyms (e.g., 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.

At any time during the hearing, if the student or parent (or representative) withdraws the request for a closed hearing, the matter shall proceed under the open hearing provisions.

0169.2 **Open Hearing**

Even if the student or 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 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 student authorization or, if information relating to other students must be presented at the hearing, the students must be referred to anonymously, by use of 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 previous section, entitled Closed Hearing Requested.

The Board must deliberate and act on the discipline in open session. The student, parents, administrator, and public will be allowed to be present. Students or 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.

© National Charter Schools Institute

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

Adopted 7/22/13
Revised 9/19/17

© National Charter Schools Institute

DUTIES

0171 Officers

0171.1 President

The President shall have the authority to sign, execute, and acknowledge, on behalf of the Board, all deeds, mortgages, bonds, contracts, leases, reports, and all other Board-approved documents. (See Charter Contract Bylaws.)

0171.2 Vice-President

(See Bylaws.)

0171.3 Secretary

(See Bylaws.)

0171.4 Treasurer

(See Bylaws.)

0172 Legal Counsel

The Board of Directors shall employ an independent attorney to represent the School Board.

0173 Independent Auditor

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

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

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

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

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

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

© National Charter Schools Institute

0175 **Association Memberships**

The Board of Directors may maintain professional association memberships and take part in the activities of these groups. The Board may maintain institutional memberships in educational organizations that the Educational Service Provider/School Leader 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 levels. Attendance at local, county, state and national workshops and conferences is encouraged.

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

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

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

Adopted 7/22/13

© National Charter Schools Institute

1000 **ADMINISTRATION**

1110	Assessment of School's Goals	
1130	Conflict of Interest	BP
1210	Board – Educational Service Provider Relationship	BP
1217	Weapons	BP
1220	Employment of the School Leader	BP
1230.01	Development of Administrative Guidelines	BP
1240	Evaluation of the Educational Service Provider	BP
1241	Termination of the Educational Service Provider Agreement	BP
1400	Job Descriptions	
1420	School Administrator Evaluation	BP
1422	**Nondiscrimination and Equal Employment Opportunity**	**L**
1422.02	Nondiscrimination Based on Genetic Information of the Employee	BP
1460	Physical Examination	BP
1461	Unrequested Leaves of Absences/Fitness for Duty	BP
1613	Student Supervision and Welfare	BP
1623	**Section 504/ADA Prohibition Against Disability Discrimination in Employment**	**L**

Adopted 7/22/13
Revised 10/7/14; 2/3/15; 8/18/15; 4/12/16; 11/1/16; 3/7/17

© National Charter Schools Institute

ASSESSMENT OF SCHOOL'S GOALS

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

The Board and the Educational Service Provider shall meet, at least annually, to discuss the progress of the School. These discussions may include the following:

A. Data on the results-to-date of each School goal, so assessment and evaluation can focus on how well the School is accomplishing its goals.

B. Evaluations or progress assessments of the School's learning programs.

C. Assessment and evaluation of the effectiveness of the Board and each Board member (Form 0134 F1).

This annual process of assessing and evaluating the Board, programs, and resources shall be considered finished only after the following occurs:

A. the Board and provider review and reprioritize the School's goals and the strategies and actions being used to accomplish them;

B. the Board and provider make program revisions, in light of what the data for that year indicates should be continued to improve the accomplishment of the School's educational goals;

C. the Board develops and implements a plan to improve its own performance as the body charged with the responsibility for the governance of the School.

Adopted 7/22/13

© National Charter Schools Institute

CONFLICT OF INTEREST

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

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

A. No School 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 School. When the existence of a personal interest is suspected, he/she should disclose his/her interest.

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

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

1. School 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 School 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 School personnel may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

D. School personnel shall not engage in business, the private practice of their profession, rendering services, or selling goods of any type that take advantage of any current or past professional relationship with any student, client, or parents in the course of their employment or professional relationship with the School. Included, as illustration rather than limitation, are the following:

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

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

3. referring any student or client for lessons or services to any private business or professional practitioner, if there is any expectation

© National Charter Schools Institute

of reciprocal referrals, sharing of fees, or other remuneration for such referrals;

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

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

F. School 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 School, 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.

Adopted 7/22/13
Revised 4/12/16; 11/01/16

© National Charter Schools Institute

BOARD-EDUCATIONAL SERVICE PROVIDER RELATIONSHIP

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

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

The Educational Service Provider/School Leader and other representative staff shall attend all Board meetings when feasible. Staff participation shall provide professional counsel, guidance, and recommendations as distinct from the deliberation, debate, and voting of Board members.

The Board is responsible for determining the success of the Educational Service Provider in meeting the goals established by the Board through regular evaluations of the Educational Service Provider's performance.

Adopted 7/22/13

© National Charter Schools Institute

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 School for the purpose of school activities approved and authorized by the School including, but not limited to, property leased, owned, or contracted for by the School, a school-sponsored event, including athletic events, or in a School vehicle.

The term "weapon" means any object 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.

Adopted 4/12/16

© National Charter Schools Institute

EMPLOYMENT OF THE SCHOOL LEADER

Reference: MCL 380.1246
1999 PA 212

The Board of Directors vests the primary responsibility for administration of this School in the Educational Service Provider.

Adopted 7/22/13

© National Charter Schools Institute

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 School will operate. These Administrative Guidelines shall be consistent with the policies adopted by the Board.

The Board will formulate and adopt administrative guidelines and rules, only when required by law or when necessary in the judgment of the Board.

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

The Educational Service Provider shall also develop student handbooks necessary for the effective administration of the School and shall distribute them to employees and students and/or their parents.

As long as the provisions of the Administrative Guidelines and student handbooks are not inconsistent with Board policies, Federal/State law, the Charter Contract, applicable authorizer policies or the policy manual, they will be considered to be an extension of the policy manual.

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

The Educational Service Provider shall maintain and keep at the School a current organizational chart to which immediate reference can be made by the Board.

Adopted 9/7/06

© National Charter Schools Institute

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 School 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 7/22/13
Revised 8/18/15

© National Charter Schools Institute

TERMINATION OF THE EDUCATIONAL SERVICE PROVIDER AGREEMENT

The Board of Directors may terminate the Educational Service Provider agreement during its term, in accordance with the terms of that agreement.

Adopted 7/22/13

© National Charter Schools Institute

JOB DESCRIPTIONS

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

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

Adopted 7/22/13

© National Charter Schools Institute

SCHOOL 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 Administrator and all other School 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 School administrators' evaluations. The Educational Service Provider shall perform the Administrator's evaluation. An 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 Administrators with relevant data on student growth.

C. Evaluates an 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 Administrators, so that they are given ample opportunities for improvement;

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

3. Removing ineffective Administrators or School 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 Administrator's proficiency and training in conducting teacher performance evaluations if the Administrator conducts them him/herself, and if the Administrator designates another person to conduct the evaluations, the designee’s proficiency and training.

© National Charter Schools Institute

2. The progress made by the School in meeting the goals established in the School 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 (MDOE). 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 School complies with G., below, the School may conduct annual year-end evaluations for Administrators or School administrators using one (1) or more local evaluation tools or modifications. The evaluation tools shall be used consistently among the schools operated by the School so that all similarly situated School 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.

© National Charter Schools Institute

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 School 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 Administrator is rated as minimally effective or ineffective, the person(s) conducting the evaluation shall develop and require the 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 Administrator on his/her next annual year-end evaluation. An Administrator rated as "ineffective" on three (3) consecutive year-end evaluations must be dismissed from employment with the School.

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. If an 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.

Nothing in this Policy affects the ability of the Board or of the Educational Service Provider to dismiss an Administrator or School administrator from his or her employment regardless of whether he or she is rated as ineffective on three (3) consecutive annual evaluations.

Adopted 7/22/13
Revised 2/3/15; 8/18/15; 3/7/17

© National Charter Schools Institute

NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

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

The Board of Directors prohibits the Educational Service Provider from 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, or genetic information.

School Compliance Officers

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

Male/Female Coordinator
2959 Martin Luther King Blvd.
Detroit, MI 48208
(313) 463-2007

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

The COs are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and 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. 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 School official so that the Board may address the conduct. Any administrator, supervisor, or other School official or official who receives such a complaint shall file it with the within two (2) school days.

© National Charter Schools Institute

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 School community or a visitor to the School, 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 School community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

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

Investigation and Complaint Procedure (See Form 1422 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual’s claims and a process for rendering a decision regarding whether the charges are substantiated.
Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

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

Informal Complaint Procedure

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

© National Charter Schools Institute

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 if the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

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

All complaints involving a School employee or any other adult member of the School 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 School 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 School'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.

© National Charter Schools Institute

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

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

Formal Complaint Procedure

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

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a principal, the CO, Educational Service Provider, or other School 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 School official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or to 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.

© National Charter Schools Institute

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 of 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 after 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 considers whether unlawful discrimination or retaliation has occurred. The report shall summarize the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in State and Federal law. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the 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 five (5) 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.

© National Charter Schools Institute

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 School will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Complete confidentiality, however, cannot be guaranteed; for example, 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, unless required by law, not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

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

Sanctions and Monitoring

The Board shall 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 law. 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.

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

© National Charter Schools Institute

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 who 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 School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Adopted 7/22/13
Revised 10/7/14

© National Charter Schools Institute

NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE

Reference: 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act of 2008
29 C.F.R. Part 1635

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

To the extent prohibited by the Genetic Information Nondiscrimination Act (GINA), the School shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, except where such requests are permitted by GINA, including, but not limited to, requests for family medical history as part of the certification process for obtaining leave under the Family and Medical Leave Act (FMLA), when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the School's application process.

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

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

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

© National Charter Schools Institute

The Administrator shall appoint a compliance officer who shall be responsible for overseeing the School's compliance with GINA. The compliance officer shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all School requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

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

Adopted 7/22/13

© National Charter Schools Institute

PHYSICAL EXAMINATION

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

The Board of Directors and Administrator reserve the right to require any employee to undergo a medical examination and/or inquiry that is job-related and consistent with business necessity.

The Board of Directors and Administrator reserve the right to require any employment candidate, after a conditional offer of employment, to submit to an examination in order to determine the candidate's physical and/or mental capacity to perform assigned duties, provided that all candidates for the same job category are subjected to such an examination regardless of disability.

Such examinations shall be done in accordance with law.

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

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

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

In the event of a report of a condition that could influence job performance, the Administrator shall base any recommendation to the Board that an employment candidate should not be hired, or that a current employee should not be retained, upon a conference with a physician and upon substantiation that (i) the condition is directly correlated to defined job responsibilities, and (ii) reasonable accommodation will not allow the candidate or current employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

Adopted 7/22/13

© National Charter Schools Institute

UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

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

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

The Board may place a professional staff member on unrequested leave of absence when the staff member is unable to perform assigned duties in conformance with statute.

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

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

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

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

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

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

Adopted 7/22/13

© National Charter Schools Institute

STUDENT SUPERVISION AND WELFARE

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

Staff members 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 maintain professional staff/student boundaries that are consistent with their legal, professional and ethical duty of care for students.

The staff member shall maintain and enforce the following standards:

A. Each staff member shall report immediately to a supervisor any accident, safety hazard, or other potentially harmful condition or situation s/he detects.

B. Each staff member shall immediately report to a supervisor any knowledge of threats or violence by students.

C. A staff member shall not send students on any personal errands.

D. A staff member 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 alcohol, tobacco or illegal drugs. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal prosecution and disciplinary action by the Board up to and including termination of employment.

E. If a student approaches a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc., the staff member 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.

F. A staff member shall not transport students in a private vehicle without the approval of the Superintendent.

G. Staff members may 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 to co-curricular/extracurricular events or activities with prior approval of a supervisor.

© National Charter Schools Institute

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

Because most information concerning a child in school, other than directory information described in Policy 8330, is confidential under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline 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 staff member shall immediately report to the proper legal authorities any sign of suspected child abuse or neglect.

Adopted 7/22/13

© National Charter Schools Institute

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

To the extent required by Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA") and the implementing regulations, the Board of Directors prohibits discrimination against any employee or applicant based upon his/her disability. The Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment.

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

Major life activities also include the operation of a major bodily function.

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 including, but not limited to, medication, medical supplies, equipment or appliances.

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

To the extent required by law, the Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the School's program and/or activities.

Compliance Officer(s)

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

Male/Female Coordinator
2959 Martin Luther King Blvd.
Detroit, MI 48208
(313) 463-2007

© National Charter Schools Institute

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

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

Training

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

Facilities

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

For facilities constructed or altered on or after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

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

Complaint Procedures

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

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (“Section 504”), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

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

© National Charter Schools Institute

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the School Compliance Officer.

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

C. The School Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The School Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) work days. If no decision is rendered within ten (10) work days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Administrator. The School Compliance Officer shall maintain the School's files and records relating to the complaint.

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

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

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

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

If it is determined that the complainant was subjected to unlawful discrimination, the School Compliance Officer must identify what corrective action will be taken to stop, remedy, and

© National Charter Schools Institute

prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

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

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

Retaliation

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

Adopted 7/22/13
Revised 10/7/14

© National Charter Schools Institute

2000 **PROGRAM**

2105	Mission of the School	BP
2112	**Parent Involvement In the School Program**	**L**
2120	School Improvement	
2210.01	Right to Inspect Instructional Materials	BP
2220	Adoption of Courses of Study	BP
2221	Mandatory Courses	BP
2225	Students with Limited English Proficiency (LEP)	BP
2260	**Nondiscrimination and Access to Equal Educational Opportunity**	**L**
2260.01	**Section 504/ADA Prohibition Against Discrimination Based on Disability**	**L**
2261	Title I Services	
2261.01	Parent Participation in Title I Programs	BP
2261.03	**Federal School Improvement Plan**	**L**
2270	Religion in the Curriculum	BP
2271	Post Secondary Enrollment Option Program	BP
2340	Field and Other School-Sponsored Trips	BP
2370	Educational Options	BP
2370.01	On-Line/Blended Learning Program	BP
2413	Health Education Program	BP
2416	**Student Privacy and Parental Access to Information**	**L**
2433	**Operation of a Child Care Center or Before/After School Program**	**L**
2431.01	**Managing Heat and Humidity in Athletic Activities**	**L**
2460.02	**Least Restrictive Environment (LRE) Position Statement**	**L**
2461	Recording of School Meetings Involving Students and/or Parents	BP
2510	Adoption of Textbooks	BP
2521	Selection of Instructional Materials and Equipment	BP
2605	Program Accountability and Evaluation	BP
2623	**Student Assessment**	**L**
2628	State Aid Incentives	BP

Adopted 7/22/13
Revised 11/12/13; 3/11/14; 10/7/14; 2/3/15; 8/18/15; 11/01/16; 3/7/17; 9/19/17

© National Charter Schools Institute

MISSION OF THE SCHOOL

The Covenant House Academies provide high school dropouts and at-risk youth in our communities with new opportunities to earn a high school diploma, improve their life skills, and the academic foundation to continue on to a higher education or post-secondary skills training. Aided with a compassionate and caring staff, the schools prevent poverty, underachievement and homelessness while offering hope, encouragement and a better chance for future success.

Adopted 7/22/13

© National Charter Schools Institute

PARENT INVOLVEMENT IN THE SCHOOL PROGRAM

Reference: Sec. 1112, 1118 ESEA,
20 USC 6312, 6318
MCL 380.1294

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

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

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

A. Relationships with Families

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

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

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

4. providing coordination, technical support and other support to assist schools in planning and implementing family involvement 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 school policies, procedures, programs, and activities; [1,2]

3. promoting regular and open communication between school personnel and students' family members;

4. communicating with families in a format and language that is understandable, to the extent practicable; [1,2]

© National Charter Schools Institute

5. providing information and involving families in monitoring student progress; [2]

6. providing families with timely and meaningful information regarding Michigan's academic standards, State and local assessments, and pertinent legal provisions; [1,2]

7. preparing families to be involved in meaningful discussions and meetings with school staff. [1,2]

C. Volunteer Opportunities

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

2. supporting other needs, such as transportation and child care, to enable families to participate in school-sponsored family involvement 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. Involving Families in Decision Making and Advocacy

1. involving families as partners in the process of school review and continuous improvement planning; [2]

2. involving families in the development of its School-wide parent involvement 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 family involvement programs and activities with School initiatives and community-based programs that encourage and support families' participation in their children's education, growth, and development. [1,2]

© National Charter Schools Institute

Implementation

The Educational Service Provider will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the School's continuous improvement, and individual school improvement plans. The plan will be distributed to all parents and students through publication in the Student Handbook or other suitable means. The plan will provide for annual evaluation, with the involvement of parents and families, of the plan's effectiveness and identification of barriers to participation by parents and families. Evaluation findings will be used in the annual review of the Parent and Family Involvement policy and to improve the effectiveness of the School plan.

[1]Indicates IDEA 2004 Section 650 & 644 parent involvement requirements
[2]Indicates Title I Section 1118 parent involvement requirements

Adopted 7/22/13

© National Charter Schools Institute

SCHOOL IMPROVEMENT

Reference: MCL 380.1204a, 380.1277

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

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

The Educational Service Provider shall establish Administrative Guidelines to identify and support the implementation of a comprehensive School improvement process.

Adopted 7/22/13

© National Charter Schools Institute

RIGHT TO INSPECT INSTRUCTIONAL MATERIALS

Reference: 20 USC 1232[h]

Parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. *Instructional 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.

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

Adopted 7/22/13

© National Charter Schools Institute

ADOPTION OF COURSES OF STUDY

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

The Educational Service Provider shall provide a comprehensive instructional program to serve the educational needs of the students of this School. In furtherance of this goal and pursuant to law, the Board shall periodically adopt courses of study.

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

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

A. its applicability to students and an enumeration of those groups of students to be affected by it

B. the intended learning objective(s), defined in terms of how the learning is applied

C. its scope and sequence and a statement of the rationale used to determine the amount and type of instructional time needed to accomplish the objectives at each level

D. its justification in terms of the goals of this School, especially when it is proposed to take the place of an existing course of study

E. its instructional methods and learning strategy including the manner in which the learning of democratic principles and ethics is provided for, if appropriate to the content of the course

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

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

H. its developmental and operational history as well as data on results, where available

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

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

© National Charter Schools Institute

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

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

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

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

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

The Educational Service Provider shall maintain a current list of all courses of study offered by this School and shall provide each member of the Board with a current list of all courses of study.

The list shall include the data on each furnished with the recommendation for its adoption.

Adopted 7/22/13

© National Charter Schools Institute

MANDATORY COURSES

Reference: MCL 380.1166, 1168, 1169, 1170

Consistent with the Michigan School Code, the Educational Service Provider shall prepare, implement, and supervise courses of instruction in the following areas:

A. the Constitution of the United States; the Constitution of Michigan; and the history and present form of government of the United States, Michigan, and its political subdivisions (grades 9-12)

B. the principal modes by which communicable diseases are spread and the best methods for the restriction and prevention of these diseases

C. instruction in physiology and hygiene, with special emphasis on drug abuse prevention

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 7/22/13
Revised 9/19/17

© National Charter Schools Institute

STUDENTS WITH LIMITED ENGLISH PROFICIENCY (LEP)

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

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

Adopted 7/22/13

© National Charter Schools Institute

NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Reference: MCL 380.1146, 380.1704, 37.1101 et seq., 37.2402, 37.1402, 37.2101-37.2804
Fourteenth Amendment, U.S. Constitution
20 USC Section 1681, Title IX of Education Amendments Act
20 USC Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 USC Section 7905, Boy Scouts of America Equal Access Act
29 USC Section 794, Rehabilitation Act of 1973, as amended
29 CFR Part 1635
42 USC Section 2000~~d~~ et seq., Civil Rights Act of 1964
42 USC Section 2000ff et seq., The Genetic Information Nondiscrimination Act
42 USC 6101 et seq., Age Discrimination Act of 1975
34 CFR Part 110 (7/27/93)
Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979
42 USC 12101 et seq., The Americans with Disabilities Act of 1990, as amended
Title III of the No Child Left Behind Act of 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 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, and does not tolerate harassment of any kind. The Board will not permit discrimination in the employment practices of its Educational Service Provider, and will not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without discrimination on the basis of any of the categories set forth above, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the School, or social or economic background. Educational programs shall be designed to meet the varying needs of as many students as possible.

Educational programs shall be designed to meet the varying needs of as many students as possible.

To achieve the goals, the Educational Service Provider shall:

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

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

© National Charter Schools Institute

C. Student Access

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;

2. verify that facilities are made available for appropriate non-curricular student activities that are initiated by parents or other members of the community;

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

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

E. Student Evaluation
verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not unlawfully discriminatory.

School Compliance Officers

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

Male/Female Coordinator
2959 Martin Luther King Blvd.
Detroit, MI 48208
(313) 463-2007

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

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

The COs are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, 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

© National Charter Schools Institute

to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Educational Service Provider shall annually attempt to identify children with disabilities, ages 0-25, who do not receive a public education. In addition, Educational Service Provider shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in School programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the School will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (also see Policy 2225).

Reports and Complaints of Unlawful Discrimination and Retaliation

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

Members of the School community, which includes students, 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, 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 School community or a visitor to the School, 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 School community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

© National Charter Schools Institute

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

Investigation and Complaint Procedure

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

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

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

Informal Complaint Procedure

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

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

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

All complaints involving a School employee or any other adult member of the School 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

© National Charter Schools Institute

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 School-level employee; and/or (3) directly to one of the COs.

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

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

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

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

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

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

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

Formal Complaint Procedure

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

A student who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant") may file a formal complaint, either orally or in

© National Charter Schools Institute

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 School level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a 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 two (2) business days.

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or to 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 of 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 after 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;

© National Charter Schools Institute

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 considers whether unlawful discrimination or retaliation has occurred. That report shall summarize the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in State and Federal. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

Absent extenuating circumstances, within five (5) business days after 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 five (5) 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.

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.

© National Charter Schools Institute

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Complete 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, unless required by law, not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

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

Sanctions and Monitoring

The Board shall 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 law. 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.

Where the Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the Board and/or Educational Service Provider 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 who 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.

© National Charter Schools Institute

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 School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

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

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

Adopted 7/22/13
Revised 10/7/14

© National Charter Schools Institute

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

To the extent required by Section 504 of the Rehabilitation Act of 1973 (“Section 504”), the Americans with Disabilities Act of 1990, as amended (“ADA”) and the implementing regulations ("Section 504"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board'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 School.

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

Major life activities also include the operation of a major bodily function.

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 including, but not limited to, such as medication, medical supplies, equipment or appliances.

With respect to 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 required for participation in the vocational program or activity.

© National Charter Schools Institute

Compliance Officer(s)

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

Male/Female Coordinator
2959 Martin Luther King Blvd.
Detroit, MI 48208
(313) 463-2007

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

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

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

Training

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

Facilities

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

For facilities constructed or altered on or after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Education

To the extent required by law, 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

© National Charter Schools Institute

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 School with persons who are not disabled to the maximum extent appropriate. Generally, the School will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of supplementary aids and services cannot be achieved satisfactorily. If the School places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

To the extent required by law, the School will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities.

Notice

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

Complaint Procedures

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

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

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

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 education or placement of students who are identified as disabled or believed to be

© National Charter Schools Institute

disabled pursuant to Section 504, and are not eligible under the IDEA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights or requesting a due process hearing.

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

© National Charter Schools Institute

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, or aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by those laws.

Adopted 7/22/13
Revised 10/7/14; 8/18/15

© National Charter Schools Institute

TITLE I SERVICES

Reference: 20 USC 6301 et seq., Elementary and Secondary Education Act of 1965
34 C.F.R. Part 200, et seq.

The School will augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments to the Elementary and Secondary School Improvement Act of 1965.

The Educational Service Provider/School Leader shall prepare and present to the State Department of Education a plan for the delivery of services that meets the requirements of the law.

Adopted 7/22/13

© National Charter Schools Institute

PARENT PARTICIPATION IN TITLE I PROGRAMS

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

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

The Educational Service Provider shall ensure that the Title I plan contains a written statement of guidelines developed with, approved by, and distributed to parents of participating students.

Adopted 7/22/13

© National Charter Schools Institute

FEDERAL SCHOOL IMPROVEMENT PLAN

Reference: 20 USC § 6316; 34 CFR § 200.41

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

Adopted 7/22/13

© National Charter Schools Institute

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 person will promote religion in the classroom or in the School's curriculum, or compel or pressure any student to participate in devotional exercises. Instructional activities shall not be permitted to advance or inhibit any particular religion or religion generally.

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

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

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

Where instruction is being given in health, physiology or hygiene, a student upon the written statement of his or her parent or guardian that instruction in the characteristics or symptoms of disease is in conflict with his or her sincerely held religious beliefs shall be excused from attending classes where such instruction is being given and no penalties as to credit of graduation shall result there from.

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

Adopted 7/22/13
Revised 11/12/13

© National Charter Schools Institute

POSTSECONDARY ENROLLMENT OPTION PROGRAM

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

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

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

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

If a student participating in the postsecondary (dual) enrollment program fails to successfully complete an eligible course, the student is responsible for reimbursing the School for funds expended by the School for such enrollment, minus the amount of any refund received by the School from the eligible postsecondary educational institution that furnished the course. In the event reimbursement is not made in a reasonable period of time, the Educational Service Provider may impose a sanction against the student to the extent authorized by the Board of Directors.

The Educational Service Provider is to submit annually to the Board the following information:

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

B. the number of students in the high school and the number who participated in at least one (1) postsecondary program and received payment for all or part of the eligible charges under this program both in the aggregate and by grade level

C. the percentage of the School's enrollment represented by eligible students both in the aggregate and by grade level

D. the total number of postsecondary courses for which the School made payment, the number of courses for which postsecondary credit was granted, the number of courses for which high school credit was granted, and the number of courses that were not completed by eligible students.

Adopted 7/22/13

© National Charter Schools Institute

FIELD AND OTHER SCHOOL-SPONSORED TRIPS

Reference: MCL 380.502, 380.503

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

A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the classroom;

B. arouse new interests among students;

C. help students relate classroom experiences to the reality of the world outside of school;

D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, and educational - within the student's learning experience;

E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from the School premises that is under the supervision of a staff member and an integral part of a course of study.

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

Field trips and other School-sponsored trips which are planned to keep students out of the School overnight, or longer, or out of the State require Board approval.

The Educational Service Provider/School Leader may approve all other trips.

Neither the Board nor the School endorses, supports, or assumes liability in any way for any staff member, student, volunteer, or parent of the School who takes students on trips not approved by the Board or the Educational Service Provider/School Leader. No staff member may solicit students of this School for such trips within the facilities or on the School grounds of the School without permission from the School Leader. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the School's Administrative Guidelines for Extended Trips.

The Board of Directors require all participants in field or other school sponsored trips to complete a parental consent form and emergency medical authorization permit prior to participating.

The Educational Service Provider shall prepare administrative guidelines for the operation of both field and other School-sponsored trips.

Adopted 7/22/13

© National Charter Schools Institute

EDUCATIONAL OPTIONS

Reference: MCL 388.1621(b)

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

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

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

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

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

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

Adopted 7/22/13

© National Charter Schools Institute

ON-LINE/BLENDED LEARNING PROGRAM

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

The School 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 School 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 School shall offer a program for students in Grades 9-12.

C. Student Eligibility

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

1. 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.

2. 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.

D. Course Availability and Access

1. The School shall provide access to enroll and participate in the available courses and shall award credit, as may be appropriate, for successful completion. Access shall be available to eligible students during or after the school day and during summer school enrollment. The School will provide at least one of the following:

© National Charter Schools Institute

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 School 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 School will provide two or fewer courses per semester in Grades K-5 and one or more courses per semester in Grades 9-12. 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 School on-line course syllabus, as described in section G below, or the statewide catalog of on-line courses maintained by the Michigan virtual university.

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

   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 School denies a student enrollment for this reason, the School 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.

6. Additional requirements:

   a. If a student is denied enrollment in an on-line course by the School, the student may appeal the denial by submitting a letter to the Educational Service Provider The appeal must include the

© National Charter Schools Institute

reason provided by the School for not enrolling the student and the reason why the student is claiming that the enrollment should be approved.

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

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

c. If a student successfully completes an on-line course, as determined by the School, the School shall grant appropriate academic credit for completion of the course and shall count that credit toward completion of graduation and subject area requirements. A student's school record and transcript shall identify the on-line course title as it appears in the on-line course syllabus.

d. 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. Nondistrict Applications

1. The School shall determine whether or not it has capacity to accept applications for enrollment from students from other Districts ("Nondistrict Applications") in on-line courses and may use that limit as the reason for refusal to enroll an applicant.

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

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

F. Requirements Specific to On-Line Learning Courses
To offer an on-line course, the School must:

1. Provide the Michigan virtual university with the course syllabus in a form and method prescribed by the Michigan virtual university for inclusion in a statewide 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 School, and a link to the statewide catalog of on-line courses maintained by the Michigan virtual university.

© National Charter Schools Institute

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 School 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 content.
9. Name of the institution or organization providing the online instructor.
10. Number of eligible nonresident students that will be accepted by the School in the on-line course.
11. Results of the on-line course quality review using the guidelines and model review process published by the Michigan virtual university.
12. The course titles assigned by the district.

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

Adopted 11/12/13
Revised 10/7/14; 2/3/15

© National Charter Schools Institute

HEALTH EDUCATION PROGRAM

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

The School, consistent with Michigan law, has adopted a comprehensive program of health education, known as the Michigan Model for Comprehensive School Health Education for grades nine (9) through twelve (12) to prepare students to maintain good health and enable them to adapt to changing health problems in our society.

The Board recognizes this program, like others the School offers, may contain content and/or activities that some parents might find objectionable. The School shall notify the parents, in advance of the instruction, 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.

Adopted 7/22/13

© National Charter Schools Institute

STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

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

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

A. political affiliations or beliefs of the student or his/her parents;

B. mental or psychological problems of the student or his/her family;

C. sexual behavior or attitudes of any person;

D. illegal, anti-social, self-incriminating, or demeaning behavior;

E. critical appraisals of other individuals with whom respondents have close family relationships;

F. legally recognized, privileged and analogous relationships, such as those with lawyers, physicians, and ministers;

G. religious practices, affiliations, or beliefs of the student or his/her parents; or

H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

Adopted 7/22/13

© National Charter Schools Institute

MANAGING HEAT AND HUMIDITY IN ATHLETIC ACTIVITIES

The Board of Directors authorizes the Educational Service Provider to implement, as appropriate, 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 athletic activities. For all athletic activities, temperature and humidity shall be monitored and recorded in accordance, as appropriate, 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 physical education teacher.

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 athletic 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 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 length of day for the activity in accordance with the MHSAA model policy as appropriate

If the Heat Index is above 104 degrees, the coach/advisor shall stop all outside activity in practice and/or play and, if air conditioning is unavailable, shall also stop all inside activity. 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 3/11/14

© National Charter Schools Institute

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

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

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

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

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

Adopted 7/22/13

© National Charter Schools Institute

LEAST RESTRICTIVE ENVIRONMENT (LRE) POSITION STATEMENT

Reference: IDEA, 20 USC 1400 et seq.

It is the philosophy and position of the School and its administration that the primary responsibility for the administration and delivery of special education programs and services should be within the School which a student regularly attends, whenever appropriate.

The School shall provide a continuum of special education programs and services to disabled students in cooperation with the Wayne Regional Education Service Agency. Placement options shall follow a continuum of services model to ensure 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 classroom. Other, more restrictive environments such as resource rooms, self-contained categorical classrooms, or settings outside of the School will be considered only after consideration has been given by the I.E.P. as to the feasibility of placement in the regular classroom.

Adopted 7/22/13

© National Charter Schools Institute

RECORDING OF SCHOOL MEETINGS INVOLVING STUDENTS AND/OR PARENTS

Recording of IEP Team and 504 Meetings

In order to facilitate parents' ability to fully participate in the IEP and/or 504 process, parents of students with disabilities are ordinarily permitted to audio record IEP Team meetings and 504 Team meetings in accordance with the following procedures:

A. Parents wishing to audio record an IEP Team meeting or 504 Team meeting must utilize their own recording device and provide notice to the School prior to the date of the scheduled IEP Team or 504 Team meeting.

B. If parent(s) elects to audio record an IEP Team meeting, the School will also record the meeting.

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

Parents are permitted to audio record meetings with the School provided they notify the School prior to the date of the scheduled meeting of their intent to record the meeting. If a parent provides the requisite notice and is permitted to audio record the meeting, s/he must use his/her own recording device and the School will 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 Educational Service Provider or Director of Pupil Services]. 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 9/19/17

© National Charter Schools Institute

ADOPTION OF TEXTBOOKS

The School Administration shall approve all textbooks used in the educational program of this School. *Textbook*, for purposes of this policy, shall mean the supplemental source of instructional material for any given course of study that is available or distributed to every student enrolled in the course.

The Educational Service Provider shall develop administrative guidelines for the selection of textbooks that includes effective consultation with professional staff members at all appropriate levels.

Adopted 7/22/13

© National Charter Schools Institute

SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT

Reference: MCL 380.1274, 380.1277

The Educational Service Provider shall provide according to the management agreement instructional materials and equipment, within budgetary constraints, to implement the School's educational goals and objectives and meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the School.

The Educational Service Provider shall develop administrative guidelines for the selection and maintenance of all educational and instructional materials and equipment.

Adopted 7/22/13

© National Charter Schools Institute

PROGRAM ACCOUNTABILITY AND EVALUATION

It is the policy of the School 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 School, the Board has the responsibility for assessing and evaluating the academic growth of its students. The Board shall fulfill this responsibility by establishing that the Educational Service Provider/School Leader shall maintain a calendar of assessment activities and make periodic evaluation reports to the Board.

The Educational Service Provider/School Leader shall recommend improvements in the educational program annually, based on the evaluation of the School's program.

Adopted 7/22/13

© National Charter Schools Institute

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

© National Charter Schools Institute

C. students who have not attained satisfactory scores on the fourth grade or seventh grade test should be provided special assistance that will enable them to bring reading skills up to grade level within a twelve (12) month period;

D. data regarding individual test scores be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;

E. the results of each school-wide, program-wide, and district-wide test be made part of the public record.

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

A student who wants to repeat a State approved readiness assessment (other than the Michigan Merit Examination and any ACT component) may repeat the assessment in the next school year or after graduation on a date when the School is administering the assessment. Only this type of repeat assessment testing will be without charge to the student.

The School shall administer the complete Michigan Merit Examination to a student only once and shall not administer the complete Michigan Merit Examination to the same student more than once if the student has valid scores in some or all Michigan Merit Examination components. If a student does not take the complete Michigan Merit Examination in grade 11, the School shall administer the complete Michigan Merit Examination to the student in grade 12. If a student chooses to retake the college entrance examination component of the Michigan Merit Examination, the student may do so through the provider of the college entrance examination component and the cost of the retake is the responsibility of the student unless all of the following are met:

A. the student has taken the complete Michigan Merit Examination

B. the student did not qualify for a Michigan promise grant based on the student's performance on the complete Michigan Merit Examination

C. the student meets the Federal income eligibility criteria for free breakfast, lunch, or milk

D. the student has applied to the provider of the college entrance examination component for a scholarship or fee waiver to cover the cost of the retake and that application has been denied

E. after taking the complete Michigan Merit Examination, the student has not already received a free retake of the college entrance examination component paid for either by the State of Michigan, or through a scholarship or fee waiver by the provider

In addition to the testing programs, the Educational Service Provider shall develop administrative guidelines whereby a portfolio is developed and maintained for each student.

Adopted 7/22/13
Revised 11/01/16; 9/19/17

© National Charter Schools Institute

STATE AID INCENTIVES

Reference: State School-Aid Act

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

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

At Risk Funding

Section 31a of The State School Aid Act provides funding for instructional and pupil support services who meet the at-risk identification characteristics specified therein.

At-risk characteristics include low achievement on State- or local-administered assessments in mathematics, English language arts, social studies or science; failure to meet proficiency standards for career and college readiness for high school students at the end of 12th grade; being a victim of child abuse or neglect; being a pregnant teenager or teenage parent; having a family history of school failure, incarceration or substance abuse; being a pupil in a priority or priority successor school; and in the absence of State or local assessment data, meeting at least two or more identified risk factors.

Section 31a funds are limited to instructional services, and direct non-instructional services to pupils. They may not be used for administration or other related costs. The School shall implement multi-tiered systems of support, as required, in order to access such funding.

Annually, the Educational Service Provider shall allocate such funding to appropriate programs and services based on School priorities. Section 31a funds may be used to provide an anti-bullying or crisis intervention program.

Adopted 3/7/17

© National Charter Schools Institute

3000 **STAFF**

3110	**Conflict of Interest**	**L**
3112	Board-Staff Communications	BP
3121	**Criminal History Record Check**	**L**
3122	**Nondiscrimination and Equal Employment Opportunity**	**L**
3122.02	**Nondiscrimination Based on Genetic Information of the Employee**	**L**
3122.02a	**Nondiscrimination against State Universities in Student Teaching, Hiring and Counselor Recommendations**	**L**
3123	Section 504/ADA Prohibition Against Disability Discrimination in Employment	BP
3160	Physical Examination	BP
3161	Unrequested Leaves of Absence/Fitness for Duty	BP
3215	**Use of Tobacco by Staff**	**L**
3217	Weapons	BP
3220	Teacher Evaluation	BP
3362	Anti-Harassment	BP
3419.02	Privacy Protections of Fully Insured Group Health Plans	BP
3430.01	**Family Medical Leaves of Absence (FMLA)**	**L**

Adopted 7/22/13
Revised 10/7/14; 2/3/15; 4/12/16; 11/01/16; 3/7/17; 9/19/17

© National Charter Schools Institute

CONFLICT OF INTEREST

Reference: 2 CFR 200.318

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

A. The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by School personnel is essential to ensure the proper performance of school business as well as to earn and keep public confidence in the School. To accomplish this, the Board of Directors has adopted procedures to assure that conflicts of interest do not occur. The following are not intended to be all inclusive or to substitute for good judgment on the part of all personnel:

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 School.

3. If the pecuniary interest pertains to a proposed contract with the School, 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 School, the staff member shall make the disclosure in one (1) 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.

© National Charter Schools Institute

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 School 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 or other 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 School in private practice. Examples include 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.

6. Staff members may not participate in the selection, award, or administration of a contract supported by a grant/award if the staff member has a real or apparent conflict of interest. Such a conflict of interest would arise when the staff member, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ the staff member, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

7. Staff members may not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts involved with grant funds

B. Staff members 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 School 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.

C. Should exceptions to this policy be necessary to provide services to students or clients of the School, all such exceptions will be made known to the immediate supervisor

© National Charter Schools Institute

and will be disclosed to the Educational Service Provider before entering into any private relationship.

D. Staff members found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination, as permitted by applicable Board policy.

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

Adopted 4/12/16
Revised 11/01/16

© National Charter Schools Institute

BOARD-STAFF COMMUNICATIONS

The Board of Directors desires to maintain open channels of communication between itself and the Educational Service Provider staff. However, the basic line of communication will be through the Educational Service Provider/School Leader.

Educational Service Provider Staff Communications to the Board

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

Board Communications to Educational Service Provider Staff

All official communications, policies, and directives of the Board, which are of interest and concern to the Educational service Provider staff, will be communicated through the Educational Service Provider/School Leader. The Educational Service Provider/School Leader shall also keep Educational Service Provider staff members fully informed of the Board's problems, concerns, and actions.

Social Interaction

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

Adopted 7/22/13

© National Charter Schools Institute

CRIMINAL HISTORY RECORD CHECK

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

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

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

Prior to allowing an individual, who is subject to the criminal history record check requirement, to work in the 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 in 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 Board may contract on a provisional basis until the report is received. Any such provisional hire requires that:

A. the record check has been requested;

B. the applicant has signed a disclosure of all convictions and acknowledges that employment may be terminated if there are discrepancies; and

C. the hiring occurs during the school year or not more than thirty (30) days before the beginning of the school year.

For substitute teachers or substitute bus drivers currently working in another school, public school academy or non-public school in the State, the Board may use a report received from the State Police by such school to confirm the individual has no criminal history. Absent such confirmation, a criminal history record check shall be performed.

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

© National Charter Schools Institute

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

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

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

All criminal history record check reports received from the State Police or produced by the State Police and received by the Board from another proper source will be maintained in the individual's personnel record.

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

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

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

All those employed by the Board, either directly or under contract to regularly and continuously work in the schools prior to January 1, 2006, must undergo a criminal history records check, regardless of whether they have previously had such a check prior to 2006. Alternatively, substitute teachers within this category may authorize release to the Board of a valid criminal history check conducted by another school after January 1, 2006.

The Administrator may confirm with the Department of Education from results it maintains that the current regular substitute teacher does not have a criminal history.
The Administrator shall establish the necessary procedures for obtaining from the Criminal Records Division of the State Police any criminal history on the applicant maintained by the State Police. In addition, the Board shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

© National Charter Schools Institute

An applicant must submit, at the School's expense, a set of fingerprints, prepared by an entity approved by the Michigan State Police, as part of his/her employment application or as required by State law for continued employment.

Any employee on staff must submit, at the School's expense, a set of fingerprints, prepared by an entity approved by the Michigan State Police, as part of his/her employment application or as required by State law for continued employment.

Confidentiality

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

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

Criminal history reports may be released with the written authorization of the individual.

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

Adopted 10/7/14
Revised 9/19/17

© National Charter Schools Institute

ANTI-DISCRIMINATION

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

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

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

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

A. Discriminate against an individual in the full utilization of or benefit from the School, or the services, activities, or programs provided by the School because of religion, race, color, national origin, or sex.

B. Print or publish or cause to be printed or published a catalog, notice, or advertisement indicating a preference, limitation, specification, or discrimination based on the religion, race, color, national origin, or sex of an applicant for admission to the School.

C. Announce or follow a policy of denial or limitation through a quota or otherwise of educational opportunities of a group or its members because of religion, race, color, national origin, or sex.

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

<u>School Compliance Officers</u>

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

Male/Female Coordinator
2959 Martin Luther King Blvd.
Detroit, MI 48208
(313) 463-2007

The names, titles, and contact information of these individuals will be published annually in the staff handbook and on the School's Website.

© National Charter Schools Institute

The COs are responsible for coordinating the School's efforts to comply with applicable Federal and State laws and regulations, including the School's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, and Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Prior to the beginning of each school year, the School shall announce its policy of non-discrimination to students, parents, employees, and the general public, together with a summary of the School's program offerings and admissions criteria and contact information for the person designated to coordinate compliance activities.

The compliance officer shall also verify that the School's policy of non-discrimination is stated in all announcements, bulletins, catalogs, or application forms. All School personnel shall adhere to such policies.

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 School Official so that the Board may address the conduct. Any administrator, supervisor, or other School employee or official who receives such a complaint shall file it with the CO within two (2) business 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 School community or a visitor to the School, 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 overseer the preparation of such recommendations by a designee.

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

© National Charter Schools Institute

Investigation and Complaint Procedure (See Form 3122 F2)

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

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

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

Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available if the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

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

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

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

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

© National Charter Schools Institute

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

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

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

B. Distributing a copy of Policy 3122 – Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works.

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

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

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

Formal Complaint Procedure

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

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

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or to be engaging in, the

© National Charter Schools Institute

discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deem appropriate in consultation with the 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 of the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 3122 - Non-Discrimination. The Respondent must also be promptly 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 after 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 considers whether unlawful discrimination or retaliation has occurred. The report shall summarize the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in State and Federal law. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days after 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

© National Charter Schools Institute

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.

If the Educational Service Provider determines the Complainant was subjected to unlawful discrimination/retaliation, she/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation.

The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

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 misconduct pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

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

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board’s legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Complete confidentiality, however, cannot be guaranteed; for example, 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, unless required by law, not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

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

Sanctions and Monitoring

The Board shall enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the

© National Charter Schools Institute

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 law. 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.

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 who 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 School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Adopted 7/22/13
Revised 10/7/14

© National Charter Schools Institute

NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE

Reference: 29 C.F.R. Part 1635
42 USC 2000ff et seq., The Genetic Information Nondiscrimination Act of 2008

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

To the extent prohibited by the Genetic Information Nondiscrimination Act (GINA), the School shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, employees are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information, except where such requests are permitted by GINA, including, but not limited to, requests for family medical history as part of the certification process for obtaining leave under the Family and Medical Leave Act (FMLA), when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the School's application process.

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

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

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

© National Charter Schools Institute

The Administrator shall appoint a compliance officer who shall be responsible for overseeing the School's compliance with GINA. The compliance officer shall also verify that all School requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

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

Adopted 7/22/13

© National Charter Schools Institute

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

Reference: MCL 388.1764d

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

A. Denies to a student of a particular state university access to the School for student teaching purposes solely because the student is enrolled in that state university.

B. Prevents the hiring of a graduate of a particular state university solely because the individual graduated from that state university.

C. Discourages or prohibits a counselor employed by the School from recommending a particular state university to a pupil of the School for reasons other than the suitability of the state university's educational offerings for the particular pupil.

Adopted 7/22/13

© National Charter Schools Institute

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

To the extent required by Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA") and the implementing regulations, the Board of Directors prohibits discrimination against any employee or applicant based upon his/her disability. The Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment.

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

Major life activities also include the operation of a major bodily function.

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 including, but not limited to, medication, medical supplies, equipment or appliances.

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

To the extent required by law, the Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the School's program and/or activities.

<u>Compliance Officer(s)</u>

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

Male/Female Coordinator
2959 Martin Luther King Blvd.
Detroit, MI 48208
(313) 463-2007

© National Charter Schools Institute

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

The School Compliance Officer is responsible for coordinating the School's efforts to comply with and fulfill its responsibilities under Section 504 and the ADA and their implementing regulations, may be obtained from the School Compliance Officer**(s)**.

Training

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

Facilities

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

For facilities constructed or altered after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

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

Complaint Procedures

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

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (“Section 504”), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

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

© National Charter Schools Institute

Internal Complaint Procedure

The following internal complaint procedure is available to employees for the resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the School Compliance Officer.

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

C. The School Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The School Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) work days. If no decision is rendered within ten (10) work days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with Educational Service Provider. The School Compliance Officer shall maintain the School's files and records relating to the complaint.

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

Educational Service Provider will render a decision within ten (10) work days of the hearing.

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

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

© National Charter Schools Institute

If it is determined that the complainant was subjected to unlawful discrimination, the School 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 an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

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

Retaliation

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

Adopted 7/22/13
Revised 10/7/14

© National Charter Schools Institute

PHYSICAL EXAMINATION

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

The Board of Directors and Administrator reserve the right to require any employee to undergo a medical examination and/or inquiry that is job-related and consistent with business necessity.

The Board of Directors and Administrator reserve the right to require any employment candidate, after a conditional offer of employment, to submit to an examination in order to determine the candidate's physical and/or mental capacity to perform assigned duties, provided that all candidates for the same job category are subjected to such an examination regardless of disability.

Such examinations shall be done in accordance with law.

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

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

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

In the event of a report of a condition that could influence job performance, the Administrator shall base any recommendation to the Board that an employment candidate should not be hired, or that a current employee should not be retained, upon a conference with a physician, and upon substantiation that (i) the condition is directly correlated to defined job responsibilities, and (ii) reasonable accommodation will not allow the candidate or current employee to adequately fulfill those responsibilities.

The Board shall assume any uninsured fees for required examinations.

Adopted 7/22/13

© National Charter Schools Institute

INVOLUNTARY LEAVE OF ABSENCE/FITNESS FOR DUTY

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

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

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

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

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

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

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

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

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

Adopted 7/22/13

© National Charter Schools Institute

USE OF TOBACCO BY STAFF

Reference: MCL 333.12601 et seq.

The Board of Directors recognizes that the use of tobacco presents a health hazard.

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 product by staff on school premises (owned or leased); in school vehicles; in all school buildings owned, leased, and/or operated by the school; and at all school-related activities.

For purposes of this policy,

A. "tobacco product" means a preparation of tobacco to be smoked, 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 smoking, 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; of clove cigarettes; or of other lighted smoking devices for burning tobacco or any other substance.

Adopted 7/22/13

© National Charter Schools Institute

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 School, for the purpose of School activities (approved and authorized by the School), including, but not limited to, the following:

A. activities or events held on/in property leased, owned, or contracted by the School,

B. activities or events sponsored by the School, including athletic events, and

C. activities or events involving the use of a School 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.

Adopted 4/12/16

© National Charter Schools Institute

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 teacher'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 teachers 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 a teacher'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. 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.

© National Charter Schools Institute

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 teachers, including providing relevant coaching, instruction support, or professional development

3. removing ineffective teachers after they have had ample opportunities to improve, and ensuring 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, of the State curriculum standards being taught and student engagement in the lesson

2. must include at least 2 observations for each school year 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;

© National Charter Schools Institute

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

© National Charter Schools Institute

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

Nothing in this Policy affects the ability of the Board or of the Educational Service Provider to dismiss a teacher from his or her employment regardless of whether he or she is rated as ineffective on three (3) consecutive annual evaluations.

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

The notification shall include an explanation of why the Board is unable to comply.

Adopted 7/22/13
Revised 2/3/15; 3/7/17

© National Charter Schools Institute

ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 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. This commitment applies to all School operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against 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. 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, "School 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 School community at school-related events/activities (whether on or off school 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.

© National Charter Schools Institute

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.

© National Charter Schools Institute

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 a school employee or other adult member of the School 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.

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

Race/Color Harassment

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

Religious (Creed) Harassment

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

© National Charter Schools Institute

Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

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

Reports and Complaints of Harassing Conduct

Members of the School community and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School official so that the Board may address the conduct before it becomes severe, pervasive, or persistent.

Members of the School community or third parties who believe they have been unlawfully harassed by another member of the School community or a third party are entitled to utilize the Board's complaint process. 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:

A. in the parent and staff handbooks.

B. in the School Annual Report to the public.

C. on the School 's web site.

© National Charter Schools Institute

The Administrator 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 School community and posted in appropriate places throughout the School.

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 School 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 School 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 School 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 School 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 school employee or any other adult member of the School 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).

© National Charter Schools Institute

Members of the School 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 Administrator 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.

A copy of the written report will also be delivered to the member of the School community or third party making the complaint and the individual accused of the harassing conduct.

Upon review of the written report the Administrator 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 Administrator's action will be delivered to both the Complainant and the individual accused of the harassing conduct.

A Complainant who is dissatisfied with the Administrator's decision may appeal it to the Board of Directors by submitting written notice to the Administrator within ten (10) days of the date of the Administrator's decision. Upon receipt of a notice of appeal, the Board shall meet in executive session at its next regularly scheduled meeting, which is scheduled to occur at least ten (10) days after the Administrator's receipt of the appeal notice, to review the complaint and the summary of the investigation. Following the meeting, the Board will issue a decision either affirming, modifying, or rejecting the Administrator's decision. The decision of the Board 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 School 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 Civil Rights Commission, 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 School 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.

© National Charter Schools Institute

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

Where the Board becomes aware that a prior remedial action has been taken against a member of the School community, all subsequent sanctions imposed by the Board and/or Administrator shall be reasonably calculated to eliminate such conduct in the future.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Administrator or designee shall provide appropriate training to all members of the School 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.

Adopted 7/22/13

© National Charter Schools Institute

PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

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

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

A. Medical Plan

B. Prescription Drug Plan

C. Dental Plan

D. Vision Plan

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

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

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

B. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.

C. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.

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

A. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.

B. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.

Adopted 7/22/13

© National Charter Schools Institute

FAMILY AND MEDICAL LEAVE ACT ("FMLA")

Reference: 29 USC 2601 et seq.
29 C.F.R. Part 825
P.L. 110-181, Sec. 585 – National Defense Authorization Act (January 28, 2008)

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

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

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

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

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

Employee Entitlement to Service Member FMLA

Leave Entitlement

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

A-2. A "qualifying exigency" arising out of a covered family member's (spouse, son, daughter, or parent) covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves. Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; 7) post-deployment activities; and 8) additional activities not encompassed in the other categories, but agreed to by the employer and employee. (See AG 3430.01C). Covered active duty means deployment with the Armed Forces to a foreign country.

B-2. To care for a covered family member, including next of kin as provided in the statute, who has incurred an injury or illness or aggravation of a pre-existing illness or injury while in the line of duty while on active duty in the United States Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating. Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy.

© National Charter Schools Institute

Duration of Service Member FMLA

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

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

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

General FMLA Provisions

Staff members are "eligible" if they have worked for the Educational Service Provider for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. Service time may be aggregated when the break in service is less than seven (7) years for military obligation or subject to recall under a collective bargaining agreement. All full-time staff members are deemed to meet the 1,250 hour requirement.

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

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

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

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

B. continuing treatment by a healthcare provider, including:

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

© National Charter Schools Institute

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

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

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

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

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

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

Whenever the leave is foreseeable, the staff member shall provide the Administrator with thirty (30) day's notice. If there is insufficient time to provide such notice because of unforeseeable events, the staff member shall provide such notice as possible and practical, generally not later than the next business day after the employee realizes the need for leave. Failure to follow the leave notice requirements may result in delay of obtaining the leave. Employees will still be required to comply with the absence reporting procedures at their buildings.

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

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

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

© National Charter Schools Institute

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) or twenty-six (26) week period of FMLA leave any additional weeks of leave to obtain the twelve (12) weeks of FMLA leave or twenty-six (26) weeks of Service Member Family Leave, the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for unpaid FMLA or twenty-six (26) week maximum leave allowance provided by this policy, as the paid leave and FMLA leave will run concurrently.

The Administrator may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced-leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Administrator may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

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

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

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

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

When FMLA leave is taken for the staff member’s own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member. When the staff member requests

© National Charter Schools Institute

qualifying Service Member Leave, s/he must provide certification of a qualifying exigency or of the service member's serious illness.

The staff member may either:

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

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

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

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

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

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

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

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

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

A staff member who takes leave for his/her own serious health condition prior to returning to work, must provide the Administrator with a statement from his/her healthcare provider that s/he is able to resume work.

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

© National Charter Schools Institute

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Administrator to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

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

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

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

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

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

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

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

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

Adopted 7/22/13

© National Charter Schools Institute

5000 **STUDENTS**

5111	**Admission of Students**	**L**
5111.01	**Homeless Students**	**L**
5111.02	**Educational Opportunity for Military Children**	**L**
5111.03	**Children and Youth in Foster Care**	**L**
5113.02	School Choice Options Provided by the *No Child Left Behind Act*	BP
5114	**Foreign and Foreign-Exchange Students**	**L**
5136V1	Wireless Communication Devices	BP
5200	Attendance	BP
5223	Absences for Religious Instruction	BP
5320	Immunization	BP
5330	**Use of Medications**	**L**
5330.01	**Epinephrine Auto-Injectors**	**L**
5340	Student Accidents	BP
5340.01	**Concussions and Athletic Activities**	**L**
5341	Emergency Medical Authorization	BP
5460	Graduation Requirements	BP
5500	Student Conduct	BP
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5512	Use of Tobacco by Students	BP
5513	Care of School Property	BP
5514.01	Student Use of Motor Vehicles	BP
5515.01	Safe Operations of Motorized Utility Vehicles by Students	BP
5517	**Anti-Harassment**	**L**
5517.01	**Bullying**	**L**
5520	Disorderly Conduct	BP
5530	**Drug Prevention**	**L**
5540	The School and Governmental Agencies	BP
5600	Student Discipline	BP
5610	**Emergency Removal, Suspension & Expulsion of Students**	**L**
5610.01	Permanent Expulsion	L
5611	Due Process Rights	
5630	Corporal Punishment	
5630.01	**Student Seclusion and Restraint**	**L**
5722	School-Sponsored Publications and Productions	BP
5771	Search and Seizure	BP
5772	Possession of Weapons	BP
5830	Student Fund-Raising	BP

Adopted 7/22/13
Revised 11/12/13; 3/11/14; 10/7/14; 2/3/15; 4/14/15; 4/12/16; 11/01/16; 3/7/17; 9/19/17

© National Charter Schools Institute

ADMISSION OF STUDENTS

Reference: MCL 380.502, 388.1606

Students who reside in Michigan may enroll in the School as provided by law. 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 School in the immediately preceding school year;

B. siblings of enrolled students;

C. children of a person who is employed by or at the School or who is on the Board of Directors of the School.

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

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

Adopted 7/22/13
Revised 11/01/16

© National Charter Schools Institute

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 housing[1], bus or train station, or similar setting

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

---

[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).

© National Charter Schools Institute

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.

© National Charter Schools Institute

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.

A. If the homeless student continues to live in the School, where the school of origin is located, transportation will be provided or arranged for the student's transportation to or from the school of origin.

© National Charter Schools Institute

B. If the homeless student moves to an area served by another School, though continuing his/her education at the school of origin (which is in the School), the School and the School in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the School cannot agree upon such a method, the responsibility and costs will be shared equally.

C. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

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

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

Dispute Resolution

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

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

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

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

© National Charter Schools Institute

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 7/22/13
Revised 9/19/17

© National Charter Schools Institute

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 7/22/13

© National Charter Schools Institute

CHILDREN AND YOUTH IN FOSTER CARE

References: 45 C.F.R. 1355.20

The Board of Directors recognizes the importance of educational stability for children and youth in foster care. Further, the Board recognizes these children and youth as a vulnerable subgroup of students in need of safeguards and supports in order to facilitate a successful transition through elementary and secondary education and into college and/or careers. To that end, the School will collaborate with the Michigan Department of Education (MDE), other School'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 School. To that end, students in foster care will not be stigmatized or segregated on the basis of their status. The School shall establish safeguards that protect foster care students from discrimination on the basis of their foster care status or other of the recognized Protected Classes (Policy 2260). The School shall regularly review and revise its policies, including 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)).

© National Charter Schools Institute

School Stability

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

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

A. a child/youth in foster care shall remain in his/her 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)).

School of Origin

The School 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 School will continue to prioritize the student's educational stability in determining placement, supports, and services deemed to be in the child's best interests.

A student who has exited foster care shall be permitted to remain in the academy of origin until the end of the academy year.

Best Interest Determination

In making the best interest determination, the School will follow the guidelines established by MDE and the State or tribal custodial agencies. The School shall utilize the prescribed process in conjunction with local custodial agencies in making best interest determinations, and shall make such determination within five (5) academy days of the child's placement in foster care or change in child's living arrangement. Once a determination is made the School shall provide the decision in writing to all relevant parties, in collaboration with the appropriate

© National Charter Schools Institute

custodial agency. When making decisions regarding educational placement of students with disabilities under IDEA and Section 504, the School shall provide all required special educational and related services and supports provided in the least restrictive placement where the child's unique needs, as described in the student's IEP or Section 504 plan, can be met.

If there is a dispute regarding whether the educational placement of a child in foster care is in the best interest of that child, the dispute resolution process established by the Michigan Department of Education (MDE) shall be used.

The School's representatives shall collaborate fully in this process, considering relevant information regarding academic programming and related service needs of the child, and advocating for what the School believes is in the best interest of the child.

To the extent feasible and appropriate, the child will remain in his/her 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 School shall provide privacy protections for children and families and shall facilitate appropriate data-sharing pertaining to children in foster care between child welfare and educational agencies, in accordance with the Family Educational Rights and Privacy Act (FERPA) and Policy 8330 – Student Records.

Services to Children and Youth in Foster Care

Foster care children and their families shall be provided equal access to the educational services for which they are eligible comparable to other students in the School including:

A. educational services for which the student in foster care meets eligibility

© National Charter Schools Institute

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 School must ensure that transportation is provided for children in foster care consistent with the procedures developed by the School in collaboration with the State or local child welfare agency. These requirements apply whether or not the LEA already provides transportation for children who are not in foster care.

In order for a student in foster care in his/her 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 School's transportation services will provide that:

A. Children in foster care needing transportation to their academies of origin will promptly receive that transportation in a cost effective manner and in accordance with Section 475(4)(A) of the Social Security Act; and

B. If there are additional costs incurred in providing transportation to the academy of origin, the School shall provide such transportation if 1) the local child welfare agency agrees to reimburse the School for the cost of such transportation; 2) the School agrees to pay for the cost; or 3) the School and the local child welfare agency agree to share the cost. (ESEA 1112(c)(5)(B)).

Additional costs incurred in providing transportation to the academy of origin should reflect the difference between what the School 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 School will collaborate with the State Education Agency (SEA), other LEAs, and child welfare agencies to pursue possible funding sources and arrangements to deal with transportation costs.

Since foster care placements may occur across School, county, or State boundary lines, coordination among multiple agencies may be necessary. The School will work with appropriate State and local agencies to address such placement and transportation issues that arise. The School shall provide or arrange for adequate and appropriate transportation to and from the academy of origin while any disputes are being resolved.

© National Charter Schools Institute

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 9/19/17

© National Charter Schools Institute

SCHOOL CHOICE OPTIONS PROVIDED BY THE *NO CHILD LEFT BEHIND ACT*

Since the School is a public school academy as defined by statute, it is a "school of choice" and under such definition, parents/guardians of students make concerted choices to both enroll and/or withdraw their student based on individual discretion.

The Educational Service Provider may establish administrative guidelines to ensure compliance with the No Child Left Behind Act of 2001 (NCLBA).

Adopted 7/22/13

© National Charter Schools Institute

FOREIGN AND FOREIGN-EXCHANGE STUDENTS

Reference: M.C.L 380.504(3)
8 C.F.R. 214 et seq.
8 U.S.C. 1101 (Immigration Reform and Control Act)
M.C.L. 380.1147
1985 O.A.G. 6316
Plyler v Doe, 457 U.S. 202 (1982)

The Board of Directors recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having foreign students as members of the student body of this School.

In accordance with other admissions policies, the Board will permit the admission of foreign students and foreign-exchange students (from recognized and approved student exchange programs) who are either deemed legal residents of the State of Michigan under applicable law or are permitted under MCL 380.504(3).

Student and Exchange Visitor Program for Nonimmigrant Students with F-1 Visas

Provided such petition is not prohibited by the School's authorizer, the Board authorizes the School to petition for approval to provide a Student and Exchange Visitor Program (SEVP). As an authorized SEVP provider, the School will issue the certificate of eligibility to nonimmigrant students who complete the application process successfully, which will enable them to apply for an F-1 Visa. All students entering under this section must be deemed residents of the State of Michigan or be permitted under MCL 380.504(3).

Participation by nonimmigrant students in this program will be consistent with Federal law that requires the following:

A. the student possess sufficient English language proficiency to participate in the high school curriculum

B. the student's participation does not exceed an academic year

C. the student pays to the Board the full amount of tuition prior to the commencement of the academic term of attendance

D. the student otherwise maintains his/her lawful temporary immigration status

Other Nonimmigrant Students

This policy does not apply to nonimmigrant students with citizenship in countries other than the United States who are not participating in an approved exchange visitor program or who are not sponsored by the School so they can attend the School as participants in the student and exchange visitor program (SEVP) on a valid F-1 visa.

All other nonimmigrant students with citizenship in countries other than the United States who seek to enroll in the School are subject to State law and the School's policies regarding enrollment and, if applicable, tuition. All such students must be deemed to be residents of the State of Michigan under applicable law or be permitted under MCL 380.504(3).

Adopted 8/18/15

© National Charter Schools Institute

WIRELESS COMMUNICATION DEVICES

Students may use wireless communication devices (WCDs) before and after school, during after school activities (e.g. extracurricular activities), and at school-related functions. Use of WCDs, except approved laptops and PDAs, at any other time is prohibited and they must be powered completely off 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, laptops, 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 school-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.

The requirement that WCDs must be powered completely off will not apply in the following circumstances when the student obtains prior approval from the building principal if the student is using the WCD for an educational or instructional purpose (e.g. taking notes, recording a class lecture, writing papers) with the teacher's permission and supervision.

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 school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal.

"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, and bathrooms 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.

© National Charter Schools Institute

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 School 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 School custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 – Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a 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 school office.

Students may use school phones to contact parents/guardians during the school day.

Adopted 7/22/13

© National Charter Schools Institute

ATTENDANCE

Reference: MCL 380.1561, 380.1561(3a-3c), 380.1586(3)

It is the School's belief that attendance and completion of schoolwork adds to academic success and the development of attitudes of responsibility and consistent performance that will carry over into adult life, including work. Regular school attendance is the responsibility of the parent(s), guardian(s) and the students. The school's obligation is to keep parent(s)/guardian(s) informed of students' absenteeism.

Adopted 7/22/13

© National Charter Schools Institute

ABSENCES FOR RELIGIOUS INSTRUCTION

Reference: MCL 380.1561(3c)(d)

The Board of Directors desires to cooperate with those parents who wish to provide for religious instruction for their children. However, the Board also recognizes its responsibility to enforce the attendance requirements of the State.

Given a signed request from a student's parent, the Board will allow exceptions to the student's continuous attendance for religious instruction outside the School building for no more than two class hours per week.

A student must be properly registered for religious instruction, and a copy of such registration must be filed with the School Leader.

The time of release for religious instruction shall be arranged by the School Leader, in keeping with the regulations of the State Board of Education. The School Leader will also assure the appropriate continuance of the instructional program in the School during such release times.

No solicitation for attendance at religious instruction shall be permitted on School premises. Members of the staff shall neither encourage nor discourage participation in any program of religious instruction.

Adopted 7/22/13

© National Charter Schools Institute

IMMUNIZATION

Reference: MCL 333.9201 et seq, 380.1177

Immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the School requires that all students be properly immunized at the time of registration or not later than the first day of school, pursuant to the provisions of the Department of Health and Human Services (DHHS) regulations.

However, students who do not meet the immunization requirements shall be admitted in accordance with School administrative guidelines. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three 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 School personnel.

C. The child has received at least one dose of each immunizing agent and the next dose(s) are not due yet.

When the School provides information on immunizations, infectious disease, medications, 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 Educational Service Provider is required to include information about meningococcal meningitis and the vaccine for meningococcal meningitis as well as about the human papillomavirus and the vaccine for human papillomavirus. The information shall include at least the causes and symptoms of meningococcal meningitis, how it is spread, and the risks associated with human papillomavirus. In addition, the information shall include sources where parents and guardians may obtain additional information about both diseases and where they may obtain the associated vaccinations.

The Educational Service Provider shall develop administrative guidelines to ensure the proper implementation of this policy.

Adopted 7/22/13
Revised 8/18/15

© National Charter Schools Institute

USE OF MEDICATIONS

Reference: MCL 380.1178, 380.1178a, 380.1179
Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School, Policy on Management of Asthma in Schools

Neither the Board of Directors, the School nor the Educational Service Provider 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.

The Educational Service Provider shall prepare appropriate administrative guidelines related to the administration and use of prescribed medications.

Adopted 7/22/13

© National Charter Schools Institute

EPINEPHRINE AUTO-INJECTORS

Reference: M.C.L. 380.1178, 380.1179, 380.1179A
Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School

Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self-possess and self-administer the medication if they meet the conditions as stated in Policy 5330.

Commencing with the 2014-15 school year, the School shall have epinephrine auto-injectors (Epi-Pens) supplied by the parent or guardian. It shall be the responsibility of the Educational Service Provider to be sure that the supply of Epi-Pens is maintained at the appropriate level and they have not expired. The Educational Service Provider shall also be responsible for coordinating the training of employees to administer Epi-Pen injections and to maintain the list of employees authorized to administer such injections.

Individuals Qualified to Administer

Only a licensed, registered professional nurse employed or contracted by the School or a school employee who has successfully passed the required training shall be allowed to possess and administer Epi-Pen injections to students. The list of the names of the persons authorized to use the School maintained Epi-Pens will be maintained in each school by the Principal. The list 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 and administration of an Epi-Pen.

Training of employees on the appropriate use and administration of an Epi-Pen injection shall be done in accordance with any guidelines provided by the Michigan Department of Education, and shall be conducted under the supervision of a licensed registered professional nurse. The training shall include an evaluation by the nurse of the employees' understanding of the protocols for administering an Epi-Pen injection.

Students to Whom Injections May Be Administered

A licensed, registered, professional nurse or trained and authorized employees under this policy may administer Epi-Pen injections to 1) any student who has a prescription on file with the School, in accordance with the directives in such prescription, and 2) any individual on school grounds who is believed to be having an anaphylactic reaction.

Reporting of Injections

Any person who administers an Epi-Pen injection to a student shall promptly notify the student's parent/guardian and 911, who shall be responsible for promptly notifying the student's parent/guardian that an injection has been administered.

All Epi-Pen injections by employees to students shall be reported in writing to the 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).

© National Charter Schools Institute

The Educational Service Provider shall at least annually report to the Department of Education, in the form and manner and to the extent determined by the Department, information on the number of injections provided to students, the number of injections with School Epi-Pens and the number of incidents where students were not known to be subject to severe allergic reactions.

Adopted 10/7/14

© National Charter Schools Institute

STUDENT ACCIDENTS

School personnel have certain responsibilities in case of accidents that occur in school. Such responsibilities include administering first aid by persons trained to do so, summoning medical assistance, notifying administrative personnel, notifying parents, and filing accident reports.

The Educational Service Provider shall prepare administrative guidelines detailing the responsibilities related to student accidents that occur in School.

Adopted 7/22/13

© National Charter Schools Institute

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 School 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 School shall comply with whichever standards are more protective.

Adopted 11/12/13

© National Charter Schools Institute

EMERGENCY MEDICAL AUTHORIZATION

The Educational Service Provider will distribute the Emergency Medical Authorization Form annually to parents or guardians of all students. If an emergency medical treatment for a student is necessary, the School will adhere to the instructions on the authorization form.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in the School office during the year.

Any time a student or a group of students is taken out of the school to participate in a School event, the staff in charge of the event must take the Emergency Medical Forms for those students and must return the forms to the office file after the event.

The Educational Service Provider shall develop administrative guidelines to ensure the prompt return of said form by parents or guardians and the implementation of other provisions of this policy.

Adopted 7/22/13

© National Charter Schools Institute

GRADUATION REQUIREMENTS

Reference: MCL 380.1166, 1278a(1), 1278a(2), 1278a(4), 1278b, 1279e
20 USC 1400, et. seq.
20 USC 1401 et. Seq.
29 USC 794
42 USC 12131, et. seq.
Bimfield 18378.53348.1099415-1

The Board shall award a regular high school diploma to every student enrolled in this School who meets the requirements of graduation established by this Board (see AG 5460), the Michigan Department of Education (MDE), and as provided by State law.

The Board shall annually notify each of its students and a parent or legal guardian of each of its high school students that all students are entitled to a personal curriculum. The annual notice shall include an explanation of what a personal curriculum is and state that if a personal curriculum is requested, the School will grant that request. The School shall provide this annual notice to parent and legal guardians by sending a written notice to each high school student's home or by including the notice in a newsletter, student handbook, or similar communication that is sent to a student's home, and also shall post the notice on the School's website.

Credit towards a high school diploma may be earned by:

A. traditional course work;

B. demonstrating mastery of subject area content expectations or guidelines for the credit;

C. related course work in which content standards are embedded;

D. non-traditional course work;

E. independent teacher-guided study;

F. testing out;

G. dual enrollment;

H. advanced placement courses;

I. international baccalaureate or other "early college" programs; or

J. Michigan Department of Education (MDE)-approved formal career and technical (CTE) program or curriculum; or

K. on-line class.

High school special education students who properly complete the programs specified in their I.E.P. and have received the recommendation of the I.E.P.C. may participate in graduation activities as recommended by the student's I.E.P.C. Reasonable accommodation shall be made for students with disabilities, as defined under State or Federal law, to assist them in taking any required tests or assessments for graduation.

© National Charter Schools Institute

The Board shall grant credit toward high school graduation for any student who successfully completes, prior to entering high school, a State-mandated curriculum requirement, provided s/he completes the same content requirements as the high school subject area, and the student has demonstrated the same level of proficiency on the material as required of the high school students.

For elective courses, which are not State-mandated curriculum requirements, the Board shall grant credit to any high school student who is not enrolled in the course, but has exhibited a reasonable level of mastery of the subject matter of the course by achieving C+ or better in the final exam for the course, or, if there is no final exam, through the basic assessment used for the course, which may consist of a portfolio, performance, paper, project, presentation or other established means.

For the purposes of this policy, all of the following apply:

A. A student is considered to have completed a credit if the student successfully completes the subject area content expectations or guidelines developed by the MDE that apply to the credit.

B. The Board shall base its determination of whether a student has successfully completed the subject area content expectations or guidelines developed by the MDE that apply to a credit at least in part on the student's performance on the assessments developed or selected by the MDE or on one or more assessments developed or selected by the Board that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit.

C. The Board shall also grant a student a credit if the student earns a qualifying score, as determined by the MDE, on the assessments developed or selected for the subject area by the MDE or the student earns a qualifying score, as determined by the Board, on one or more assessments developed or selected by the Board that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit.

A high school student shall be granted credit in any foreign language not offered by the School providing s/he meets the competency criteria established by the Educational Service Provider.

Many high school credit requirements may be fulfilled through state approved career and technical education programs (see AG 5460.01). The career and technical education credits may include work-based learning by a student working at a business or other work setting with appropriate oversight by the School over the student's experience and learning in the work setting in which the work-based learning occurs.

Commencement exercises will include only those students who have successfully completed requirements as certified. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation, however, when personal conduct so warrants.

Adopted 7/22/13
Revised 8/18/15

© National Charter Schools Institute

STUDENT CONDUCT

Reference: MCL 380.1311, 380.1312

Respect for the law and for those persons in authority shall be expected of all students. Respect includes conformity to School rules and general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship are also expected of all members of the School community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in this School.

The Educational Service Provider shall establish administrative guidelines to carry out Board policy and philosophy and shall hold all School personnel, students, and parents responsible for the conduct of students in the School and at School-related events.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct.

Adopted 7/22/13

© National Charter Schools Institute

STUDENTS – SEX OFFENDER REGISTRY; CRIMINAL CONVICTIONS

Reference: MCL 28.721 et al.

Students who are convicted of criminal conduct which requires their listing on the State's Sexual Offender Registry, shall be prohibited from participating in:

A. all extracurricular activities;

B. all in-school activities which deal with younger students, such as tutoring, classroom assistance, coaching, etc.;

C. after school social activities, such as attendance at school-sponsored clubs, dances, athletic events, musical or theatrical performances, or outside clubs or activities, which meet on school property, such as Girl or Boy Scouts, non-school athletics or religious and/or political groups;

D. any other activities as designated in writing by the Administrator

Any exceptions to the above exclusions must be approved by the Administrator.

Any exceptions must be confirmed in writing by the authorizing individual, and must specifically state any requirements for participation, such as parental or adult supervision. The writing shall be provided to the parent and student. Exceptions may be revoked at any time, with cause.

The Administrator may also adjust the student's classes and schedule to provider for adequate supervision and student safety during the school day.

Additional restrictions on in-school activity and student contacts may be implemented by the Administrator with approval from the Board.

Such restrictions shall be based on student/school safety and/or maintaining an appropriate educational environment. Restrictions will be in writing and provided to the student, parents/guardian and those staff with a need to know.

Students covered by this Policy shall only be on school premises as necessary for normal instructional purposes, or as permitted under any exceptions granted by the School. 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 School administration for possible limitation of school related activities consistent with the nature of the crime and the interest of the School in maintaining school safety.

Adopted 7/22/13

© National Charter Schools Institute

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.

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 product by students on school premises (owned or leased), in school vehicles, in all school buildings owned and/or operated by the school, and any other school-related event.

For purposes of this policy,

A. "tobacco product" means a preparation of tobacco to be smoked, 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 smoking, 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; of clove cigarettes; or of other lighted smoking devices for burning tobacco or any other substance.

Adopted 7/22/13

© National Charter Schools Institute

CARE OF SCHOOL PROPERTY

Reference: MCL 600.2913

Basic to the philosophy of the School is a respect for the rights of others. Students must respect the belongings of others, including School property. Each student should realize that vandalism to School property is costly to repair and is directly related to increased costs at the School.

Attempts should be made to teach students respect for property through the care of textbooks and the use of School materials and equipment.

In accordance with law, students who cause damage to School property shall be subject to disciplinary measures, and their parents shall be financially liable for such damage, to the extent of the law, except that students eighteen years of age or older shall be liable for damage they cause.

The Board authorizes the imposition of fines for the loss, damage, or destruction of School equipment, apparatus, musical instruments, library materials, or textbooks and for damage to the building.

The School Leader may report to the appropriate authorities any student whose damage of School property has been serious or chronic in nature.

The Educational Service Provider shall develop administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

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 not be responsible for motor vehicles which are lost, stolen, or damaged on School property.

Adopted 7/22/13

© National Charter Schools Institute

SAFE OPERATION OF MOTORIZED UTILITY VEHICLES BY STUDENTS

Because of the danger of accident, the Board of Directors prohibits the operation of motorized utility vehicles (e.g. golf carts or similar low-speed vehicles) by students on School grounds or for School activity purposes.

Adopted 11/12/13

© National Charter Schools Institute

ANTI-HARASSMENT

Reference: Titles VI and VII of the Civil Rights Act of 1964, 42 USC 2000d et seq.
20 U.S.C. 1400 ET SEQ., The Individuals with Disabilities Education improvement Act of 2004 (IDEIA)
20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
29 U.S.C. 6101, the Age Discrimination Act of 1975
42 U.S.C. 2000d et seq.
42 USC 2000e et seq.
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 USC 1983
42 USC 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 USC 1681 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC 794
The Americans with Disabilities Act of 1990, 42 USC 12101 et seq.
The Handicappers' Civil Rights Act, MCL 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, MCL 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

General Policy Statement

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

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

For purposes of this policy, "School 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 school property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School community at school-related events/activities (whether on or off school property).

© National Charter Schools Institute

Other Violations of the Anti-Harassment Policy

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

A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.

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

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

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflicts physical or psychological pain distress on one (1) or more students or School employees and that bullying is based upon one (1) or more of the Protected Classes described above, meaning, the characteristics that are protected by State or 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, to cause discomfort or humiliation, or to interfere unreasonably with an individual's school or work performance or participation. Bullying may involve:

A. teasing;

B. threats;

C. intimidation;

D. stalking;

E. cyberstalking

F. cyberbullying;

G. physical violence;

H. theft;

I. sexual (including sexual orientation and transgender identity) religious, or racial harassment;

J. public humiliation; or

K. destruction of property

© National Charter Schools Institute

Harassment

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

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

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

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

Sexual Harassment

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 of 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.

© National Charter Schools Institute

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 School community into a student's personal space and personal life.

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

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

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

Race/Color Harassment

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

© National Charter Schools Institute

Religious (Creed) Harassment

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

National Origin Harassment

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

Disability Harassment

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

Reports and Complaints of Harassing Conduct

Students and other members of the School community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor or other School official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other School employee or official who receives such a complaint shall file it with the School's Anti-Harassment Compliance Officer (described below) at his/her first opportunity.

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

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Cyberbullying and Other Forms of Aggressive Behavior, the Administrator believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a

© National Charter Schools Institute

Protected Class, the Administrator will report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy 5517. While the Compliance Officer investigates the allegation, the Administrator shall suspend his/her 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Administrator informed of the status of the investigation and provide the Administrator 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 School. They are hereinafter referred to as the "Compliance Officers".

Male/Female Coordinator
313-463-2007
2959 Martin Luther King Blvd.
Detroit, MI 48208

The names, titles, and contact information of these individuals will be published annually in the parent and staff handbooks and on the School'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 School community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student, other member of the School community or third party in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

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

Any member of the School community who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any School employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other School employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents or guardian 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.

© National Charter Schools Institute

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal complaint procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim was substantiated are set forth below.

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

The informal and formal procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

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

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

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

Formal investigations are required, however, of all allegations of harassment involving a School employee or any other adult member of the School community against a student, and of all allegations of sexual violence.

As an initial course of action, if a student feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not, however, 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.

© National Charter Schools Institute

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

All informal complaints must be forwarded 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 School's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

A. Advising the student about how to communicate the unwelcome nature of the behavior to the alleged harasser.

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

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

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

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

Formal Complaint Procedure

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

A student who believes s/he has been subjected to offensive conduct/harassment/retaliation here after referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, principal, or other School employee at the student's school, with the Compliance Officer, with the Educational Service Provider, or another School employee who works at another school. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a 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 School

© National Charter Schools Institute

employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or to 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 deems 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 of the nature of the allegations and provided with a copy of any relevant administrative guidelines, including this Anti-Harassment policy. The Respondent must also be promptly 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 considers whether

© National Charter Schools Institute

unlawful harassment or retaliation has occurred. The report shall summarize the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful harassment as provided in State and Federal law. 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 unlawful harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

Absent extenuating circumstances, within five (5) school days after receiving the report of the Compliance Officer or the designee, the Educational Service Provider must either: (i) issue a final decision regarding whether the complaint of harassment has been substantiated or (ii) 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) school days. At the conclusion of the additional investigation, the Educational Service Provider shall issue a final written decision as described above.

A Complainant or 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 within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

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

Privacy/Confidentiality

The School will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law. Complete confidentiality, however, cannot be guaranteed; for example, 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 each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected, unless required by law, not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

© National Charter Schools Institute

Sanctions and Monitoring

The Board shall enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further 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 law. When imposing discipline, the Administrator shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

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

Retaliation

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

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any School teacher or School employee who knows or suspects that- a student with a disability who is twenty-six (26) years or younger, or a student the age of eighteen (18) or younger, 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 immediately 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’s or designee's obligation 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 School community related to the implementation of this policy and shall provide training for School students and staff where appropriate. All training, as well as information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Adopted 7/22/13
Revised 3/11/14; 10/7/14; 4/14/15

© National Charter Schools Institute

BULLYING

Reference: The Matt Epling Safe School Law, Public Act 241 of 2011, as amended by Public Act 478 of 2014 (MCL § 380.1310b).

The Board believes that a safe and nurturing educational environment in school is necessary for students to learn and achieve high academic standards. Therefore, it is the policy of the School to provide a safe and nurturing environment for all of its students. Appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of students, as well as administrators, faculty, staff, visitors, and volunteers.

BULLYING AND CYBERBULLYING ARE PROHIBITED

Bullying and cyberbullying of a student, whether by other students, staff, visitors, Board members, parents, guests, contractors, vendors and volunteers, is prohibited. All pupils are protected under this policy, and bullying and cyberbullying are prohibited without regard to its subject matter or motivating animus.

DEFINTION OF BULLYING

"Bullying" means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.

B. Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.

C. Having an actual and substantial detrimental effect on a pupil's physical or mental health.

D. Causing substantial disruption in, or substantial interference with, the orderly operation of the school.

"Cyberbullying" means any electronic communication that is intended or that a reasonable person would know is likely to harm one (1) or more pupils either directly or indirectly by doing any of the following:

A. Substantially interfering with the educational opportunities, benefits, or programs of one (1) or more pupils.

B. Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress.

C. Having an actual and substantial detrimental effect on a pupil's physical or mental health.

© National Charter Schools Institute

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;

© National Charter Schools Institute

B. Are approved by the victim's parent or legal guardian or, if the victim is at least 15, by the victim;

C. Are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team"); and

D. Would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these. The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants. Where the investigation results in a finding that bullying has occurred, both the parent or legal guardian of a victim of bullying and the parent or legal guardian of a perpetrator of the bullying shall be notified promptly in writing. In addition, administrators investigating alleged bullying may notify parents of the victim or perpetrator of bullying sooner than the conclusion of the investigation if circumstances dictate such earlier notification.

The School shall document any prohibited incident that is reported and shall document all verified incidents of bullying and the resulting consequences, including the required notification of parents or guardians and any discipline and referrals.

The Educational Service Provider is the school official responsible for ensuring that this policy is implemented.

CONFIDENTIALITY

The School will comply with all applicable laws regarding confidentiality of personally identifiable information within education records. In addition, the identity of an individual who reports an act of bullying or cyberbullying shall be and remain confidential. The Administrator, or the Administrator designee, shall ensure that the name of an individual who reports an act of bullying or cyberbullying is withheld from the alleged perpetrator and the perpetrator's parent(s), legal guardian(s) and representative(s), and is redacted from any report of bullying or cyberbullying that is publically disclosed.

NOTIFICATION

This policy will be annually circulated to parents and students, and shall be posted on the School website.

REPORTING

As required by state statute, the School shall provide a report of all verified incidents of bullying and other required information to the Michigan Department of Education on an annual basis, according to the form and procedures established by the Department.

As required by state statute, the School's procedures with respect to bullying are contained within this policy, and thus no administrative guidelines accompany this policy.

Adopted 7/22/13
Revised 3/11/14; 4/14/15; 9/19/17

© National Charter Schools Institute

DISORDERLY CONDUCT

It is the purpose of the School, acting within the intent and letter of the laws of the State of Michigan, to provide instruction for students at public expense. Any act of any person(s) that interfere with or to thwart this purpose is unlawful or is in violation of Board policy. Therefore, actions by a student(s) to interfere materially or substantially with the operations of the School by defacing or destroying School property, by rioting, breaking-in, sitting-in, lying-in, smashing-in, or by picketing to force students not to cross picket lines are illegal. Students who engage in such activities may be punished to the full extent of the law and Board policy.

For the purposes of this policy, the term *disorderly conduct* includes any unlawful student assemblage; group acts of violence, disruption, vandalism, or building seizure; or interference with the functioning of School personnel, any student, or group of students.

Adopted 7/22/13

© National Charter Schools Institute

DRUG PREVENTION

Reference: MCL 333.26301 et seq, 333.7410
A.C. Rule R388.271 et seq.
Senate Bill 350, 1990
Drug-Free Schools and Communities Act of 1986, 20 USC 3171 et seq.
20 USC 3224A

The School recognizes the misuse of drugs is a serious problem with legal, physical, and social implications for the entire School community.

As an educational institution in this community, the School shall strive to prevent drug abuse and help drug abusers by educational means, rather than punitive means.

For purposes of this policy, *drugs* shall mean:

A. all controlled substances, as so designated and prohibited by Michigan statute;

B. all chemicals that release toxic vapors including tobacco;

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. anabolic steroids;

G. any other illegal substance, so designated and prohibited by law.

In accordance with Federal and State law, the Board hereby establishes a “Drug-Free School Zone” that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on School property, within the Drug-Free School Zone, or at any School-related event.

Furthermore, the Educational Service Provider/School Leader shall take the necessary steps to report for prosecution to the fullest extent of the law any individual eighteen (18) years of age or older who knowingly delivers or distributes to another person any controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone

The Educational Service Provider shall prepare administrative guidelines for the identification and regulation of drug use in the School.

Adopted 7/22/13

© National Charter Schools Institute

THE SCHOOL AND GOVERNMENTAL AGENCIES

Reference: MCL 722.627
Attorney General's Opinion No 6869, September 6, 1995

The School is committed to protect students from individuals not associated with the School, but also recognizes its responsibility to cooperate with law enforcement agencies and the Department of Human Services (DHS).

When such agencies request permission to interrogate or interview a student at the School, the School Leader/Family Advocate shall;

A. attempt to inform the student's parents, when appropriate or when allowed by the investigator.

B. ensure that the agency has informed or will inform the parents, when appropriate.

The Educational Service Provider shall prepare administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

STUDENT DISCIPLINE

The School acknowledges that student conduct is closely related to learning and an effective instructional program requires an orderly school environment, as reflected in the behavior of students.

The School believes the best discipline is self-imposed, with students assuming responsibility for their own behavior and the resulting consequences.

The School shall require each student of this School to adhere to the Code of Conduct established by the Educational Service Provider and submit to such disciplinary measures, appropriately assigned for infraction of those rules.

Adopted 7/22/13

© National Charter Schools Institute

EMERGENCY REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS

Reference: MCL 380.1309; MCL 380.1312(8)&(9); MCL 37.1402; 20 USC §§ 5812, 5964, 5965, 7114, 7115, 7151; 42 USC § 290hh; State Board of Education, Resolution to Address School Discipline Issues Impacting Student Outcomes, Adopted June 12, 2012 [Note: MCL 380.1311a was held to be unconstitutionally overbroad in *Smith ex rel. Smith v Mount Pleasant Public Academy*, 285 F Supp 2d 987 (ED Mich, 2003).]

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to School 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 School community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the School.

The Educational Service Provider shall establish guidelines to carry out Board policy and philosophy, and shall hold all School personnel, students, and parents responsible for the conduct of students at the school, in school vehicles, and at school-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 school environment which is, in part, reflected in the behavior of students.

The Board requires each student of this School to adhere to the Code of Conduct established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

A. Conform to reasonable standards of socially-acceptable behavior;

B. Respect the person and property of others;

C. Preserve the degree of order necessary to the educational program in which they are engaged;

D. Respect the rights of others;

E. Obey authority and respond to those who hold authority.

School administration shall develop guidelines for student conduct that carry out the purposes of this policy and respect the individual rights constitutionally guaranteed to students.

School 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;

© National Charter Schools Institute

C. Be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

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 school zone, if suspension or expulsion is considered, the Educational Service Provider 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 Educational Service Provider 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 Educational Service Provider 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 Board or Educational Service Provider will still consider the factors.

Restorative Practices

If the School determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will engage in restorative practices which emphasize repairing the harm to the victim and school community caused by the student's misconduct.

Restorative practices may include victim-offender conferences that:

A. are initiated by the victim;

B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;

C. are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team");

D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in

© National Charter Schools Institute

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

A student may be removed from the classroom, suspended or expelled for persistent disobedience or gross misconduct. A student may not be expelled or excluded from the regular school program based on pregnancy status.

In recognition of the negative impact on a student's education, the Board encourages the School's administrators to view suspensions, particularly those over ten (10) days, and permanent expulsions as disciplinary measures of last resort, except where these measures are required by law (Policy 5610.01). The Board encourages the exploration of alternative strategies to avoid or to improve undesirable behaviors should be explored when possible prior to implementing or requesting a suspension or expulsion.

The School Board recognizes exclusion from the educational programs of the School, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without due process, since exclusion deprives a child of the right to an education. The School 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) of a student from a regular School program. The Administrator may suspend a student for a period not to exceed 10 school days. The Administrator may recommend to the Board a long-term suspension or that a student be expelled.

For purposes of this policy, unless otherwise defined in Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the School. Students who are expelled may petition for reinstatement as provided below.

No student, otherwise eligible for attendance, shall be excluded from a School program, unless that student has substantially interfered with the maintenance of good order or unless it is necessary to protect that student's or other students' physical or emotional safety and well-being.

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct, or he/she may be given a short-term suspension by the Administrator. A student so removed may be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions. The Board designates the Administrator as its representative at any hearings regarding the appeal of a suspension.

© National Charter Schools Institute

The School Board may either suspend a student for a period longer than ten (10) days or expel him/her. In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed.

The Educational Service Provider shall develop guidelines to implement this policy that shall include the following:

D. Strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the School's core curriculum;

E. Standards of behavior for all students in accordance with School Board policy on student discipline;

F. Procedures that ensure due process; and

G. Provision for make-up work at home, when appropriate.

POSSIBLE PERMANENT EXPULSION

The Board will not tolerate behavior that creates an unsafe environment, a threat to safety, or serious disruption of the educational environment.

Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under federal law.

Physical and Verbal Assault

For purposes of this Policy, “physical assault” means intentionally causing or attempting to cause physical harm to another through force or violence, and “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.

Unless a different determination is made after consideration of the factors identified above, the Board shall permanently expel a student in grade nine or above if that student commits physical assault at the School against a staff member, a volunteer, or a contractor.

Unless a different determination is made after consideration of the factors identified above, the Board shall suspend or expel a student in grade nine or above for up to one hundred eighty (180) school days if the student commits physical assault at the School against another student.

Unless a different determination is made after consideration of the factors identified above, the Board shall suspend or expel a student in grade nine or above for a period of time as determined at the Board's discretion if the student commits verbal assault at school against a School employee, volunteer, or contractor or makes a bomb threat or similar threat directed at school building, property, or at a school-related activity.

"At school" means in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises.

The School may provide appropriate instructional services at home for an expelled student not placed in an Alternative Education Program. The instructional services provided shall be

© National Charter Schools Institute

similar to those provided to homebound or hospitalized students and shall be contracted for in the same manner.

Weapons, Arson, Criminal Sexual Conduct

In compliance with state and federal law, and unless a different determination is made after consideration of the factors identified above, the Board shall expel any student (unless as noted below) who possesses a dangerous weapon, other than a firearm, in the School's weapon-free school zone or commits either arson or criminal sexual conduct in a school building or on school property, including school buses and other School transportation.

In compliance with state and federal law, the School shall expel any student who possesses a firearm in the School's weapon-free school zone in violation of State law, unless the student can establish mitigating factors as explained below, by clear and convincing evidence.

For purposes of this policy, a "dangerous weapon" is defined by law as a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles. This definition also includes other devices designed to (or likely to) inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame, or the bearer of any such weapon, as well as a firearm muffler, firearm silencer, or any such destructive device.

The Board 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 School Board:

A. The object or instrument was not possessed for use as a weapon, or for direct (or indirect) delivery to another person for use as a weapon;

B. The weapon was not knowingly possessed;

C. The student did not know (or have reason to know) that the object or instrument in his/her possession constituted a dangerous weapon; or

D. The weapon was possessed at the suggestion, request, direction of, or with the express permission of the Administrator or the police.

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 Administrator shall provide that the expulsion is duly noted in the student's record, the student is referred to the Department of Human Services or Department of Community Health within three (3) school days after the expulsion, and the parents are informed of the referral. Furthermore, if a student who is expelled is below the age of sixteen (16), the Administrator shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with federal law, the Administrator shall also refer any student (regardless of age) expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the School. In addition, the

© National Charter Schools Institute

Administrator shall send a copy of this policy to the State Department of Education and shall include a description of the circumstances surrounding the expulsion of the student for possessing a firearm or weapon in the School's weapon-free school zone, together with the name of the School, the number of students so expelled, and the types of firearms or weapons brought into the weapon-free school zone.

A student expelled under this policy for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may apply for reinstatement in accordance with the following guidelines:

A. The parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.

B. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Administrator.

C. Within ten (10) school days, the Administrator shall submit the request, together with any other information he/she deems pertinent, to a School Board appointed committee consisting of two (2) Board members, a school administrator, a teacher, and a School-parent representative.

D. Within ten (10) school days after being appointed, the committee shall review all pertinent information and submit its recommendation to the School 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 School staff;

    2. The extent to which reinstatement would create a risk of School or individual liability for the School Board or School staff;

    3. The age and maturity of the student;

    4. The student's school record before the expulsion incident;

    5. The student's attitude concerning the expulsion incident;

    6. The student's behavior since the expulsion and the prospects for remediation;

    7. The degree of cooperation and support the parent has provided and will provide if the student is reinstated (if the request was filed by a parent), including, but not limited to the parent's receptiveness toward any conditions placed on the reinstatement. Such conditions, for example, might include a written agreement by the student and/or a parent who filed the reinstatement request to accomplish the following:

        a. abide by a behavior contract involving the student, his/her parents, and an outside agency;

© National Charter Schools Institute

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 School Board's decision shall be final and is not subject to appeal.

In the event a student who has been permanently expelled from another school requests admission to this School, in making its decision, the School Board shall follow the same procedure it has established in paragraphs A-D, above, for the reinstatement of a student.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition or upon any standards and with any procedures it determines appropriate under the circumstances.

The Administrator shall ensure School Board policies and guidelines regarding a student's rights to due process are followed when dealing with a possible suspension or expulsion under this policy.

IN-SCHOOL DISCIPLINE

The purpose of this policy is to provide an alternative to out of school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board to support such a program.

In-school discipline will only be offered at the discretion of the Administrator for offenses found in the Student Code of Conduct.

The Administrator is to establish guidelines for the proper operation of such a program and to ensure appropriate due-process procedures are followed as applicable. (See BP 5630.01)

DUE PROCESS RIGHTS

The School Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the School's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the School Board establishes the following:

Students subject to short-term suspension:

© National Charter Schools Institute

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The Administrator or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Administrator whose decision will be final.

Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and must also be given an opportunity to appear before the School Board with a representative to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and the hearing procedure, a list of the witnesses who will provide testimony to the School Board, and a summary of the facts to which the witnesses will testify. At the student/parent's request, the hearing shall be held in closed session, but the Board must act publicly. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another school.

The Administrator shall develop guidelines to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the School Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or School through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

A. restrain or remove a student who refuses to comply with a request to behave or report to the office;

B. quell a disturbance threatening physical injury to self or others;

C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or

D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the School contracts for services.

© National Charter Schools Institute

The Administrator shall provide guidelines, including a list of alternatives to corporal punishment.

REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES

The School shall abide by federal and state laws in matters relating to discipline, suspension, and expulsion of disabled students.

Adopted 7/22/13
Revised 11/12/13; 9/19/17

© National Charter Schools Institute

PERMANENT EXPULSION

Reference: MCL 380.1308, 380.1310, 380.1310A, 380.1311, 380.1311a

In compliance with State and Federal law, the School shall expel any student who possesses a dangerous weapon in the School's weapon-free school zone or commits either arson or criminal sexual conduct in a School building or on School property.

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) which will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device.

The School need not expel a student for possession of a dangerous weapon, if the student can establish the following:

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, the object or instrument in his/her possession constituted a dangerous weapon;

D. the weapon was possessed at the suggestion, request, or direction, or with the express permission, of an School administrator or the police.

The above exceptions will not apply to student misconduct involving sexual conduct or arson.

The School shall permanently expel a student if that student commits physical assault at school against a School staff member, volunteer, or contractor. *Physical assault* is defined as intentionally causing or attempting to cause physical harm to another through force or violence.

The School shall suspend or expel a student for up to 180 school days if the student commits physical assault at school against another student. The Board shall suspend or expel a student in grade six or above for a period of time, as determined at the Board's discretion, if the student commits verbal assault at school against an School staff member, volunteer, or contractor or makes a bomb threat, or similar threat, directed at an School building, property, or an School-related activity. *Verbal assault* is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with Board Policy 2461 and Federal due process rights appropriate to these students.

© National Charter Schools Institute

If a student who has been permanently expelled from another school requests admission to this School, in making its decision, the Board shall rely upon the recommendation of the Educational Service Provider and School Leader.

The Educational Service Provider is directed to prepare administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

DUE PROCESS RIGHTS

The Board of Directors recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the School's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following policies:

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 Educational Service Provider/School Leader or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the Educational Service Provider, whose decision will be final.

Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and must also be given the opportunity to appear with a representative to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and the hearing procedure, a list of the witnesses who will provide testimony, and a summary of the facts to which the witnesses will testify. At the student's request, the hearing may be private, but the Board must act publicly. The Board shall act on any appeal, 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 permanent expulsion from another school (Policy 5610.01).

The Educational Service Provider shall develop administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

CORPORAL PUNISHMENT

Reference: MCL 380.1312

The Board of Directors does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

In accordance with State law, corporal punishment shall not be permitted.

The Educational Service Provider shall provide administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

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 School is committed to investing in prevention efforts and to teach, practice and reinforce behaviors that result in positive academic and social outcomes for students.

In the event that staff members need to restrain and/or seclude students, it must be done in accordance with this policy, which is intended to:

A. promote the care, safety, welfare and security of the school community and the dignity of each student;

B. encourage the use of proactive, effective, evidence and research based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all students; and

C. ensure that seclusion and restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation and reporting by trained personnel.

In furtherance of these objectives, the School will utilize Positive Behavioral Interventions and Supports (PBIS) to enhance academic and social behavior outcomes for all students. PBIS implemented by the School will include socially valued and measurable outcomes, empirically validated and practical practices, systems that efficiently and effectively support implementation of these practices, and continuous collection and use of data for decision-making.

EMERGENCY SECLUSION

A. Prohibited Practices and Limitations on Use

The following practices are prohibited under all circumstances, including emergency situations:

1. confinement of students who are severely self-injurious or suicidal

2. corporal punishment, as defined in M.C.L. 380.1312(1) of the revised school code, 1976 PA 451

3. the deprivation of basic needs

4. anything constituting child abuse

5. seclusion of pre-school children

6. seclusion that is used for the convenience of school personnel

7. seclusion as a substitute for an educational program

© National Charter Schools Institute

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)

© National Charter Schools Institute

b. documentation to explain the extension beyond the time limit

Additional procedures and requirements applicable to both seclusion and restraint are set out below.

A. Prohibited Practices

The following procedures are prohibited under all circumstances, including emergency situations:

1. mechanical restraint

2. chemical restraint

3. corporal punishment as defined in 380.1312(1) of the revised school code, 1976 PA 451, otherwise known as the Corporal Punishment Act

4. the deprivation of basic needs

5. anything constituting child abuse

6. restraint that is used for the convenience of school personnel

7. restraint as a substitute for an educational program

8. restraint as a form of discipline or punishment

9. restraint as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS

10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

11. any restraint that negatively impacts breathing, including any positions, whether on the floor, facedown, seated or kneeling, in which the student's physical position (e.g., bent over) is such that it is difficult to breathe, including situations that involve sitting or lying across an individual's back or stomach

12. prone restraint (the restraint of a person face down)

NOTE: School personnel who find themselves involved in the use of a prone restraint as the result of responding to an emergency must take immediate steps to end the prone restraint.

13. the intentional application of any noxious substance(s) or stimuli that results in physical pain or extreme discomfort

A noxious substance or stimuli can either be generally acknowledged or specific to the student.

14. physical restraint, other than emergency physical restraint

© National Charter Schools Institute

15. any other type of restraint not expressly allowed

B. Definition of Restraint

Restraint means an action that prevents or significantly restricts a student's movement. Physical restraint is intended for the purposes of emergency situations only, in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

Emergency physical restraint is a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provide an opportunity for the student to retain self-control while maintaining the safety of the student and others. An emergency situation requires an immediate intervention. Emergency physical restraint may not be used in place of appropriate less restrictive interventions.

There are three (3) types of restraint: physical, chemical, and mechanical.

1. Physical restraint involves direct physical contact.

   Restraint does not include actions undertaken for the following reasons:

   a. to break up a fight

   b. to take a weapon away from a student

   c. to briefly hold the student (by an adult) in order to calm or comfort him/her

   d. to have the minimum contact necessary to physically escort a student from one area to another

   e. to assist a student in completing a task/response if the student does not resist or if resistance is minimal in intensity or duration

   f. to hold a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car)

   g. to stop a physical assault as defined in M.C.L. 380.1310

   h. actions that are an integral part of a sporting event, such as a referee pulling football players off from a pile or similar action

2. Chemical Restraint is the administration of medication for the purpose of restraint.

   Restraint does not include administration of medication prescribed by and administered in accordance with the directions of a physician.

© National Charter Schools Institute

3. Mechanical Restraint means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

Restraint does not include the following:

a. an adaptive or protective device recommended by a physician or therapist (when it is used as recommended)

b. safety equipment used by the general student population as intended (e.g., seat belts, safety harness on school transportation)

C. Time and Duration

Restraint should not be used:

1. any longer than necessary, based on research and evidence, to allow students to regain control of their behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended; and

2. generally no longer than ten (10) minutes.

If an emergency restraint lasts longer than ten (10) minutes, all of the following are required:

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;

© National Charter Schools Institute

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:

© National Charter Schools Institute

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 permissibly use of seclusion/restraint; and

3) an individual knowledgeable about the use of PBIS to

© National Charter Schools Institute

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;

© National Charter Schools Institute

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 School 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

© National Charter Schools Institute

E. de-escalation techniques

F. positive behavioral intervention and support strategies

G. techniques to identify student behaviors that may trigger emergency safety situations

H. related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used

I. instruction in the use of emergency seclusion and emergency physical restraint

J. identification of events and environmental factors that may trigger emergency safety situations

K. instruction on the State policy on the use of seclusion and restraint

L. description and identification of dangerous behaviors

M. methods for evaluating the risk of harm to determine whether the use of emergency seclusion or emergency physical restraint is warranted

N. types of seclusion

O. types of restraint

P. the risk of using seclusion and restraint in consideration of a student's known and unknown medical or psychological limitations

Q. cardiopulmonary resuscitation and first aid

R. the effects of seclusion and restraint on all students

S. how to monitor for and identify physical signs of distress and the implications for students generally and for students with particular physical or mental health conditions or psychological limitations

T. ways to obtain appropriate medical assistance

GLOSSARY OF TERMS

"Chemical Restraint" means the administration of medication for the purpose of restraint.

"De-escalation Techniques" means evidence- and research-based strategically employed verbal or nonverbal interventions used to reduce the intensity of threatening behavior before, during, and after a crisis situation occurs.

"Documentation" means documentation developed by the Michigan Department of Education that is uniform across the State.

"Emergency Situation" means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

© National Charter Schools Institute

"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.

"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

© National Charter Schools Institute

an individual being restrained is bent over at the waist and restraint that involves sitting or lying across an individual's back or stomach.

"School Personnel" includes all individuals employed in a public school or assigned to regularly and continuously work under contract or under agreement in a public school, or public school personnel providing service at a nonpublic school.

"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 7/22/13
Revised 9/19/17

© National Charter Schools Institute

SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS

The Board of Directors sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "school-sponsored student media" shall include both student publications and productions. "Student publications" shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school-sponsored clothing), as well as material in electronic or on-line form (including, but not limited to, websites, web logs ("blogs"), video or audio clips, and newsletters or announcements transmitted by e-mail, wireless broadcast or other similar distribution/dissemination). "Student productions" shall include vocal and theatrical performances, impromptu dramatic presentations, or any electronic media (including, but not limited to, radio and television programs, podcasts, and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). Further, the term "publication" shall include distribution and dissemination of a student publication; and the term "performance" shall include presentation and broadcast of a student production.

The following speech is unprotected and prohibited in all school-sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to juveniles; speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorizes the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

Adopted 7/22/13

© National Charter Schools Institute

SEARCH AND SEIZURE

Reference: MCL 380.1306
U.S. Constitution, 4th Amendment

The Board of Directors has charged the Educational Service Provider and their employees with the responsibility of safeguarding the safety and well-being of the School's students. In the discharge of that responsibility, School authorities may search School property, such as lockers and computers used by students, the student person, and/or the student's possessions.

The Educational Service Provider shall prepare administrative guidelines to implement this policy.

Reasonable suspicion that a communication device has been used to violate School policies or administrative guidelines shall be subject to investigation, and may lead to disciplinary action including, but not limited to, confiscation of the communication device.

Adopted 7/22/13

© National Charter Schools Institute

POSSESSION OF WEAPONS

Reference: MCL 380.1312(1), 380.1313
20 USC 7151

The Board of Directors prohibits students from possessing, storing, making, or using a weapon in any setting under the control and supervision of the School for the purpose of School activities approved and authorized by the School, including, but not limited to, property leased, owned, or contracted for by the School or a School-sponsored event, including athletic events, or in a school vehicle.

The term *weapon* means any object capable of inflicting serious bodily harm or property damage or endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paintballs, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives or any other weapon described in 18 USC 921.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

The Educational Service Provider will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action up to, and including, expulsion.

This policy will be published annually in all School student and staff handbooks. Publication is not a precondition to enforcement of this policy.

Adopted 7/22/13
Revised 11/01/16

© National Charter Schools Institute

STUDENT FUNDRAISING

Reference: MCL 380.1272b
7 CFR Parts 210 and 220
42 USC 1779

The Board of Directors acknowledges the solicitation of funds from students must be limited, because a student is a "captive donor" due to compulsory attendance laws and because solicitations disrupt the program of the School.

For purposes of this policy *student fundraising* shall include the solicitation and collection of money from students for any purpose and the collection of money in exchange for tickets, papers, or any other goods or services for approved student activities. "Student fundraising" also includes giving away goods or services, but suggesting a monetary donation.

The Board or Educational Service Provider will permit student fundraising by students in the School, on school property, or at any school sponsored event only when the profit is to be used for school purposes or for an activity connected with the School.

Fundraising by approved School organizations (with funds managed by the School) may be permitted in the School by the Administrator. Such fundraising off school grounds may also be permitted by the Administrator.

The Board permits five (5) 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 complaint with, or an exception to, the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools nutrition standards.

If an exception is granted to the requirement that food items and beverages are complaint with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools nutrition standards, the Educational Service Provider shall also maintain records for each exception, including, but not limited to, the length of the fundraiser, the type, quantity, and price of the food item and/or beverage sold, and the gross and net amount raised.

Use of the name, logo, or any assets of the School, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Educational Service Provider.

Lawful crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies

© National Charter Schools Institute

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 School support organizations (with funds not managed by the School) may occur on or off school grounds with the specific prior approval of the Educational Service Provider. All fundraising by School-related organizations and School support organizations shall be done in accordance with Policy 9211 and Policy 9700.

The Educational Service Provider shall establish Administrative Procedures for the solicitation of funds that shall accomplish the following:

A. specify the times and places in which funds may be collected;

B. describe permitted methods of solicitation, without placing undue pressure on students;

C. limit the kind and amount of advertising for solicitation;

D. require that the Educational Service Provider ensure proper distribution or liquidation of monies remaining in a student activity account when the organization is defunct or disbanded; and

E. limit the number of fundraising events.

Advisors for approved School organizations shall not accept any form of compensation from vendors that might influence their selection or a vendor that will provide a fundraising activity or a product that will be sold as a fundraiser. Furthermore, advisors for approved School organizations shall not accept any compensation from a vendor after a decision has been made regarding a fundraising activity or a product that will be sold as a fundraiser. In addition, advisors for approved School organizations who make the selection of a vendor that will provide a fundraising activity or a product that will be sold as a fundraiser shall not enter into a contractual arrangement whereby an advisor receives compensation in any form from the vendor that provides a fundraising activity or a product that will be sold as a fundraiser.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that an advisor of an approved School organization receives such compensation, albeit unsolicited, from a vendor, the individual shall notify the Board President or Designee in writing, that s/he received such compensation and shall thereafter properly transmit said compensation to the Board President or Designee at his/her earliest opportunity.

The Administrator shall distribute this policy and the procedures that implement it to each organization granted permission to solicit funds.

Adopted 2/3/15
Revised 3/7/17

© National Charter Schools Institute

6000 **FINANCES**

6107	Authorization to Accept and Distribute Electronic Records and to Use Electronic Signatures	BP
6110	**Grant Funds**	**L**
6111	Internal Controls	BP
6112	Cash Management of Grants	BP
6114	Cost Principles - Spending Federal Funds	BP
6116	Time and Effort Reporting	BP
6144	**Investments**	**L**
6146	Post-Issuance Compliance for Tax-Exempt and Tax-Advantaged Obligations	BP
6152	Student Fees, Fines and Supplies	BP
6210	Fiscal Planning	BP
6220	Budget Preparation	BP
6230	Budget Hearing	BP
6231	Budget Implementation	BP
6319	Procurement Policy	
6320	**Purchasing**	**L**
6321	**New School Construction, Renovation**	**L**
6420	**Conflict of Interest – Legal Counsel, Advisors, or Consultants**	**L**
6460	Vendor Relations	BP
6470	Payment of Claims	BP
6550	**Travel Payment & Reimbursement**	**L**
6670	Trust and Agency Fund	BP
6680	Recognition	BP
6800	System of Accounting	BP
6850	**Public Disclosure and Reporting**	**L**

Adopted 7/22/13
Revised 3/11/14; 4/12/16; 11/01/16

© National Charter Schools Institute

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

Except where prohibited by law, 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 the extent permitted by law, 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.

Adopted 3/11/14

© National Charter Schools Institute

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 at the School. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the School that would benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance educational opportunities, the educational environment, and the physical and mental growth for each student.

The 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.

The Board regards available Federal funds of aid to local school districts, public school academies, and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accordance with Federal regulations and guidelines.

No Federal funds received by the School shall be used (1) to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds; (3) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution in schools.

Grant Proposal Development

A. All grant proposals must support at least one (1) School 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 School policies and administrative procedures/guidelines.

B. The Educational Service Provider is responsible for the efficient and effective administration of grant awards through the application of sound management practices.

C. The Educational Service Provider is responsible for administering grant

© National Charter Schools Institute

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 Educational Service Provider, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls and the organizational and management strategies necessary to assure proper and efficient administration of grant awards.

E. All Federal funds received by the School will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. The Educational Service Provider shall require that each draw of Federal monies be aligned with the School's payment process (whether reimbursement, cash advance or a combination). If funds are permitted to be drawn in advance, all draws will be as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Financial Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, local, and grantor rules, regulations, and assurances as well as School policies and administrative procedures/guidelines.

At a minimum, the School shall provide for the following:

A. Identification, in School accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of federal Domestic Assistance (CFDA) title and number, Federal award identification number and year, name of the Federal agency and name of the pass-through entity, as applicable.

B. The School shall develop a procurement policy (or revise its current procurement policy) to comply with all grants which it is awarded. Further, to the extent applicable, the School shall adhere to the requirements of the Education Department General Administrative Regulations.

C. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.

D. Records that adequately identify the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

E. Effective control over, and accountability for, all funds, property, and other assets. The School must adequately safeguard all assets and assure that they are used solely for authorized purposes.

© National Charter Schools Institute

Further, the School must:

1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the School is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;

2. comply with Federal statutes, regulations and the terms and conditions of the Federal award;

3. evaluate and monitor the School's compliance with statutes, regulations and the terms and conditions of the Federal award;

4. take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings;

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 School.

© National Charter Schools Institute

Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the School uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the School is otherwise directed by the Federal awarding agency or pass-through entity.

Adopted 4/12/16
Revised 11/01/16

© National Charter Schools Institute

INTERNAL CONTROLS

The Educational Service Provider shall establish and maintain effective internal control over financial grants and awards that provide reasonable assurance that the program and funds are managed in compliance with applicable statutes, regulations and the terms and conditions of the awards.

The internal controls must provide reasonable assurance that transactions are properly recorded and accounted for in order to permit the preparation of reliable financial statements and Federal reports; maintain accountability over assets; and demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls must also provide reasonable assurance that these transactions are executed in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal award, as well as any other Federal statutes and regulations that are identified in the Compliance Supplement. Finally, the internal controls must provide reasonable assurance that all Federal funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

The School shall:

A. comply with Federal statutes, regulations, and the terms and conditions of the Federal awards;

B. evaluate and monitor its compliance with statutes, regulations, and the terms and conditions of the award;

C. take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; and

D. take reasonable measures to safeguard protected personally identifiable information and other information the awarding agency or pass-through entity designates as sensitive or the School considers sensitive information consistent with applicable Federal, state, local, and tribal laws and School policies regarding privacy and obligations of confidentiality.

Adopted 4/12/16
Revised 11/01/16

© National Charter Schools Institute

CASH MANAGEMENT OF GRANTS

Reference: 2 CFR 200.305

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Educational Service Provider shall implement internal controls in the area of cash management.

The School's payments methods shall minimize the time elapsing between the transfer of funds from the United States Treasury or the Michigan Department of Education (MDE) (pass-through entity) and disbursement by the School, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The School shall use forms and procedures required by the grantor agency or pass-through entity to request payment. The School shall request grant funds payments in accordance with the provisions of the grant. Additionally, the School's financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.

The Educational Service Provider is authorized to submit requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as deemed appropriate when electronic transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the School uses a cash advance payment method, the following standards shall apply:

A. The timing and amount of the advance payment requested will be as close as is administratively feasible to the actual disbursement for direct program or project costs and the proportionate share of any allowable indirect costs.

B. The School shall make timely payment to contractors in accordance with contract provisions.

C. To the extent available, the School shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments.

D. The School shall account for the receipt, obligation and expenditure of funds.

E. Advance payments will be deposited and maintained in insured accounts whenever possible.

F. Advance payments will be maintained in interest bearing accounts unless the following apply:

1. The School receives less than $120,000 in Federal awards per year.

2. The best reasonably available interest-bearing account would not be expected to earn interest in excess of $500 per year on Federal

© National Charter Schools Institute

cash balances.

3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.

G. Pursuant to Federal law and regulations, the School may retain interest earned in an amount up to $500 per year for administrative costs. Any additional interest earned on Federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System ("PMS") through an electronic medium using either Automated Clearing House ("ACH") network or a Fedwire Funds Service payment. Remittances shall include pertinent information of the payee and nature of payment in the memo area (often referred to as “addenda records” by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds. Pertinent details include the Payee Account Number ("PAN") if the payment originated from PMS, or Agency information if the payment originated from Automated Standard Application for Payment ("ASAP"), National Science Foundation ("NSF") or another Federal agency payment system.

Adopted 11/01/16

© National Charter Schools Institute

COST PRINCIPLES - SPENDING FEDERAL FUNDS

Reference: 2 CFR. 200.403-.406, 200.413(a)-(c), 200.430(a), 200.431(a), 200.458, 2 CFR 200.474(b)

The Educational Service Provider is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

Cost Principles

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the School or the proper and efficient performance of the Federal award;

2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;

3. market prices for comparable goods or services for the geographic area;

4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and

5. whether the cost represents any significant deviation from the established practices or Board policy which may increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the School can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

a. the cost is needed for the proper and efficient performance of the

© National Charter Schools Institute

grant program;

b. whether the cost is identified in the approved budget or application;

c. whether there is an educational benefit associated with the cost;

d. whether the cost aligns with identified needs based on results and findings from a needs assessment;

e. whether the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received.

B. Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the Federal award.

C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the School.

D. Be afforded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.

E. Be determined in accordance with generally accepted accounting principles.

F. Be representative of actual cost, net of all applicable credits or offsets.

The term “applicable credits” refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

G. Be not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.

H. Be adequately documented:

1. in the case of personal services, the Educational Service Provider shall implement a system for School personnel to account for time and efforts expended on grant funded programs to assure that only permissible personnel expenses are allocated;

2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

© National Charter Schools Institute

Selected Items of Cost

The Educational Service Provider shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, the Educational Service Provider shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, School and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and School personnel shall follow those rules as well.

Cost Compliance

The Educational Service Provider shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant.

Determining Whether a Cost is Direct or Indirect:

A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

   These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.).

B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

   These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

   Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the School, the Board, compensation of the Administrator, compensation of the chief executive officer of any component of the School, and operation of the immediate offices of these officers.

   The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

© National Charter Schools Institute

1. Administrative or clerical services are integral to a project or activity.

2. Individuals involved can be specifically identified with the project or activity.

3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.

4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Michigan Department of Education (MDE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

Timely Obligation of Funds

Obligations are orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period.

The following list illustrates when funds are determined to be obligated under the U.S. Department of Education ("USDOE") regulations:

If the obligation is for:

A. Acquisition of property - on the date which the School makes a binding written commitment to acquire the property.

B. Personal services by an employee of the School or Educational Service Provider - when the services are performed.

C. Personal services by a contractor who is not an employee of the School on the date which the School makes a binding written commitment to obtain the services.

D. Public utility services - when the School receives the services.

E. Travel - when the travel is taken.

F. Rental of property - when the School uses the property.

G. A pre-agreement cost that was properly approved by the Secretary (USDOE) under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

© National Charter Schools Institute

Period of Performance

All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, obligations under a grant may not be made until the grant funding period begins or all necessary materials are submitted to the granting agency, whichever is later. In the case of a direct grant, obligations may begin when the grant is, unless an agreement exists with MDE or the pass-through entity to reimburse for pre-approval expenses.

For both State-administered and direct grants, regardless of the period of availability, the School shall liquidate all obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the Educational Service Provider shall closely monitor grant spending throughout the grant cycle.

Adopted 11/01/16

© National Charter Schools Institute

TIME AND EFFORT REPORTING

Reference: 2 C.F.R. 200.430, 200.431

As a recipient of Federal funds, the School shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The Code of Federal Regulations requires certification of effort to document salary expenses charged directly or indirectly against Federally-sponsored projects. This process is intended to verify that compensation for employment services, including salaries and wages, is allocable and properly expended, and that any variances from the budget are reconciled.

Compensation for employment services includes all remuneration, paid currently or accrued, for services of employees, whether employed by the Board or an Educational Service Provider, rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits, which are addressed in 2 C.F.R. 200.431 Compensation—fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements of these regulations, and that the total compensation for individual employees:

A. is reasonable for the services rendered, conforms to the School's established written policy where applicable, and is consistently applied to both Federal and non-Federal activities; and

B. follows an appointment made in accordance with the School's written policies and meets the requirements of Federal statute, where applicable.

Time and Effort Reports

The reports:

A. are supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable, and properly allocated;

B. are incorporated into the official records of the Educational Service Provider;

C. reasonably reflect the total activity for which the employee is compensated by the Educational Service Provider, not exceeding 100% of the compensated activities;

D. encompass both Federally assisted and other activities compensated by the Educational Service Provider on an integrated basis;

E. comply with the School's established accounting policies and practices;

F. support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award, a Federal award and non-Federal award, an indirect cost activity and a direct cost activity, two or more indirect activities which are allocated using different allocation bases, or an unallowable activity and a direct or indirect cost activity.

© National Charter Schools Institute

The Educational Service Provider will also follow any time and effort requirements imposed by the pass-through entity to the extent that they are more restrictive than the Federal requirements. The Educational Service Provider is responsible for the distribution, collection, and retention of all employee effort reports. Individually reported data will be made available only to authorized auditors.

Reconciliations

Budget estimates are not used as support for charges to Federal awards. However, the School may use budget estimates for interim accounting purposes. The system used by the School to establish budget estimates produces reasonable approximations of the activity actually performed. Any significant changes in the corresponding work activity are identified by the Educational Service Provider and entered into the School's records in a timely manner.

The School's internal controls require the Educational Service Provider to review after-the-fact interim charges made to a Federal award based on budget estimates and ensure that all necessary adjustments are made so that the final amount charged to the Federal award is accurate, allowable, and properly allocated.

Adopted 11/01/16

© National Charter Schools Institute

INVESTMENTS

The School's policy is to use investments to maximize the returns on the School's excess cash balances, while reasonably controlling the risk of loss and maintaining an acceptable level of liquidity in those investments to meet the School's operating needs.

To this end, the Educational Service Provider shall track, through its financial reports and investment authorizations, the credit risk, concentration of credit risk, interest rate risk, and foreign currency risks.

The Educational Service Provider shall develop administrative guidelines regarding this policy.

Adopted 7/22/13

© National Charter Schools Institute

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 tax-exempt or tax-advantaged bonds or other debt obligations ("Obligations") authorized by the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder ("Treasury Regulations").

The Board recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of the Obligations, and is an integral component of the School's debt management. Compliance will require on-going monitoring and consultation with an attorney experienced in legal work relating to the issuance of tax-exempt obligations or tax advantaged obligations ("Bond Counsel") and the School's accountants.

A. Investment and Expenditure of Proceeds

The School will work with its Bond Counsel and accountants, as appropriate, to ensure that the proceeds of Obligations are expended only for the purposes authorized by any Board resolution pursuant to which such Obligations were issued and in compliance with any Tax Certificate relating to the Obligations.

B. Financed Facilities

The School will track the use of facilities (or portions thereof) financed or refinanced by Obligations in the private trades or businesses of non-governmental persons. Arrangements for the sale, disposition, lease, sublease, management or other use of more than 1% of facilities financed or refinanced by Obligations with a term of less than 200 days will be subject to prior review and approval by the Board, and, in the case of a term equal to or greater than 200 days, will be subject to prior review and approval by the Board and Bond Counsel. The Educational Service Provider will track the aggregate annual private use (if any) of facilities financed or refinanced by Obligations.

C. Periodic Review

The School will periodically review compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations.

D. Potential Non-Compliance

If the Board, upon any review or otherwise, discovers non-compliance with any requirements of the Code or Treasury Regulations necessary to preserve the tax advantages of such Obligations, the Board will, after consultation with the School's attorney and Bond Counsel, take necessary actions to remedy any such non-compliance.

© National Charter Schools Institute

E. Retention of Professionals; Rebate Analyst

The School will engage such professionals or consultants as are necessary to ensure that the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations are timely met. The Educational Service Provider will ensure that all information reports or other returns or filings with the United States Department of Treasury or Internal Revenue Service will be filed timely on behalf of the School.

F. Purchase of Investments

Any 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 interpreted by Bond Counsel.

G. Credit Enhancement Transactions

The Educational Service Provider will consult with Bond Counsel prior to engaging in any post-issuance transactions relating to any Obligation.

H. Subsidy Payments

The Educational Service Provider will implement proper Administrative Procedures to ensure that any federal subsidy payable in respect of any direct-pay tax credit bonds is timely transmitted to the appropriate account.

I. Post-Issuance Modifications

The Educational Service Provider will consult with Bond Counsel prior to any modification of the interest rate, maturity date, or other material terms of any Obligation.

J. Records Retention

The School will retain records sufficient to demonstrate compliance with the requirements of the Code and Treasury Regulations necessary to preserve the tax advantages of such Obligations for the period required by law, presently understood to be the life of the Obligations or any succeeding refunding Obligation plus three (3) years.

K. Continuing Disclosure

The Educational Service Provider will implement Procedures to ensure that the School complies with any undertakings, if required by law, to provide continuing disclosure in connection with any Obligation, including the filing of operating and financial information and notices of listed "material events."

Adopted 7/22/13

© National Charter Schools Institute

STUDENT FEES, FINES, AND SUPPLIES

Reference: MCL 388.1904 [Suggested/Referred to, but not required]

Fees

The Board of Directors may assess certain fees to pay the costs for extra-curricular and noncredit activities. Such fees might be made for expendable items such as magazines, workbook materials, paperback selections, laboratory supplies, materials for clubs, independent study or special projects, transportation costs, and admission/participation fees for School-sponsored trips and activities.

If an eligible student enrolled in an eligible course offered by a career and technical preparation program does not complete the course, other than for reasons related to a family or medical emergency, the student shall repay to the School any funds expended by the School for the course that are not refunded by the career and technical preparation program, and may also be subject to such sanctions as are provided for in guidelines prepared by the School administration.

No student, however, shall be deprived of participation in any mandatory school activity or required curriculum activity due to a lack of financial ability to pay. Fees will not be charged for such activities. Extra-curricular activities for which fees will be charged may not be used in determining credit or grades in any course.

A fee shall not exceed the combined cost of the service(s) provided and/or materials used. An accurate accounting of all fees collected and all fees expended shall be provided to the Educational Service Provider (or his/her designee) for each fee-based activity, at the conclusion of the activity, along with a record of the remission of any fees not expended.

Fines

When School property, equipment, or supplies are damaged, lost, or taken by a student, whether in a regular course or extra-curricular offering, a fine will be assessed. The fine will be reasonable, seeking only to compensate the School for the expense or loss incurred.

The late return of borrowed books or materials from the School libraries will be subject to appropriate fines. Failure to pay the fines may result in loss of privileges.

Any fees or fines collected by members of the staff are to be given to the Administrator within twenty-four (24) hours after collection.

In the event the above course of action does not result in the collection of the fee or fine, the Board authorizes the Educational Service Provider to take the student and/or his/her parents/guardians to Small Claims Court for collection.

Supplies

The School will provide all basic supplies needed by the student to complete the required course curriculum. The student and/or his/her family may choose to purchase their own supplies if they desire to have a greater quantity or quality of supplies, or to conserve the limited resources for use by others. The teacher or appropriate administrator may recommend useful supplies.

Adopted 7/22/13

© National Charter Schools Institute

FISCAL PLANNING

The Board of Directors shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the School and shall plan for the financial needs of the educational program. The Board will strive to maintain both short and long range projections of the School's financial requirements.

Accordingly, the Board directs the Educational Service Provider to create administrative guidelines regarding this policy.

Adopted 7/22/13

© National Charter Schools Institute

BUDGET PREPARATION

Reference: MCL 141.434 et seq.

The School's operational and educational plans are reflected in its budgets. Each year, the Board of Directors will have prepared, then review and approve the General Fund budget.

Each budget shall be designed to carry out School operations in a thorough and efficient manner, to maintain School facilities properly, and to honor the continuing obligations of the School.

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.

Adopted 7/22/13

© National Charter Schools Institute

BUDGET HEARING

Reference: MCL 141.411 et seq.

The annual budget adopted by the Board of Directors represents the Board's position on the allocation of resources required to operate an appropriate system of education. All reasonable means shall be employed by the Board to present and explain that position to all interested parties. The public budget hearing will be conducted in accordance with the law.

The budget approved by this Board will be made available to the public in the form and at the places required by the law.

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.

Adopted 7/22/13

© National Charter Schools Institute

BUDGET IMPLEMENTATION

Reference: MCL 141.436 et seq.

The Board of Directors places the responsibility of administering the budget, once adopted, with the Educational Service Provider. As the budget is being implemented, the Educational Service Provider shall keep the Board informed regarding budgetary problems or concerns.

The Educational Service Provider shall be authorized to proceed with financial commitments, purchases, and other expenditures, within the limits provided in the budget, stated in Board policies, and expressed in State statutes.

Adopted 7/22/13

© National Charter Schools Institute

PROCUREMENT POLICY

Pursuant to the Michigan Revised School Code at MCL 380.1274(1), the Board of Directors of Covenant House Life Skills Center Central ("the School") adopts this policy to govern the procurement of supplies, materials and equipment.

The Educational Service Provider or its designee purchases these items on behalf of the School pursuant to a Management Agreement that the Educational Service Provider has entered into with the School. Pursuant to that Agreement, the Educational Service Provider receives from the School a fixed fee out of which the Educational Service Provider is responsible for managing the School including (but not limited to) the purchase of all supplies, materials and equipment needed to operate the School. The Educational Service Provider has assumed all financial risk associated with such purchases.

Accordingly, the Board relies upon the Educational Service Provider and its staff to administer the business operations of the School. The Board establishes the following guidelines for the Educational Service Provider and the staff with regard to purchasing:

A. General Guidelines for Purchasing.

(1) The Educational Service Provider staff shall consider the following:

a. price;
b. quality of product;
c. service, delivery and maintenance of product;
d. suitability of product;
e. conformance to specifications;
f. vendor's past performance for the School and other School districts;
g. vendor reliability.

(2) The Educational Service Provider will use a purchase order system as a means of internal control and monitoring.

(3) The Educational Service Provider and staff shall procure supplies, materials and equipment in a sensible and prudent manner.

B. Competitive Bids

(1) The Educational Service Provider shall make purchases pursuant to competitive bids when required by law to do so.

(2) The Educational Service Provider shall make available to the Board, upon request, any price quotations or competitive bids obtained from vendors. These copies are to be retained in accordance with Bulletin #522 (issued by Department of Histories, Arts and Libraries – Michigan Historical Center, Records Management Services) *Schedule for the Retention and Disposal of Public School Records*.

(3) The Educational Service Provider may obtain verbal information regarding price and quality of supplies, materials and equipment in person or by telephone on routine purchases under $5,000 per item.

© National Charter Schools Institute

(4) The Educational Service Provider may make Emergency Purchases without the use of price quotations or competitive bids. Such emergency may arise as a result of an accident or other unforeseen occurrence which could affect the life, health, welfare or safety of the School's students or property, or the Educational Service Provider's employees.

The Board directs the Educational Service Provider to develop the necessary rules to implement this Procurement Policy including, but not limited to, requisition and approval procedures, and procedures to verify the timely receipt of supplies, materials and equipment in an acceptable condition.

Adopted 7/22/13

© National Charter Schools Institute

PURCHASING

Reference: MCL 380.1267, 380.1274, et. seq.

Procurement of all supplies, materials, equipment, and services paid for from School funds shall be made in accordance with all applicable federal and State statutes, Board policies, and administrative procedures. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts are established in Policy 1130, Policy 3110, and Policy 4110 (as applicable) – Conflict of Interest.

All procurement transactions shall be conducted in a manner that encourages full and open competition and in accordance with good administrative practice and sound business judgment.

Each year the State of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.

Purchases in a single transaction that are in excess of the dollar amount permitted by State statute shall require competitive bids and, whenever possible, have at least three (3) such bids for substantiation of purchase and shall require approval of the Board prior to purchase.

Competitive Bids

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L.A. 18.1263.

Competitive bids are not required for food purchases, unless food purchased in a single transaction costs $100,000 or more.

Bids shall be sealed and shall be opened by the Board President or Designee in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:

A. the quality of the item(s) to be supplied;

B. its conformity with specifications;

C. suitability to the requirements of the School;

D. delivery terms;

E. past performance of vendor.

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

© National Charter Schools Institute

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.

Bid Protest

A bidder who wishes to file a bid protest must file such notice and follow procedures prescribed by the Request For Proposals (RFP) or the individual bid specifications package, for resolution. Bid protests must be filed in writing with the Educational Service Provider within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Educational Service Provider shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

General Provisions

The Educational Service Provider is authorized to purchase all items within budget allocations.

The Board should be advised, for prior approval, of all purchases of equipment, materials, and services when the purchase was not contemplated during the budgeting process.

In order to promote efficiency and economy in the operation of the school, the Board requires that the Educational Service Provider periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the Educational Service Provider shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the school. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

A. opportunity be provided to as many responsible suppliers as possible to do business with the School;

© National Charter Schools Institute

B. a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;

C. where the requisitioner has recommended a supplier, the Educational Service Provider may make alternate suggestions to the requisitioner if, in his/her judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order;

D. upon the placement of a purchase order, the Educational Service Provider shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

The Board may acquire office equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

Procurement – Federal Grants

The Educational Service Provider shall maintain a procurement and contract administration system in accordance with United States Department of Education requirements (34 CFR 80.36) for the administration and management of Federal grants and federally-funded programs. The system shall require contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines (AG 6320).

Adopted 7/22/13
Revised 4/12/16

© National Charter Schools Institute

NEW SCHOOL CONSTRUCTION, RENOVATION

Reference: MCL 380.1267

Before beginning construction of a new school building, or an addition, repair or renovation of an existing school building, except emergency repairs, the Board of Education, shall obtain competitive bids on all the material and labor required for the complete construction of a proposed new building or addition to or repair or renovation of an existing school building which exceeds the State statutory limit.

This policy does not apply to buildings, renovations, or repairs costing less than the statutory limit or to repair work normally performed by School employees.

The Board shall advertise for the bids required under subsection:

A. By placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the Department of Management and Budget website on a page on the website maintained for this purpose or on a website maintained by a school organization and designated by the Department of Management and Budget for this purpose.

B. By submitting the request for bids for placement on the Michigan Department of Management and Budget's website for school organizations, including a link to the School'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 School. 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 School 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.

© National Charter Schools Institute

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.

G. The competitive bid threshold amount specified in the State statute 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 7/22/13

© National Charter Schools Institute

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 School matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board policies, and administrative procedures.

The Educational Service Provider shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326) 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 School's documented general purchasing Policy 6320 and AG 6320.

All School employees, whether employed by the Board or by an Educational Service Provider, all officers of the School, and all agents of the School who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, whether employed by the Board or by an Educational Service Provider, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3110 and Policy 4110 – Conflict of Interest.

The School will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the School may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

Competition

All procurement transactions shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgement. In order to promote objective contractor performance and eliminate unfair competitive advantage, the School shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

A. unreasonable requirements on firms in order for them to qualify to do business;

© National Charter Schools Institute

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 School does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; or (2) the School is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the School uses a pre-qualified list of persons, firms or products to acquire goods and services, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The School allows vendors to apply for consideration to be placed on the list continuously.

Solicitation Language

The School shall require that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The School will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The School shall 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 $2,500. To the extent practicable, the School shall distribute micro-purchases equitably

© National Charter Schools Institute

among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if Educational Service Provider considers the price to be reasonable. The School 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 $ _____. 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 to the amount allowed by Michigan statute and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Michigan statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

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 responsive and responsible bidder. Where specified in bidding

© National Charter Schools Institute

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 School 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 School may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E that firms are a potential source to perform the proposed effort.

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

© National Charter Schools Institute

3. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the School

4. after solicitation of a number of sources, competition is determined to be inadequate

Contract/Price Analysis

The School shall perform a cost or price analysis in connection with every procurement action in excess of $150,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the School shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the School shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Time and Materials Contracts

The School uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the School is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the School sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the School shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The School will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the School and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the School shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Educational Service Provider shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The School is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

© National Charter Schools Institute

Suspension is an action taken by the School that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 CFR Part 180 Subpart G)

Debarment is an action taken by the Educational Service Provider to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred. (2 CFR Part 180 Subpart H)

The School shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over $25,000, the School shall confirm that the vendor is not debarred or suspended by either checking the Federal Government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 CFR Part 180 Subpart C)

Bid Protest

The School maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Educational Service Provider within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Educational Service Provider shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The School 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 11/01/16

© National Charter Schools Institute

CONFLICT OF INTEREST - LEGAL COUNSEL, ADVISORS, OR CONSULTANTS

Reference: M.C.L. 380.1203

A person serving as the legal counsel to the School or otherwise acting as an advisor or consultant to the Board of Directors, who believes or has reason to believe that s/he has a conflict of interest with regard to a contract or other financial transaction that requires the approval of the Board shall disclose the conflict of interest to the Board before the vote on the contract or other financial transaction.

Such a person is presumed to have conflict of interest if the person or his/her family member has financial interest, or a competing financial interest in the contract or other financial transaction under consideration by the Board.

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

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

See Bylaw 0144.3

Adopted 3/11/14

© National Charter Schools Institute

VENDOR RELATIONS

Reference: MCL 15.321 et seq.

The Board of Directors shall not knowingly enter a contract with any supplier of goods or services with which any Board member has any financial or beneficial interest (direct or indirect), unless that person has neither solicited the contract nor participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any textbook that he/she has authored and/or that has been approved for use in the School.

For the purpose of this policy *beneficial interest* shall be determined in accordance with MCL 15.321 et seq.

Board members shall not accept any gifts or favors from vendors that might influence the eventual purchase of equipment, supplies, or services.

All sales persons, regardless of product, shall register with the Educational Service Provider before contacting any teachers or other Educational Service Provider personnel of the School.

Adopted 7/22/13

© National Charter Schools Institute

PAYMENT OF CLAIMS

Reference: MCL 380.1274

The School requires the prompt payment of legitimate claims by suppliers of goods and services to the School.

Each bill or obligation of the School must be fully itemized and verified before a payment can be drawn for its payment.

When an invoice is received, the Educational Service Provider shall verify that acceptable goods were received or satisfactory services rendered; the expenditure is included in the budget and funds are available for its payment; and the amount of the invoice is correct.

All invoices which are required to be submitted for Board approval shall include the vendor's name; the number and amount of the check; and a description of the item.

Adopted 7/22/13

© National Charter Schools Institute

TRAVEL PAYMENT & REIMBURSEMENT

Reference: 2 CFR 200.474

Travel expenses incurred for official business travel on behalf of the Board of Directors shall be limited to those expenses reasonably and necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with any applicable administrative guidelines.

Payment and reimbursement rates for per diem meals, lodging, and mileage shall be approved by the Board annually. The Board shall utilize the Federal IRS prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

Travel payment and reimbursement provided from Federal funds must be authorized in advance by the Federal awarding agency or pass-through entity and must be reasonable and consistent with the School's travel policy and administrative guidelines. For travel authorized by and paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the School's travel policy.

All costs incurred with Federal funds must meet the School's cost allowability standards.

To the extent that the School's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or his/her designee), must apply to travel under Federal awards.

Adopted 4/12/16
Revised 11/01/16

© National Charter School Institute

TRUST AND AGENCY FUND

There shall be a Trust and Agency Fund for the financial administration of scholarships and other trusts approved by the Board and operated for the benefit of students.

The Educational Service Provider shall be responsible for the administration of the Trust and Agency Fund. The Fund will be audited annually and administered under appropriate accounting controls. The books of account will record income and expenses separately for each approved area.

Adopted 7/22/13

© National Charter Schools Institute

RECOGNITION

Reference: MCL 380.634

The Board of Directors may honor School 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 School Leader consider as appropriate, the presentation of token gifts to individuals and/or groups who have rendered service to the School for a period of time. The use of public funds for the purchase of a plaque, medal, trophy, or other award for the recognition of any employee, volunteer, or student may not exceed $100.00 per recipient.

Public funds under the control of the School may not be used to purchase alcoholic beverages, jewelry, gifts, fees for golf, or any item whose purchase or possession is illegal. Any such expenditure violates this policy.

Beginning January 1, 2005, the monetary amount for recognition awards will be adjusted annually by the State. On or before December 15th of each year, the State will provide the adjusted limit or a reasonable approximation, upon request, if the index is unavailable.

The Board authorizes expenses incurred as listed above only when they serve a public purpose. Public purposes include, but are not limited to the following: the promotion of education; rapport with the business community; community relations; and the encouragement of non-employees to serve as volunteers.

Adopted 7/22/13

© National Charter Schools Institute

SYSTEM OF ACCOUNTING

Reference: MCL 41.422 et seq., 141.421 et seq., 380.503
A.C. Rule R340.351 et seq.

The School shall establish a chart of accounts, in accordance with the requirements of the State Department of Education, for the accounting of all School funds. To protect the financial investment of the School against catastrophic loss, the Educational Service Provider is responsible for an accounting of all capital assets. Further, the Educational Service Provider will establish procedures and regulations necessary to properly account for capital assets, to comply with generally accepted accounting principles (GAAP), and to ensure the School's capital assets are properly insured. The Board directs the Educational Service Provider to prepare administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

PUBLIC DISCLOSURE AND REPORTING

Reference: MCL 4.415, 388.1617a, 388.1618, 388.1619, 388.1651a, 15.231 to 15.246, 380.1204a(1), 380.1219
20 USC 6311

Within fifteen (15) days after the Board of Directors adopts its annual operating budget for the following school fiscal year, or adopts a subsequent revision to that budget, the School shall make all of the following available through a link on its website homepage in a form and manner prescribed by the State Department of Education ("Department"):

A. the annual operating budget and subsequent budget revisions

B. using data that have already been collected and submitted to the Department, a summary of School expenditures for the most recent fiscal year for which they are available, expressed in the following two (2) pie charts:

1. a chart of personnel expenditures, broken into the following subcategories:

a. salaries and wages

b. employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits

c. retirement benefit costs

d. all other personnel costs

2. a chart of all School expenditures, broken into the following subcategories:

a. instruction

b. support services

c. business and administration

d. operations and maintenance

3. links to all of the following:

© National Charter Schools Institute

a. the audit report of the audit for the most recent fiscal year for which it is available

b. the School's written policy governing procurement of supplies, materials and equipment

c. the School's written policy establishing specific categories of reimbursable expenses for a Board member

d. the School's accounts payable check register for the most recent school fiscal year or a statement of the total amount of expenses incurred by Board members of employees of the School that were reimbursed by the School for the most recent School fiscal year

e. the annual amount spent on dues paid to associations

f. the annual amount spent on lobbying or lobbying services

g. any required deficit elimination plan or enhanced deficit elimination plan

h. identification of all credit cards maintained by the School as School credit cards, including the identity of all persons authorized to use the cards, the credit limit on each card and the dollar limit, if any, for each person's authorized use of the card

i. costs incurred for out-of-state travel by the school administrator that is fully or partially paid for by the School and the details of each instance of such travel, including the identification of each individual on the trip, the destination and the purpose

j. each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the School

k. the bids required under Section 5 of the Public Employee Health Benefits Act

l. the total salary and a description and cost of each fringe benefit included in the compensation package for the Administrator of the School and for each employee of the school whose salary exceeds $100,000.00

As used in this subdivision, "lobbying" means that term as defined in Section 5 of 1978 PA 472, MCL 4.415.

The Board shall have an audit of the School's financial and pupil accounting records conducted at least annually at the expense of the School. The Board shall retain these records for the current fiscal year and from at least the three (3) immediately preceding fiscal years.

© National Charter Schools Institute

The School's annual financial audit shall include an analysis of the financial and student accounting data used as the basis for distribution of State school aid. The student accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the Department.

Not later than November 1st of each year, the School shall file its annual financial audit report with all appropriate agencies.

By November 1s of each year, the School shall submit to the Center for Educational Performance Information (CEPI), in a manner prescribed by the CEPI, annual comprehensive financial data consistent with accounting manuals and charts of accounts approved and published by the Department. This submission shall contain the School's web address where the required financial data is posted. The School shall also include a link on its websites to the website where the Department posts this financial information.

By September 30th of each year, the School shall file with the Department the special education actual cost report on a form and in a manner as prescribed by the Department.

The School shall provide to the Department an annual progress report on the implementation of school improvement plans, curriculum, and accreditation as required by "Public Act 25 of 1990."

The School shall comply with the reporting requirements under State and Federal law, including reports to CEPI, as set forth by State law and as directed by CEPI. This shall include by:

A. June 30th of each year, providing CEPI with information related to safety practices and criminal incidents;

B. the first business day in December and June 30th of each year, providing CEPI with requested information related to educational personnel;

C. not later than five (5) weeks after the student membership count day, providing CEPI in a manner prescribed by the CEPI, the information necessary for the preparation of the high school graduation report;

D. October 7th of each year, providing CEPI with the transportation expenditure report; and

E. Before July 7th of each school fiscal year, providing to CEPI the budgetary assumptions used when adopting the annual budget pursuant to the Uniform Budgeting and Accounting Act if the School had a general fund balance of less than five percent (5%) of total general fund revenues for each of the two (2) most recently completed fiscal years.

Adopted 7/22/13
Revised 4/12/16

© National Charter Schools Institute

7000 **PROPERTY**

7217	**Weapons**	**L**
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Instructional Materials and Equipment	BP
7410	Maintenance	BP
7420	Hygienic Management	BP
7430	Safety Standards	BP
7434	**Use of Tobacco on School Premises**	**L**
7440	Facility Security	BP
7440.01	Video Surveillance and Electronic Monitoring	BP
7450	Property Inventory	BP
7455	Accounting System for Fixed Assets	BP
7530.01	Cellular Telephones	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**
7540.04	**Staff Education Technology Acceptable Use and Safety**	**L**
7540.05	Electronic Mail	BP
7540.07	**Personal Internet Account Privacy – Students**	**L**
7540.08	**Personal Internet Account Privacy – Staff**	**L**
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP
7542	**Network Access from Personally-Owned Computers and/other Web-Enabled Devices**	**L**
7545	Electronic Communications	BP

Adopted 7/22/13
Revised 11/12/13; 2/3/15; 11/01/16; 3/7/17; 9/19/17

© National Charter Schools Institute

WEAPONS

Reference: 18 USC 922
MCL 28.425o
20 USC 4141(g)

The School prohibits any unauthorized person from possessing, storing, making, or using a weapon in any setting under the control and/or supervision of the School for the purpose of School activities (approved and authorized by the School), including, but not limited to, activities or events held on/in property leased, owned, or contracted by the School or a School sponsored event.

The term *weapon* means any object which, in the manner 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 the following: firearms; guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

These restrictions shall not apply in the following circumstances to persons who are properly licensed to carry a concealed weapon:

A. A parent or legal guardian of a student of the School may carry a concealed *weapon* while in a vehicle on school property, if s/he is dropping the student off at the school or picking up the child from the school.

B. A county corrections officer, a member of a Sheriff's posse, a police or sheriffs reserve or auxiliary officer, or a State Department of Corrections parole or corrections officer, a private investigator, a Michigan State Police motor carrier officer or Capitol security officer, a State court judge, a security officer required by the employer to carry a concealed weapon while on the premises.

C. A retired police or law enforcement officer or a retired State court judge.

The Educational Service Provider shall prepare administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

GIFTS, GRANTS, AND BEQUESTS

The Board of Directors is duly appreciative of public interest in, and good will toward, the School, manifested through gifts, grants, and bequests. The School reserves the right, however, to specify the manner in which gifts are made; to define the type of gift, grant, or bequest it considers appropriate; and to reject those it deems inappropriate or unsuitable.

All accepted gifts, grants, or bequests shall be acknowledged by the Board or Educational Service Provider.

Gifts, grants, and bequests shall become the property of the School and will be subject to use by the School, as determined by the policies and administrative guidelines applying to all properties, equipment, materials, and funds owned by the School.

Before any equipment is purchased by a parent organization for use in the School or at a School-related event, a written proposal shall be submitted to the Board for approval prior to purchase, so the Board can determine if the School would incur any liability by the use of the equipment. The Board reserves the right to not accept such liability and, thus, deny approval of the proposed purchase.

Adopted 7/22/13

© National Charter Schools Institute

DISPOSITION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT

Reference: 2 CFR 200.312, 200.313

The Board of Directors requires the Educational Service Provider to review the property of the School periodically to dispose of that material and equipment no longer usable in accordance with the terms of this policy.

Instructional Material

The School 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 School shall inspect the equipment used in the instructional program periodically to determine the condition and usability of such equipment in the current educational program. Should the equipment be deemed no longer serviceable or usable, the following criteria will be used to determine possible disposal:

A. repair parts for the equipment 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 School shall request disposition instructions from the Federal awarding agency, if required by the terms and conditions of the Federal award. Disposition of the equipment will then be made in accordance with disposition instructions of the Federal awarding agency.

© National Charter Schools Institute

If permitted by applicable law, items of equipment with a current per unit fair market value of $5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency.

Except as provided by applicable regulations or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of $5,000 may be retained by the School or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the School may deduct and retain from the Federal share $500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.

The School may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the School shall be entitled to compensation for its attributable percentage of the current fair market value of the property.

Adopted 7/22/13
Revised 11/01/16

© National Charter Schools Institute

MAINTENANCE

Reference: MCL 380.143, 380.1262
Public Act 225 of 1993

The fixed assets of this School represent a significant investment, and their maintenance is a prime concern of the School.

The School shall have a continuous program of inspection, maintenance, and rehabilitation for the preservation of the School buildings and equipment. Wherever possible and feasible, maintenance shall be preventive.

The Educational Service Provider shall develop a maintenance program for implementation by the custodial and maintenance staff.

Adopted 7/22/13

© National Charter Schools Institute

HYGIENIC MANAGEMENT

Reference: A.C. Rule R340.1301

The health and physical well-being of the students of this School depend, in large measure, upon the cleanliness and sanitary management of the School.

Therefore, a program of hygienic management be instituted in the School and explained annually to all staff members.

The Board shall request each facility be inspected for cleanliness and sanitation by the Educational Service Provider.

The Educational Service Provider shall prepare procedures for handling and disposing of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomit, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and any other body parts that contact such matter.

The Educational Service Provider shall develop and supervise a program for the cleanliness and sanitary management of the School's buildings, grounds, and equipment pursuant to law.

The cleanliness of the School building shall be the responsibility of the Educational Service Provider.

Adopted 7/22/13

© National Charter Schools Institute

SAFETY STANDARDS

Reference: MCL 380.1288
A.C. Rule 29.1 et seq., 340.1301 et seq.

The staff, students, and visitors of this School 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 Educational Service Provider shall provide reasonable and adequate protection of the lives, safety, and health of its employees, students, and visitors.

Adopted 7/22/13

© National Charter Schools Institute

USE OF TOBACCO ON SCHOOL PREMISES

Reference: 20 USC § 6083; 20 USC § 7183; MCL 333.12605; MCL 333.12607; SBOE Policy on 24/7 Tobacco-Free Schools

The Board of Directors recognizes that the use of tobacco presents a health hazard.

In order to protect persons who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco products on School premises (owned or leased), in school vehicles, at all school sponsored events and in all school buildings owned and/or operated by the School.

For purposes of this policy,

A. "tobacco product" means a preparation of tobacco to be smoked, 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 smoking, 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; of clove cigarettes; or of other lighted smoking devices for burning tobacco or any other substance.

Adopted 7/22/13

© National Charter Schools Institute

FACILITY SECURITY

The Administrator shall develop and supervise a program for the security of the School's students, staff, visitors, school buildings, school grounds, and school equipment in compliance with State and Federal law. Such a program may include the use of video surveillance and electronic monitoring equipment in appropriate public areas in and around the schools and other School facilities, and on school buses.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to students, staff, visitors and Board property and may require prosecution of those who bring harm to persons and/or property. The Board will seek repair to rectify the damage or payment of a fee to cover the cost of repair or replacement from the person(s) responsible. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Administrator shall report to the Board, no later than the next Board meeting, any significant incident involving vandalism, theft, personal safety or other security risk and the measures being taken to address the situation.

Adopted 7/22/13

© National Charter Schools Institute

VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

Reference: FERPA, 20 USC 1232g
34 C.F.R. 99.1-99.67
Title I of the Electronic Communication Privacy Act of 1986
18 USC 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 school property, and in school buildings and school 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 Administrator is responsible for approving where and when to install and operate fixed-location video surveillance/electronic monitoring equipment in the School. The building principals and administrators responsible for other facilities shall be responsible for recommending use of video surveillance/electronic monitoring. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Video surveillance/electronic monitoring equipment may be placed in common areas in school buildings (e.g., school hallways, entryways, the front office where students, employees and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries), the school parking lots and other outside areas, and in school buses. Except in extraordinary circumstances and with the written authorization of the Administrator, video surveillance/electronic monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g., restrooms, locker rooms, changing areas). The Administrator shall carefully consider and consult with School legal counsel before authorizing placement in, private offices (unless there is express consent given by the office occupant), or conference/meeting rooms, or in individual classrooms during instructional times. Security staff and administrators are authorized to carry and use portable video cameras when responding to incidents.

Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Legible and visible signs shall be placed at the main entrance to buildings and in the areas where video surveillance/electronic monitoring equipment is in use. Signs shall be reasonably designed to notify people that their actions/behaviors are being monitored/recorded. Additionally, the Administrator is directed to annually notify parents and students via school newsletters and the Student Handbook, and staff via the Staff Handbook, of the use of video surveillance/electronic monitoring systems in their schools.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the School and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file.

Ordinarily video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or property.

© National Charter Schools Institute

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, school personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recording). Absent a clear legal obligation, confidential recordings will only be released through subpoena or court order.

The Board shall maintain video surveillance/electronic monitoring recordings for a limited period. Any request to view a recording under this policy must be made within thirty (30) days of the event/incident. Unless an investigation is being conducted, recordings shall be destroyed after thirty (30) days. If, however, action is taken by the Board/administration, as a result of a formal complaint or incident, recordings shall be kept for a minimum of one (1) year from the date of the action taken. 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 school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting), or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

The Administrator is directed to develop administrative guidelines to address the use of video surveillance/electronic monitoring equipment in school buildings, school buses and on property owned and/or operated by the Board.

Video surveillance is to be implemented in accordance with this policy and the related guidelines. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

Adopted 7/22/13

© National Charter Schools Institute

PROPERTY INVENTORY

As steward of this School's property, the Board of Directors recognizes that efficient management and full replacement upon loss require accurate inventory and properly maintained property records.

The Board shall conduct and maintain a continuous inventory of all School-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 School, subject to the following conditions:

A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.

B. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.

C. The equipment may only be used and disposed of in accordance with the provisions of the Federal awarding agency or the pass-through entity and Board Policy and guidelines.

D. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the Federal Award Identification Number (FAIN), title entity, acquisition date, cost of the equipment, percentage of Federal participation in the project costs for the award under which the equipment was acquired, the location, use, and condition of the equipment, and ultimate disposition data, including date of disposal and sale price of the equipment.

E. A physical inventory of the property must be taken and results reconciled with property records at least once every two (2) years.

F. A control system shall be developed to provide adequate safeguards to prevent loss, damage, or theft of the property. Any such loss, damage, or theft shall be investigated.

G. Adequate maintenance procedures shall be implemented to keep the property in good condition.

Adopted 7/22/13
Revised 11/01/16

© National Charter Schools Institute

ACCOUNTING SYSTEM FOR FIXED ASSETS

The School shall maintain an accounting system for fixed assets. The Board-designated Chief Administrative Officer shall be responsible for the development and maintenance of the fixed-asset accounting system. The Chief Administrative Officer shall develop procedures to ensure compliance with all fixed-asset policies.

Fixed assets are defined as those tangible assets of the School with a useful life in excess of one (1) year and an initial cost equal to or exceeding $1,000.00.

The Educational Service Provider is directed to prepare administrative guidelines to implement this policy.

Adopted 7/22/13

© National Charter Schools Institute

CELLULAR TELEPHONES

The Educational Service Provider manages the proper use of cellular telephones by its employees.

Adopted 7/22/13

© National Charter Schools Institute

TECHNOLOGY

The Board of Directors is committed to the effective use of technology to enhance the quality of student learning and the efficiency of School of operations.

Students' use of the Academy Technology Resources (see definitions in Bylaw 0100) is a privilege, not a right. Students and their parents must sign and submit a *Student Technology Acceptable Use and Safety* form. (See also, Policy 7540.03)

The School Administrator shall develop and implement a written Academy Technology Plan (ATP). One (1) primary purpose of the ATP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and in efficient and effective School operations. The Board will financially support, as the budget permits as determined by the Board, the ATP, including recommendations to provide new and developing technology for students and staff.

The ATP shall set forth procedures for the proper acquisition of technology. The ATP shall also provide guidance to staff and students about making safe, appropriate and ethical use of Academy Technology Resources, as well as inform staff and students about disciplinary actions that will be taken if its Technology Resources are abused in any way or used in an inappropriate, illegal, or unethical manner. See Policy 7540.03 and AG 7540.03 - Student Technology Acceptable Use and Safety, and Policy 7540.04 and AG 7540.04 – Staff Technology Acceptable Use and Safety.

The Educational Service Provider shall review the ATP and recommend the approval of any changes to the Board annually.

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Student Code of Conduct, further govern students' and staff members' use of their personal communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using Academy technology resources (including, but not limited to, privacy in the content of their personal files or e-mails, or in records of their online activity when using the School's computer network and/or Internet connection).

Further safeguards shall be established so that the Board's investment in 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. Examples include Facebook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of School-issued e-mail accounts.

The Board prohibits students from using Academy Technology Resources to access and/or use social media.

Staff may use social media for the School's business and educational purposes. Authorized staff may use Academy Technology Resources to access and use social media to increase

© National Charter Schools Institute

awareness of School programs and activities, and to promote achievements of staff and students, provided the Educational Service Provider approves, in advance, such access and use. Use of social media for the School's business and educational purposes is subject to Michigan's public records laws and staff members are responsible for archiving their social media and complying with the School's record retention schedule. See Policy 8310 – Public Records, AG 8310A - Public Records, and AG 8310D – Records Retention and Disposal.

Staff must comply with Policy 7540.04 and Policy 7530.02 when using Academy Technology Resources to access and/or use social media.

Adopted 7/22/13
Revised 3/7/17

© National Charter Schools Institute

TECHNOLOGY PRIVACY

This Policy informs staff members of the Board's position regarding staff members' privacy in the educational workplace setting. The policy also serves to protect the Board's interests.

All Academy Technology Resources (as defined in Bylaw 0100) are the Board's property and are intended to be used primarily for business purposes. The Board retains the right to access and review all Information Resources (as defined in Bylaw 0100), including but not limited to electronic and voice mail, computer files, data bases, and any other electronic transmissions contained within, or used in conjunction with, the Board's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members shall be notified that they have should have no expectation that any personal information/data maintained, stored, or transmitted contained on or through such systems is confidential or private.

The Board, as well as administrators and supervisory staff members authorized by the Educational Service Provider as described below, may review such information with or without the staff member's knowledge. The use of passwords does not guarantee confidentiality, and the right to access information exists in spite of a password. A staff member's refusal to permit such access may be grounds for discipline up to, and including, discharge.

Academy Technology Resources are to be used only for the School's business and educational purposes.

Personal messages via Board-owned technology should be limited in accordance with the Educational Service Provider's guidelines. Staff members are encouraged to keep their personal records and personal business at home. Because Academy Technology Resources are to be used only for the School's 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. The administrators and supervisory staff members authorized by the Educational Service Provider have the authority to search and access information electronically. Review of computer files, electronic mail, and voice mail will be conducted only in the ordinary course of business and only for a legitimate business reason. If a staff member's personal information is discovered, the contents of such discovery will be limited to those who have a specific need to know that information. The discovered contents will not be reviewed by the Board, except to the extent necessary to determine if the content constitutes a public record or if the Board's interests have been compromised.

All Academy Technology Resources and Academy Information Resources are the property of the Board. Staff members shall not copy, delete, or remove any information or data from Board-owned computers or servers without the express permission of the School Administrator, Further, staff members shall not communicate any such information to unauthorized individuals. In addition, staff members may not copy software from or onto any Academy Technology Resources and may not bring software from outside sources for use on Academy Technology Resources without the prior approval of the Educational Service Provider. Such pre-approval shall include a review of any copyright infringements or virus problems associated with such outside software.

Adopted 3/7/17

© National Charter Schools Institute

WEB CONTENT, SERVICES AND APPS

The Board of Directors authorizes the creation of websites by staff and students of the School to be published on the Internet. The creation of websites by students must be done under the supervision of a professional staff member. These websites must reflect the professional image of the School, its personnel, and students. The content of all pages shall be consistent with the Board's Mission Statement and 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 academy compliance officers identified in 2260 and 2260.01 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 academy website(s).

The purpose of such websites is to educate, inform, and communicate. The following criteria should be used to guide the development of websites:

A. Content should be suitable and usable for students and teachers to support the curriculum and the Board's educational goals and objectives as listed in the Board's Strategic Plan.

B. Content should inform the community about the School, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

C. Content should provide an avenue to communicate with the community.

The information contained on the Web site should reflect and support the Board's Mission Statement, Educational Philosophy, and the 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 laws (e.g., copyright laws, Children's Internet Protection Act), ADA, Student Online Personal Protection Act (SOPPA) and Children's Online Privacy Protection Act (COPPA). Nothing in this paragraph shall prevent the School from linking the Board's website to (1) recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites) or (2) to websites that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party websites may contain age appropriate advertisements that are inconsistent with the requirements of Policy 9700.01, AG 9700B, and State and federal Law.

Under no circumstances is a website to be used for commercial purposes advertising, political lobbying, providing financial gains or any solicitation for the benefit of any individual. Included in this prohibition is the fact no webpages contained on the School's website may: (1) include

© National Charter Schools Institute

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.

A. Under no circumstances is a staff member-created webpage/site including personal webpages/sites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. The board maintains its own website (e.g., [Progressbook]) that employees are required to use for the purpose of conveying information to students and/or parents.

B. 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.

C. If a staff member creates a webpage/site related to his/her class, it must be hosted on the Board's server.

D. Unless the webpage/site contains student personally identifiable information, Board websites that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users will generally be given full access to the sites created pursuant to this policy.

Such websites should address both internal and external audiences who will view the information. School websites must be located on Board-affiliated servers.

The Board retains all proprietary rights related to the design of websites and/or pages hosted on the Board's servers, absent written agreement to the contrary.

Students who want their class work to be displayed on the Board's Web site must have written parental permission and must expressly license the display without cost to the Board. Prior written parental permission is necessary for a student to be identified by name anywhere on the Board's website.

The Educational Service Provider shall prepare Administrative Guidelines defining the standards permissible for website use.

Adopted 9/19/17

© National Charter Schools Institute

STUDENT EDUCATION TECHNOLOGY ACCEPTABLE USE AND SAFETY

Reference: P.L. 106-554, Children's Internet Protection Act of 2000
P.L. 110-385, Title II, Protecting Children in the 21st Century Act
18 USC 1460
18 USC 2246
18 USC 2256
20 USC 6777, 9134 (2003)
20 USC 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)
47 USC 254(h), (1), Communications Act of 1934, as amended (2003)
47 C.F.R. 54.520

The School'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 School's computers, laptops, tablets, wireless 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 of 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 Student Code of Conduct also govern students' use of their personal computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, and any other communication device or web-enabled device, when connected to the School's Education Technology. 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 of 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).

To the extent required by law, the Board shall implement technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board or the School Administrator, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The School also utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. However, the Board is cognizant of the fact that such software and/or hardware is not perfect and relies on students to self-police (and immediately cease viewing) online activity that would otherwise be in conflict with these policies and to immediately report such to the School Administrator. 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.

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

© National Charter Schools Institute

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 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 which prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors.

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 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. All Internet users (and the parents of users who are minors) must sign a written agreement to abide by the terms and conditions of this policy.

Students may be assigned a school email account that they are required to utilize for all School-related electronic communications, including those to staff members and individuals and/or organizations outside the School with whom they are communicating for School-related projects and assignments. If students are assigned such accounts, then as directed and authorized by their teachers, they shall use their School-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.

© National Charter Schools Institute

Students shall not access social media for personal use from the School's network. Students shall be permitted to access social media for educational use, to the extent approved in advance by their teacher.

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users of the Board's Education Technology are subject to liability, both civil and criminal, for uses of the Education Technology not authorized by this Board policy and its accompanying guidelines.

The Board designates the Educational Service Provider or designee as the administrator to be responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines.

Adopted 7/22/13
Revised 2/3/15

© National Charter Schools Institute

STAFF EDUCATION TECHNOLOGY ACCEPTABLE USE AND SAFETY

Reference: P.L. 106-554, Children's Internet Protection Act of 2000
P.L. 110-385, Title II, Protecting Children in the 21st Century Act
18 USC 1460
18 USC 2246
18 USC 2256
20 USC 6777, 9134 (2003)
20 USC 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)
47 USC 254(h), (1), Communications Act of 1934, as amended (2003)
47 C.F.R. 54.520

The School's Internet system does not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its limited educational purpose.

This policy and its related administrative guidelines and any applicable employment contracts govern the staffs' use of the School's computers, laptops, tablets, wireless communication devices (as defined by Policy 7530.02), network and Internet connection and online educational services ("Education Technology" or "Ed-Tech"). The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Education Technology. Users have no right or expectation of 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).

Staff are expected to utilize Education Technology in order to promote educational excellence in our schools by providing students with the opportunity to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services will be guided by the Board's policy on Instructional Materials.

To the extent required by 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 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 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 School Administrator.

The technology protection measures may not be disabled at any time that students may be using the Education Technology, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable technology protection measures will be subject to disciplinary action, up to and including termination.

© National Charter Schools Institute

The Educational Service Provider or Technology Coordinator may temporarily or permanently unblock access to websites containing appropriate material, if access to such sites has been inappropriately blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material. The Educational Service Provider or Technology Coordinator 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 which prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors. 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 electronic communications;

B. the inherent danger of students disclosing personally identifiable information online;

C. the consequences of unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by students or staff online, and

D. unauthorized disclosure, use, and dissemination of personal information regarding minors.

Furthermore, the Board directs the Educational Service Provider to provide instruction for students regarding the appropriate use of technology and online safety and security as specified above. 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. All Internet users (and the parents of users who are minors) must sign a written agreement to abide by the terms and conditions of this policy.

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 School’s computers assume personal responsibility and are subject to liability, both civil and criminal, for uses of the Internet not authorized by this policy and its accompanying guidelines.

Staff may be assigned a School email address that they are required to utilize for all School-related electronic communications, including those to students and their parents and other staff members.

© National Charter Schools Institute

With prior approval from the Educational Service Provider or Technology Coordinator, staff may direct students who have been issued School-assigned email accounts to use those accounts when signing up/registering for access to various online educational services including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision.

Social Media Use

Staff members shall not access social media for personal use on the School's network. Staff members shall be permitted to access social media for educational use, to the extent approved in advance by the Administrator.

Personal or private use of social media, such as Facebook, Twitter, MySpace, blogs, etc., may result in unintended consequences. Staff members should not post inflammatory comments that could compromise the School's Mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes online conduct that occurs off school property, including from a Staff member's personal or private computer. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.

In addition, Federal and State confidentiality laws forbid schools and School employees from using or disclosing student education records without parental consent. See Policy 8330. Education records include a wide variety of information; posting personally identifiable information about students is not permitted. School personnel who violate State and Federal confidentiality laws or privacy laws related to the disclosure of confidential information may be disciplined.

The Board designates the Educational Service Provider or designee as the administrator responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines.

Adopted 7/22/13
Revised 2/3/15

© National Charter Schools Institute

ELECTRONIC MAIL

The Board of Directors is committed to the effective use of electronic mail ("e-mail") by all School staff and Board members in the conduct of their official duties. This policy, as well as any guidelines developed pursuant to it, are not meant to limit or discourage the use of e-mail for conducting the official business of the School, but rather, this policy and any corresponding guidelines are intended to establish a framework for the proper use of e-mail as an official business tool. The Board directs the Educational Service Provider to adopt administrative guidelines.

Adopted 7/22/13

© National Charter Schools Institute

PERSONAL INTERNET ACCOUNT PRIVACY - STUDENTS

Reference: **Michigan Internet Privacy Information Act, PA 478 of 2012**
M.C.L. 37.271 et. seq.

The School 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 School 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 School.

   b. An account or service provided by the School 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 11/12/13

© National Charter Schools Institute

PERSONAL INTERNET ACCOUNT PRIVACY – STAFF

Reference: Michigan Internet Privacy Protection Act, PA 478 of 2012
M.C.L. 37.271 et. seq.

The School will not:

A. request an employee or an applicant for employment to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.

B. discharge, discipline, fail to hire, or otherwise penalize an employee or applicant for employment for failure to grant access to, allow observation of, or disclose information that allows access to or observation of the employee's or applicant's personal internet account.

The following definitions shall be used for this Policy:

A. "Access information" means user name, password, login information, or other security information that protects access to a personal internet account.

B. "Personal internet account" means an account created via a bounded system established by an internet-based service that requires a user to input or store access information via an electronic device to view, create, utilize, or edit the user's account information, profile, display, communications, or stored data.

C. The School may:

1. request or require an employee to disclose access information to the School to gain access to or operate any of the following:

   a. An electronic communications device paid for in whole or in part by the employer.

   b. An account or service provided by the employer, obtained by virtue of the employee's employment relationship with the employer, or used for the School's business purposes.

2. discipline or discharge an employee for transferring the proprietary or confidential information or financial data to an employee's personal internet account without the School's authorization.

3. conduct an investigation or require an employee to cooperate in an investigation in any of the following circumstances:

   a. If there is specific information about activity on the employee's personal internet account, for the purpose of ensuring compliance with applicable laws, regulatory

© National Charter Schools Institute

requirements, or prohibitions against work-related employee misconduct.

b. If the School has specific information about an unauthorized transfer of the School's proprietary information, confidential information, or financial data to an employee's personal internet account.

4. restrict or prohibit an employee's access to certain websites while using an electronic communications device paid for in whole or in part by the School or while using the School's network or resources, in accordance with State and Federal law.

5. monitor, review, or access electronic data stored on an electronic communications device paid for in whole or in part by the employer, or traveling through or stored on an School's network, in accordance with State and Federal law.

6. view, access or utilize information about an employee or applicant that can be obtained without any required access information or that is available in the public domain.

Adopted 11/12/13

© National Charter Schools Institute

ELECTRONIC DATA PROCESSING/INFORMATION SYSTEM DISASTER RECOVERY PLAN

The Board of Directors is committed to maintaining and protecting the School's Information System. A complete and accurate Information System, including educational, student, fiscal, and personnel information, is vital to the School's ability to deliver uninterrupted educational service to the community it represents. To that end, the Educational Service Provider is directed to develop, test, and maintain an *Electronic Data Processing Disaster/Information System Recovery Plan* for use in the event a disaster should disable the School's electronic data processing equipment.

Adopted 7/22/13

© National Charter Schools Institute

NETWORK ACCESS FROM PERSONALLY-OWNED COMPUTERS AND/OR OTHER WEB-ENABLED DEVICES

School students and employees, as well as contractors, vendors and agents of the School, shall not be permitted to access the School's server and internal network, while on-site at a School facility, from their personal computers and/or web-enabled devices of any type.

Adopted 7/22/13

© National Charter Schools Institute

ELECTRONIC COMMUNICATIONS

The advancement of technology has provided many new ways for individuals to communicate with one another. These electronic communications include social networking sites, instant messaging, text messaging, e-mailing and photo-sharing, among others. Additional methods of electronic communication can be anticipated as the technology continues to evolve.

However, use of such technology must be approached with caution by School employees. Given the nature of the communications, there is a significant potential both for inappropriate use and for alleged inappropriate use. To protect staff and students, the following restrictions are established:

A. Electronic communications with students should be appropriate in tone, content, and quantity. Stalking, harassment, or other unwelcome behaviors are prohibited, including any type of sexually suggestive comments, photos, or graphics.

B. Electronic communications with other employees should be appropriate in tone, content, and quantity. Stalking, harassment, or other unwelcome behaviors are prohibited.

C. Electronic communications during work time shall only be allowed for work-related matters or personal emergencies. Work time is defined as all paid work time that is not a designated break or meal period.

D. Communications with students are not to occur through electronic methods. This does not apply to students to whom you are related or over whom you have guardianship.

E. Electronic communications with students are only to occur through School maintained e-mail accounts or websites.

The School may require the employee to produce records for review when there is reason to believe that this policy has been violated. Records within the School's control may be reviewed periodically to assure that this policy is being complied with. These may include Internet logs, cell phone records, or other similar documentation.

Questions regarding acceptable electronic communications or unwelcomed electronic communications from someone associated with the School should be submitted to the Administrator.

Adopted 7/22/13

© National Charter Schools Institute

8000 **OPERATIONS**

8142	**Criminal History Record Check**	**L**
8142.01	Weapons	BP
8210	School Calendar	BP
8220	School Day	BP
8305	Information Secuirty	BP
8310	**Public Records**	**L**
8310.01	**Enhanced Access to Public Records**	**L**
8315	Information Management	BP
8321	**Criminal Justice Information Security**	**L**
8330	**Student Records**	**L**
8340	**Letters of Reference**	**L**
8350	Confidentiality	BP
8351	Breach of Confidential Information	BP
8390	**Animals on School Property**	**L**
8400	**School Safety Information**	**L**
8401	**Fire Safety and Fire Department Notification**	**L**
8405	**Environmental Health and Safety Issues**	**L**
8410	Crisis Intervention	BP
8420	Emergency Evacuation of the School	BP
8431	**Preparedness for Toxic Hazards and Asbestos Hazard**	**L**
8442	Reporting Accidents/Incidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8462	Student Abuse and Neglect	BP
8500	**Food Services**	**L**
8510	**Wellness**	**L**
8510	**Appendix A – Specific Goals for Nutrition**	**L**
8510	**Appendix B – Specific Goals for Physical Activity**	**L**
8510	**Appendix C – Specific Goals for Other School-Based Activities Designed To Promote Student Wellness**	**L**
8510	**Appendix D – Specific Goals for Nutrition Promotion**	**L**
8510	**Appendix E – Nutrition Guidelines for All Foods Available on Campus During the School Day**	**L**
8540	**Vending Machines**	**L***
8660	Transportation by Private Vehicle	BP
8710	Insurance	BP
8740	Bonding	BP
8800	Religious/Patriotic Ceremonies and Observances	BP

*These policies are only legally required if the School serves food to students and receives direct or indirect federal aid for the program.

Adopted 7/22/13
Revised 11/12/13; 3/11/14; 10/7/14; 2/3/15; 8/18/15; 4/12/16; 11/01/16; 3/7/17; 9/19/17

© National Charter Schools Institute

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

© National Charter Schools Institute

For substitute teachers or substitute bus drivers currently working in another district, public school academy or non-public school in the State, the Superintendent may use a report received from the State Police by such school to confirm, the individual has no criminal history. Absent such confirmation, a criminal history record check shall be performed.

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

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

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

All criminal history record check reports received from the State Police or produced by the State Police and received by the School from another proper source will be maintained in the individual's personnel record.

When the School receives a report that shows an individual has been convicted of a listed offense under state statutes or any felony, the Superintendent 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 Superintendent and the Board provide written approval.

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

The Superintendent shall establish the necessary procedures for obtaining from the Criminal Records Division of the State Police any criminal history on the applicant maintained by the State Police. In addition, the Superintendent shall request the State Police to obtain a criminal history records check from the Federal Bureau of Investigation.

© National Charter Schools Institute

An applicant must provide at the School's expense, a set of fingerprints, prepared by an entity approved by the Michigan State Police, upon receiving an offer of employment, or as required by State law for continued employment.

Confidentiality

All information and records obtained from such criminal background inquiries and disclosures are to be considered confidential and shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications. Records involving misdemeanor convictions for sexual or physical abuse or any felony are not subject to these restrictions. Violation of confidentiality is considered a misdemeanor punishable by a fine up to $10,000.

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

Criminal history reports may be released with the prior 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 3/11/14

© National Charter Schools Institute

WEAPONS

The Board prohibits any person who is under contract from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the School for the purpose of school activities approved and authorized by the School including, but not limited to, property leased, owned, or contracted for by the School, a School-sponsored event, including athletic events, or in an School vehicle.

"Under contract" shall apply to individuals, as well as owners and employees of entities, who contract directly with the School or with a third-party vendor, Educational Service Provider, or similar contracting entity, to provide staffing, educational, food, custodial, transportation, counseling or administrative services to the School. It shall also apply to individuals or entities providing instructional services to students or related auxiliary services to special education students.

The term "weapon" means any object which, in the manner in which it used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited firearms, guns of any type including spring, air and gas-powered guns (whether loaded or unloaded) that will expel a BB, pellet, or paint balls, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapon, ammunition, and explosives or any other weapon described in 18 U.S.C. 921.

The Educational Service Provider shall refer an individual who violates this policy to law enforcement officials. The School may also take other action against the individual and/or his/her employer, including, but not limited to, requiring that the individual not be allowed to provide services to the School in the future and/or terminating any contractual relationship with the individual and/or the employer.

Individuals under contract shall immediately report knowledge of dangerous weapons and/or threats of violence by students, staff members, or other individuals to the Educational Service Provider.

Adopted 11/01/16

SCHOOL CALENDAR

Reference: MCL 380.1284, 380.1284(b), (as amended August 29, 2005), 380.1175, 388.1701
A.C. Rule R340.10 et seq.

The Board of Directors recognizes that the preparation of a calendar for the instructional program of the School is necessary for orderly educational planning and efficient operation of the School.

The Board shall direct the Educational Service Provider to determine annually the total number of days when the schools will be in session for instructional purposes. For purposes of receiving State-school aid, the number of days and number of hours will be in accordance with statute. The Board shall ensure that school is not in session for students before Labor Day.

Adopted 7/22/13

© National Charter Schools Institute

SCHOOL DAY

Reference: MCL 380.1284

The Board of Directors directs the Educational Service Provider to establish the school day. The school day is to offer the maximum education for the time spent, within the limitations of School facilities and the laws and regulations of the State.

The Educational Service Provider may close the School, delay the opening of the School, or dismiss the 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 establish administrative guidelines regarding this policy.

Adopted 7/22/13

© National Charter Schools Institute

INFORMATION SECURITY

The School collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the School. This information may be in hard copy or digital format, and may be stored in the School or offsite with a third party provider.

Data/information collected by the School shall be classified as Confidential, Controlled, or Published. Data/information will be considered Controlled until identified otherwise.

Protecting School Information Resources (as defined in Bylaw 0100) is of paramount importance. Information security requires everyone's active participation to keep the School's data/information secure. This includes Board of Education members, staff members/employees, students, parents, contractors/vendors, and visitors who use School Technology Resources (as defined in Bylaw 0100) and Information Resources.

Individuals who are granted access to data/information collected and retained by the School must follow established procedures so that the information is protected and preserved. Board members, administrators, and all School staff members, as well as contractors, vendors, and their employees, granted access to data/information retained by the School are required to certify annually that they shall comply with the established information security protocols pertaining to School data/information. Further, all individuals granted access to Confidential Data/Information retained by the School must certify annually that they will comply with the information security protocols pertaining to Confidential Data/Information. Completing the appropriate section of the Staff Technology Acceptable Use and Safety form (Form 7540.04F1) shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the security of that data/information and the School Technology Resources on which it is stored.

If an individual has any questions concerning whether this Policy and/or its related administrative guidelines apply to him/her or how they apply to him/her, the individual should contact the School's Technology Director or Information Technology Department/Office.

The Educational Service Provider shall develop administrative guidelines that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of School Data/Information.

Further, the Educational Service Provider is authorized to develop procedures that would be implemented in the event of an unauthorized release or breach of data/information. These procedures shall comply with the School's legal requirements if such a breach of personally-identifiable information occurs.

The Educational Service Provider shall require the participation of staff members in appropriate training related to the internal controls pertaining to the data/information that they collect, to which they have access, and for which they would be responsible for the security protocols.

© National Charter Schools Institute

Third-party contractors/vendors who require access to Confidential Data/Information collected and retained by the School will be informed of relevant Board policies that govern access to and use of Information Resources, including the duty to safeguard the confidentiality of such data/information.

Failure to adhere to this Policy and its related administrative guidelines may put data/information collected and retain by the School at risk. Employees who violate this policy and/or the administrative guidelines promulgated consistent with this policy may have disciplinary consequences imposed, up to and including termination of employment, and/or referral to law enforcement. Students who violate this Policy and/or AGs will be subject to disciplinary action, up to and including expulsion, and/or referral to law enforcement. Contractors/vendors who violate this Policy and/or AGs may face termination of their business relationships with and/or legal action by the School. Parents and visitors who violate this Policy and/or AGs may be denied access to the School's Technology Resources.

The Educational Service Provider shall conduct a periodic assessment of risk related to the access to and security of the data/information collected and retained by the School.

Adopted 9/19/17

© National Charter Schools Institute

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 this School and to make such records available to residents of Michigan for inspection and reproduction.

The *public records* of this School are defined as any writing or other means of recording or retaining of meaningful content prepared, owned, used, in the possession of, or retained by the School, its Board, officers, or employees subject to certain exemptions, in accordance with the Michigan Freedom of Information Act (FOIA).

Any person may make a written request for any public records of the School. The person may inspect, copy, or receive copies of the public record requested. The School shall respond to such requests within five (5) business days after receipt of the request, unless otherwise agreed to, in accordance with the Freedom of Information Act.

A resident may purchase copies of the School's public records upon payment of a fee of twenty cents ($0.20) per page and persons or entities requesting records shall pay for them before they are mailed, or pay for the copies of records at the time they are picked up. No original public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties. Neither the Board nor its employees shall permit the release of the social security number of an employee, student, or other individual except as authorized by law (see Policy 8350 and AG 8350).

The Board chooses not to provide for enhanced access to any of its public records.

The Board has determined that personal and confidential information provided to and retained by the School on parents, students, staff and others will be considered exempt from disclosure pursuant to a Freedom of Information Act request, unless advised specifically by the School's legal counsel that the particular information must be released. Such personal and confidential information shall include home addresses, telephone numbers, e-mail addresses or website pages (e.g. My Space, Facebook), except as they are specifically related to the operation of the schools, or specifically authorized for release by the individual, or the parent/guardian if the individual is a minor.

Nothing in this policy shall be construed as preventing a Board member from inspecting any record of this School in the performance of his/her official duties.

The School Administrator is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or e-mail, providing the message does not alter existing 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 Wayne Regional Education Service Agency and the Center for Educational Performance and Information (CEPI).

© National Charter Schools Institute

The Educational Service Provider shall establish Administrative Guidelines to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

Adopted 7/22/13

© National Charter Schools Institute

ENHANCED ACCESS TO PUBLIC RECORDS

Reference: MCL 15.443 [Note: If the Board elects to provide enhanced access to public records of the School by passage of a formal resolution to that effect, the following policy shall apply]

The School shall provide enhanced access to public records in accordance with the Enhanced Access to Public Records Act, 1996 PA 462, as amended.
The Educational Service Provider shall be charged with compliance with the Act and with this policy. Public records obtained pursuant to the Act shall be provided at a reasonable fee, established by the Educational Service Provider.

Adopted 7/22/13

© National Charter Schools Institute

INFORMATION MANAGEMENT

Reference: Federal Rules of Civil Procedure 34, 37(f)

The Board of Directors recognizes its responsibility, in certain circumstances, to maintain information created, maintained or otherwise stored by the School outside the "Records Retention Schedule". In such situations, a "Litigation Hold" procedure will be utilized to identify and preserve information relevant to a specific matter. "Information" includes both paper documents and electronically stored information ("ESI"). When implementing the "Litigation Hold," the School will identify individuals in possession or custody of paper documents, ESI and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the "Records Retention Schedule". The School will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a "Litigation Hold," which is under the control of the School, must be preserved in a readily accessible form and cannot be disposed of under the "Records Retention and Disposal" requirements. Failure to comply with a Litigation Hold notice may result in disciplinary action, up to and including possible termination.

Instances where the Board must maintain information outside the "Records Retention Schedule" include:

A. when the Board has specific information and/or written notice from an individual, parent or student of an intent to file an appeal of student discipline to State court;

B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;

C. when the Board is served with litigation, including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;

D. when the Board receives specific information and/or written notification from an employee, labor union, or other person of an intent to file a claim against the Board, its members, employees or agents at an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;

E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;

© National Charter Schools Institute

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 School for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.

Initiation and Removal of a "Litigation Hold"

The Board or the Administrator may initiate a "Litigation Hold" under this policy. If the Administrator initiates a "Litigation Hold," s/he or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Administrator may utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure" outlined in AG 8315.

A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" once the "Litigation Hold" is removed.

© National Charter Schools Institute

The Administrator shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

Adopted 7/22/13

© National Charter Schools Institute

CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)

Reference: Criminal Justice Information Services - Security Policy (Version 5.2, 2013), U.S. Dept. of Justice and Federal Bureau of Investigation
Noncriminal Justice Agency Compliance Audit Review, Michigan State Police, Criminal Justice Information, Center, Audit and Training Section
Conducting Criminal Background Checks, Michigan State Police, Criminal Justice Information Center

The School is required by State law to obtain both a State and a Federal Bureau of Investigation (FBI) criminal history record information (CHRI) background check report for all employees of the School, and for all employees who work on a regular and continuous basis in the School for: (1) the School's contractors, including the Educational Service Provider, and (2) the School's vendors. The School shall comply with all rules established by the Michigan State Police (MSP) and the FBI while processing, storing, and sharing CHRI.

Adopted 7/22/13
Revised 3/11/14; 3/7/17

© National Charter Schools Institute

STUDENT RECORDS

Reference: MCL 380.1135
Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education
34 C.F.R. Part 99, 2002
Section 444 of subpart of part C of the General Education Provisions Act
Title IV of Public Law 90-247
20 USC, Section 1232f through 1232i (FERPA)
20 USC 1400 et seq., Individuals with Disabilities Education Improvement Act
20 USC 7165(b)
26 USC 152
20 USC 7908

In order to provide appropriate educational services and programming, the Board of Directors must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the School reasonably believes knows the identity of the student to whom the education record relates.

The Board of Directors is responsible for maintaining records of all students attending this School. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School or specifically permitted by this Board will be compiled by Board employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

A. observations and ratings of individual students by professional staff members acting within their sphere of competency

B. samples of student work

C. information obtained from professionally acceptable standard instruments of measurement such as:

   1. interest inventories

   2. vocational preference inventories

   3. achievement tests

D. authenticated information provided by a parent or eligible student concerning achievements and other school activities which the parent or student wants to make a part of the record

E. verified reports of serious or recurrent behavior patterns

F. attendance records

© National Charter Schools Institute

G. health records

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, and designated school officials (as defined below) who have a legitimate educational interest (as defined below) in the information, or to other individuals or organizations as permitted by law. The term “parents” includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term “eligible student” refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school 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); or 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).

To qualify as designated “school officials,” 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 of a 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 a “School official” for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

One with a "legitimate educational interest" means one with a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the School" or a school official performing an administrative, supervisory or instructional task or performing 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) be 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.

© National Charter Schools Institute

The Board authorizes the administration to:

A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this School seeks or intends to enroll, provided 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 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 school officials for their consideration;

E. release de-identified records and information in accordance with Federal regulations;

F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the School for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study. In order to release information under this provision the School will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student's or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

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, provided that the disclosed records must be used to audit or evaluate a federal or state supported education program, or to

© National Charter Schools Institute

enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

The School will verify that the authorized representative complies with FERPA regulations.

H. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained *(if required).*

Upon written request by a student's parent or legal guardian, the School shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the School as part of the student's education records.

If the School provides any personally identifiable information concerning the student that is collected or created by the School as part of the student's education records to any person, agency, or organization, then the School shall disclose to the student's parent or legal guardian upon his or her written request:

A. The specific information that was disclosed.

B. The name and contact information of each person, agency, or organization to which the information has been disclosed.

C. The legitimate reason that the person, agency, or organization had in obtaining the information.

This information shall be provided without charge within 30 days after the School receives the written request and without charge to the parent or legal guardian.

The School is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the School as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

A. Provision of such information to the Michigan Department of Education or CEPI.

B. Provision of such information to the student's parent or legal guardian.

© National Charter Schools Institute

C. Provision of such information to its authorizing body or to an educational management organization with which it has a management agreement.

D. Provision of such information to or from its intermediate school board or to another intermediate school board providing services to the School or its students pursuant to a written agreement.

E. Provision of such information to a person, agency, or organization with written consent from the student's parent or legal guardian or, if the student is at least age 18, the student.

F. Provision of such information to a person, agency, or organization seeking or receiving records in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction.

G. Provision of such information as necessary for standardized testing that measures the student's academic progress and achievement.

H. Provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age 18 or is an emancipated minor, the student has signed and submitted the opt-out form referenced below.

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall not disclose directory information 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 shall provide public notice to students and their parents of the School's intent to make available, upon request, certain information known as "directory information." The Board designates the following as student "directory information":

A. a student's name;

B. dates of attendance; and

C. school photographs or videos of students participating in school activities, events or programs.

The Educational Service Provider will also develop a list of uses for which the School commonly would disclose a student's directory information and develop an opt-out form that

© National Charter Schools Institute

lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for 1 or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first 30 days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the School by a student's parent or legal guardian, the School shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age 18 or is an emancipated minor may act on his or her own behalf with respect to the opt-out form.

Parents and eligible students may also refuse to allow the School to disclose any or all of such "directory information" upon written notification to the School within ten (10) days after receipt of the School's public notice.

Armed Forces Recruiting

The Board shall provide United States armed forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses, and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to armed forces recruiting representatives, then the officials of the school shall not allow that access to the student's directory information. The Board shall ensure that students and parents and guardians are notified of the opportunity to deny release of directory information.

Public notice shall be given regarding the right to refuse disclosure of any or all "directory information," including to the armed forces of the United States and to the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the School, for copying and mailing student directory information under this section may be charged to an official armed forces recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually, the Board will notify male students age eighteen (18) or older that they are required to register for the United States Selective Service System.

Requests to the School Records Officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a

© National Charter Schools Institute

time for the access. Requests should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the School Administrator shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The School shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

A. Providing the information to an educational management organization with which the School has a management agreement.

B. Providing the information as necessary for standardized testing that measures the student's academic progress and achievement.

C. Providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the School.

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), 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;

© National Charter Schools Institute

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 Board's noncompliance with a parent's request to amend the records through a hearing;

E. file a complaint with the United States Department of Education;

F. obtain a copy of the Board's policy and administrative guidelines on student records.

The 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 Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or Educational Service Provider employee of this School specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

© National Charter Schools Institute

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all Family Educational Rights and Privacy Act (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 time frame for the activity has ended, as specified in its written agreement with the Board of Directors. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Adopted 7/22/13
Revised 2/3/15; 9/19/17

© National Charter Schools Institute

LETTERS OF REFERENCE

Reference: MCL 423.452, 380.1230(b)
Section 8546 of the Every Student Succeeds Act (ESSA)

The Board of Directors recognizes any current or former Educational Service Provider employee's request to an administrator for a letter of reference is an opportunity to share information about the staff member's performance with a prospective employer. The Board, however, does not require such references to be provided. A current or former staff member should not expect a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator and the Educational Service Provider.

However, if an administrator decides to prepare such a letter, the Board expects that administrator to provide specific and truthful comments concerning the employee's actual performance, which can be substantiated by the individual's personnel file. The letter must be reviewed by the Educational Service Provider before it may be released.

In accordance with State law, an administrator who provides such a letter of reference is entitled to at least a qualified privilege for statements made in the letter, provided such statements were made in good faith, without malice.

All School employees, including but not limited to an administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, are prohibited from assisting a School employee, contractor or agent in obtaining a new job if s/he knows or has reasonable cause to believe that such School employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of State or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct.

This policy does not excuse the School from providing responses to requests for information about unprofessional conduct, as required by State law.

Adopted 9/19/17

© National Charter Schools Institute

CONFIDENTIALITY

Reference: Freedom of Information Act 1976, paragraph 15.243 et seq.
MCL 445.83, 445.84

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 parties authorized in accordance with proper procedures.

When the School, in trust from a public agency, receives information identified to be confidential or exempt from disclosure under the Freedom of Information Act, Common Law, Privilege Case Law, or Federal Law, the Board directs the Educational Service Provider to maintain the confidentiality of that information to the maximum extent permitted by the law.

The Board shall not permit the release of the social security number of a student, or other individual, except as authorized by law. Access to documents containing social security numbers shall be restricted to those Educational Service Provider employees who have a need to know that information or a need to access those documents. When documents containing social security numbers are no longer needed, they shall be shredded by an employee who has authorized access to such records.

Freedom of Information Act requests shall only be responded to in accordance with the School's Policy.

Adopted 7/22/13

© National Charter Schools Institute

BREACH OF CONFIDENTIAL INFORMATION

Reference: MCL 445.61 et. seq.

It is the policy of the Board of Directors that when unauthorized access or acquisition of data occurs, which would compromise the confidentiality or security of personal information maintained by the School, the School will take appropriate action to assess the risk and notify the affected individuals.

A "breach" means the unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by the School. Unauthorized access may be considered incidental access by an employee or other individual if the access meets all of the following:

A. The individual acted in good faith in accessing the data;

B. The access was related to the activities of the agency or person

C. The individual did not misuse any personal information or disclose any personal information to an unauthorized person.

Personal information for purposes of this policy means the person's last name with either the first name or initial when linked to one of more of the following:

A. Social security number

B. Driver's license

C. Demand deposit or other financial account numbers (including credit/debit card numbers, when combined with access code, security code or password which would allow access to the financial accounts)

Upon determining that a breach has occurred, the individual shall notify the Administrator in writing. The Administrator shall promptly determine and implement the steps necessary to correct the unauthorized access and notify those individuals whose personal information may have been compromised.

Individuals who intentionally violate this policy shall be reported to the appropriate law enforcement agency and may be subject to criminal penalties.

Adopted 7/22/13

© National Charter Schools Institute

ANIMALS ON SCHOOL 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 occasions when animals are present on School property. Animals are utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at the School by a service animal in accordance with Federal and State law and this policy.

This policy applies to all animals on School 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 the ADA.

Non-Service Animals in the School and Elsewhere on School Property

Animals permitted in the School or on School property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a

© National Charter Schools Institute

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 under the Rehabilitation Act of 1973, or those that serve as service animals as required by Federal and State law.

Because some animals can cause allergic reactions, spread infections, or cause damage and create a hazard if they, 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 sanitary 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 School campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board is not responsibility for the training, daily care, or healthcare or supervision of service animals. The Board is not responsible for personal injury or property damage arising out of the presence or use of service animals on School property or at School-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

© National Charter Schools Institute

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 School Administrator is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from the School.

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 School 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 School property may be appealed in accordance with the complaint procedure set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and his/her parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or Department of Justice.

Service Animals for Employees

In accordance with Policy 1623 and Policy 3123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). 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

Parents, vendors and visitors with disabilities who are accompanied by their service animals are permitted access to all areas of the School's facilities where members of the public are permitted to go. Individuals who will access any area of the School's facilities with their service animals must notify the Educational Service Provider that their service animal will accompany them during their visit.

An individual with a disability who attends a School event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 - Public Attendance at School Events.

Adopted 3/11/14
Revised 8/18/15

© National Charter Schools Institute

SCHOOL SAFETY INFORMATION

Reference: Title IX, Section 9532 of the No Child Left Behind Act of 2001
MCL 380.1308 and 380.1310a, 771.2a

The Board of Directors is committed to maintaining a safe school environment. The Board believes crime and violence at the School are potential, multifaceted problems that need to be addressed by utilizing the best resources and coordinated efforts of School personnel, law enforcement agencies, and families. The Board further believes the School and local law enforcement officials must work together for the safety and welfare of students while at School or a School-sponsored activity or while en route to, or from, the School or a School-sponsored activity. The Board also believes the first step in addressing school crime and violence is to assess the extent and nature of the problem(s), then plan and implement strategies that promote safety and minimize the likelihood of crime and violence at the School.

Federal law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons, drugs, registered sex offenders and tobacco. Individuals are prohibited from engaging in these activities at any time on School property, within the Student Safety Zone, or at any School-related event.

The School will work with local officials in arranging signage defining the 1,000-foot boundary.

The Educational Service Provider shall review the provisions of the *School Safety Information Policy Agreement* and make modifications deemed necessary and proper by participants in the meeting. The agenda will also include discussion of additional training needed and any other such related matters. Participants in this meeting shall include the Administrator, members of the Board of Directors, the County Prosecutor (or his/her designee), and representatives from the local law enforcement agencies. Others may also be invited to participate in the meeting.

The Educational Service Provider shall make a report to the Board about this annual review and recommend the approval and adoption of any proposed revisions or additions.

School Contact Person

Furthermore, in accordance with state law, the Board hereby designates the Administrator as the School contact person who shall receive information from law enforcement officials, prosecutors, and the court officials and, in turn, shall notify the staff members who need to know the information within twenty-four (24) hours of its receipt.

The Educational Service Provider shall notify the appropriate law enforcement officials when an eligible student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement* and shall report all information that is required to be reported to State or local law enforcement agencies and prosecutors. Reporting such information is subject to 20 USC 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

Required Reporting

The Educational Service Provider shall submit a report, at least annually, to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at the School. At least once annually, a copy of the most recent report of incidents of crime shall be made available to the parent or

© National Charter Schools Institute

legal guardian of each student enrolled in the School. This report will minimally include crimes involving any of the following:

A. physical violence;

B. gang related acts;

C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;

D. trespassing;

E. property crimes, including, but not limited to, theft and vandalism, as well as an estimate of the cost to the School that results from the property crime

The Educational Service Provider 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.

Each School building shall collect and keep current on a weekly basis the information required from the report of incidents of crime, and must provide that information, within seven (7) days, upon request.

Law Enforcement Information Network (LEIN)

The Board authorizes the Educational Service Provider/Administrator to request vehicle registration information for suspicious vehicles within 1,000 feet of School property through the Law Enforcement Information Network (LEIN).

Persistently Dangerous Schools

The Board recognizes the requirement of State and Federal law for the School to annually report to the Michigan Department of Education incidents, meeting the statutory definition of violent criminal offenses that occurred in the School, on School grounds, on a School conveyance, or at a School-sponsored activity. The State Department of Education will then use this data to determine if a school is considered “persistently dangerous,” as defined by State policy.

Pursuant to the Board’s stated intent to provide a safe school environment, 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 discuss this problem at the annual meeting, for the purpose of reviewing the School Safety Plan, so that a plan of corrective action can be developed and implemented to reduce the number of these incidents in the subsequent year.

The Educational Service Provider shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

Adopted 7/22/13
Revised 4/12/16; 9/19/17

© National Charter Schools Institute

FIRE SAFETY AND FIRE DEPARTMENT NOTIFICATION

Reference: Michigan R 29.1908(3); R 29.2009(3)

The School administration shall develop written procedures that provide for all of the following:

- The designation of a staff member on each shift to be responsible for notifying the local fire department in the event of a fire;
- The availability at all times of a non-pay telephone for designated employees to notify the local fire department;
- The conspicuous posting of the telephone number of the local fire department near the telephone;
- A requirement that notification of the fire department is incorporated into all fire drills.

Adopted 7/22/13

© National Charter Schools Institute

ENVIRONMENTAL HEALTH AND SAFETY ISSUES

The Board of Directors recognizes the need for the development of a comprehensive program designed to provide a healthy, safe, and secure environment on school property and at school-sponsored activities.

Student, Employee, and Visitor Health and Safety

The Educational Service Provider shall develop and implement an environmental health and safety program that promotes the following:

A. Hazard identification and abatement through periodic inspection of school facilities; the implementation of immediate and programmed corrective actions, when deemed necessary by such inspections; and the development of a School-wide hazard reporting procedure with employee/parent/school community participation.

B. Environmental health and safety awareness among employees, students, parents and community, through the establishment of School safety committees and a program of regular communication with students, employees, and parents about pertinent safety and health issues in the School.

C. The safety and health of students while in School, while being transported to and from the School and during participation in School-related activities.

D. Employees' health and safety through the provision of work areas free from recognized hazards; through OSHA-related programs required by Federal and State law (e.g., employee safety and health training and training in hazard recognition); and by defining employer and employee responsibilities and expectations related to health and safety.

E. The reporting and investigating of accidents, including identification of root causes, determination of remedial and programmed corrective actions, and communication about accidents to employees, parents and members of the School community.

F. Planning for foreseeable emergencies and fire prevention.

Phase-out/Banned Products

The Educational Service Provider shall immediately ban the use, on School, 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 directs the Educational Service Provider to maintain environmental conditions in occupied areas in compliance with applicable regulations, to strive to conform to industry standards and to address prevention and elimination of water intrusion as a priority IEQ issue.

© National Charter Schools Institute

Pollution Control and Prevention

In an effort to comply with environmental policy and applicable regulations, the Educational Service Provider shall develop and implement procedures designed to prevent air and water pollution; minimize or eliminate waste streams, where possible; and identify possible sources of air and water pollution.

See also the following related Policies:

Policy	7430	Safety Standards
Policy	8410	Crisis Intervention
Policy	8420	Emergency Evacuation of Schools
Policy	8431	Preparedness for Toxic Hazard and Asbestos Hazard
Policy	8442	Reporting Accidents
Policy	8450	Control of Casual-Contact Communicable Diseases

Adopted 3/11/14

© National Charter Schools Institute

CRISIS INTERVENTION

The Board of Directors believes the School's employees, students, and visitors are entitled to function in a safe environment. The Educational Service Provider shall develop administrative guidelines for responding to a crisis situation.

Adopted 7/22/13

© National Charter Schools Institute

EMERGENCY EVACUATION OF SCHOOL

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 recognizes its responsibility for the safety of staff and students, extending to the possibility of natural and/or man-made disasters, and believes such emergencies are best met by preparedness and planning.

A. Emergency Preparedness

The School 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 School facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

School personnel, including teachers, shall provide for unrestricted emergency egress during school hours and when the school is open to the public.

B. Drills

1. Each School shall conduct a minimum of five (5) fire drills each school year. Three (3) of the fire drills shall be held by December 1st of the school year, and two (2) shall be held during the remaining part of the school year, with a reasonable spacing interval between each drill.

2. Each School shall conduct a minimum of two (2) tornado safety drills each school year. At least one (1) of the tornado safety drills shall be conducted during March of the school year. These drills shall be conducted for the purpose of preventing injuries caused by severe weather.

3. Each School shall conduct a minimum of three (3) drills in which the occupants are restricted to the interior of the building and the building secured each school year. At least one (1) of these drills shall be conducted by December 1st of the school year, and at least one (1) shall be conducted after January 1st of the school year, with a reasonable spacing interval between each drill. Such drills shall include security measures that are appropriate to an emergency such as the release of a hazardous material or the presence of a potentially dangerous individual on or near the premises. Educational Service Provider shall seek input

© National Charter Schools Institute

from local public safety officials on the nature of the drills to be conducted under this subsection.

4. Each School shall conduct at least one (1) of the drills required under Sections B(1)-(3) 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 B(1)-(3) 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 Administrator shall provide a list of the scheduled drill days to the county emergency management coordinator.

7. If a drill is not conducted on a scheduled drill day due to conditions not within the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions as defined by the city, county, or state health authorities, the school shall reschedule the drill to occur within ten (10) school days after the scheduled date of the cancelled drill. The Administrator shall notify the county emergency management coordinator of the rescheduled date for the drill.

C. Drill Result Publication

1. The Administrator shall provide that documentation of a completed school safety drill is posted on the school's website within thirty (30) school days after the drill is completed and is maintained on the website for at least three (3) years.

2. The documentation posted on the website shall include at least all of the following:

    a. Name of the School

    b. School year of the drill

    c. Date and time of the drill

    d. Type of drill completed

    e. Number of completed drills for that school year for each type of drill required under Sections B(1)-(3)

    f. Signature of the Administrator or his/her designee acknowledging the completion of the drill.

    g. Name of the individual in charge of conducting the drill, if other than the Administrator.

D. Cardiac Emergency Response Plan

1. Use and regular maintenance of the automated external defibrillators, if available.

© National Charter Schools Institute

2. Activation of a cardiac emergency response team during an identified cardiac emergency.

3. A plan for effective and efficient communication throughout the school campus.

4. If the school includes grades 9 to 12, a training plan for the use of an automated external defibrillator and in cardiopulmonary resuscitation techniques.

5. Incorporation and integration of the local emergency response system and emergency response agencies with the school's plan.

6. An annual review and evaluation of the cardiac emergency response plan.

Adopted 7/22/13
Revised 10/7/14

© National Charter Schools Institute

PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

The Board of Directors is concerned for the safety of the students and others who utilize the School's facilities.

To that end, the Board directs the Educational Service Provider to comply with all applicable state and federal law concerning the containment, remediation and treatment of toxic hazardous materials, including asbestos abatement in all the School's facilities.

Adopted 7/22/13

© National Charter Schools Institute

REPORTING ACCIDENTS/INCIDENTS

The Board of Directors directs all reasonable efforts shall be made to ensure a safe learning environment for the students. The Board requires that accidents/incidents be reported to the Educational Service Provider and evaluated. Any accident resulting in an injury, however slight, must be reported promptly, in writing, to the School Leader. Injured persons shall be referred immediately to the appropriate personnel for medical attention.

The staff member responsible for an injured student or the injured visitor shall complete a form that includes the date, time, and place of the incident; names of persons involved; nature of the injury to the extent known; and description of all relevant circumstances.

Adopted 7/22/13

© National Charter Schools Institute

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 School.

The Educational Service Provider shall develop Administrative to provide for the following:

A. instruction of professional staff members about the detection of casual contact common diseases;

B. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;

Adopted 7/22/13

© National Charter Schools Institute

STUDENT ABUSE AND NEGLECT

Reference: MCL 722.621 et seq.

The Board of Directors is concerned with the physical and mental well-being of the students in this School and will cooperate in identifying and reporting cases of child abuse or neglect, in accordance with law.

Any staff with reasonable cause to suspect child abuse or neglect shall be responsible for immediately reporting every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means to the Department of Human Services or other reporting agency. The Board of Directors directs the Educational Service Provider to develop guidelines in accordance with this policy.

Adopted 7/22/13

© National Charter Schools Institute

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 shall provide food service for the purchase and consumption of lunch for all students.

The Board may also provide a breakfast program in accordance with procedures established by the State Department of Education.

The provided food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current United States Department of Agriculture ("USDA") Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, and pertaining to the fiscal management of the program. Operation of such a program shall be as follows.

Substitutions to the standard meal requirements shall be made, at no additional charge, for students 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 the criteria set forth in 7 CFR 15(b).

On a case by case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who do not have a disability but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs.

For non-disabled students who need 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. 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.

The Educational Service Provider shall periodically review the food-service accounts 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

© National Charter Schools Institute

cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFSA for the total amount of the bed debt. The funds may come from the School general fund, State or local funding, school 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 (storage) of food and food equipment pursuant to USDA regulations.

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 ~~s~~ 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 in accordance with Board Policy 8540.

Adopted 2/3/15
Revised 4/12/16; 9/19/17

© National Charter Schools Institute

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 School's students. Furthermore, research concludes that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

A. With regard to nutrition education, the School shall:
(*Specific goals need to be inserted here. See Appendix A.)*

B. With regard to physical activity, the School shall:
(Specific goals need to be inserted here. See Appendix B.)

C. With regard to other school-based activities the School shall:
(Specific goals need to be inserted here. See Appendix C.)

D. With regard to nutrition promotion, the School shall:
(*Specific goals need to be inserted here. See Appendix D.)*

Furthermore, with the objectives of enhancing student health and well-being, and reducing childhood obesity, the following guidelines are established:

***(Specific guidelines need to be inserted here. See Appendix E.*)**

The Board assigns to the Educational Service Provider the operational responsibility for verifying that the School meets the goals established in this policy.

The Educational Service Provider shall, through an appropriate committee that meets at least four (4) times per year, seek the involvement of parents, students, representatives of the School food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public and School administrators in the 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.

© National Charter Schools Institute

The Wellness Committee shall be responsible for:

A. assessment of the current School environment;

B. review of the School's wellness policy;

C. presentation of the wellness policy and periodic updates to the Board for approval;

D. measurement of the implementation of the wellness policy; and

E. recommendations for revisions 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 shall report annually to the Board on the progress of the Wellness Committee and on its evaluation of policy implementation and areas for improvement, including status of compliance by individual schools campuses and progress made in attaining goals of the policy.

The Educational Service Provider is also responsible for informing the public, including parents, students and community members, of the content and implementation of this policy. To inform the public, the Educational Service Provider shall:

A. distribute information at the beginning of the school year to families of School children;

B. include information in the student handbook; and

C. and post the wellness policy on the School's website, including the Wellness Committee's assessment of the implementation of the policy.

The School shall assess the Wellness Policy at least once every three (3) years on the extent to which Academies are in compliance with the School policy, the extent to which the Academy policy compares to model wellness policies, and the progress made in attaining the goals of the School Wellness Policy. The assessment shall be made available to the public on the School website.

Adopted 7/22/13
Revised 3/11/14; 2/3/15; 9/19/17

© National Charter Schools Institute

SPECIFIC GOALS FOR NUTRITION

A. Nutrition education shall be included in the sequential, comprehensive Health curriculum in accordance with the curriculum standards and benchmarks established by the State.

© National Charter Schools Institute

SPECIFIC GOALS FOR PHYSICAL ACTIVITY

A. 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.

© National Charter Schools Institute

SPECIFIC GOALS FOR OTHER SCHOOL-BASED ACTIVITIES DESIGNED TO PROMOTE STUDENT WELLNESS

A. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.

© National Charter Schools Institute

SPECIFIC GOALS FOR NUTRITION PROMOTION

With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards.

Additionally, the School shall:

A. encourage students to increase their consumption of healthful foods during the school day;

Revised 9/19/17

© National Charter Schools Institute

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 School's physical plant as delineated in the School'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 School'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 guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the USDA.

H. The food service program may involve students, staff and administration in the selection of competitive food items to be sold in the schools.

© National Charter Schools Institute

I. All food service personnel shall receive pre-service training in food service operations.

J. Nutrition information for meals served may be made available during the school day, if requested.

Revised 9/19/17

© National Charter Schools Institute

VENDING MACHINES

The Board of Directors authorizes the use of vending machines in School facilities.

Food items and beverages available for sale to students in vending machines for consumption on the School campus (any area of property under the jurisdiction of the School that is accessible to students during the school day) during the school day (the period from the midnight before the beginning of, until 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.

Adopted 7/22/13
Revised 2/3/15

© National Charter Schools Institute

TRANSPORTATION BY PRIVATE VEHICLE

The Board of Directors authorizes the transportation, by private vehicle, of students of the School.

Any such transportation must be approved in advance and in writing by the Educational Service Provider, in accordance with the Educational Service Provider's administrative guidelines.

Adopted 7/22/13

© National Charter Schools Institute

INSURANCE

The Board of Directors shall purchase with School funds the type and amount of insurance necessary to protect the Board as described by the charter contract.

Adopted 7/22/13

© National Charter Schools Institute

BONDING

Reference: MCL 129.51

The Board of Directors recognizes that prudent trusteeship of the resources of this School dictates that Educational Service Provider employees be bonded, if they are responsible for the safekeeping of School monies and property.

The School shall be indemnified against loss of money and property by bonding Educational Service Provider employees who hold the responsible positions. The amounts of the bonds shall be determined by the Board, in accordance with State law.

All other Educational Service Provider employees handling money shall be covered under a blanket bond for an amount determined by the Board.

The Educational Service Provider shall bear the cost of bonding each employee required to be bonded by this policy.

Adopted 7/22/13

© National Charter Schools Institute

RELIGIOUS AND PATRIOTIC CEREMONIES AND OBSERVANCES

Reference: 20 USC 4071 et. seq.
Gregoire vs. Centennial School 907 F2d 1366, (3rd Circuit, 1990)
Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)
M.C.L. 380.1347, 380.1347a, 380.1565

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting the establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's/person's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any School-sponsored event.

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 School 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 each 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, over the student's objections or over the objections of the student's parent or guardian, to recite the Pledge of Allegiance. No student shall be penalized for failure to participate in the Pledge and the professional staff shall protect any such students from bullying as a result of their not participating in the Pledge.

The building principal or administrator shall be responsible for determining the appropriate time and manner for reciting the Pledge, with due regard to the need to protect the rights and the privacy of a nonparticipating student.

Adopted 7/22/13
Revised 11/12/13

© National Charter Schools Institute

9000 **RELATIONS**

9120	School Information Program	BP
9150	School Visitors, Animals	BP
9160	Public Attendance at School Events	BP
9211	**Academy Support Organizations**	**L**
9250	**Relations with Parents**	**L**
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP
9700	Relations with Special Interest Groups	BP
9710	Volunteers	BP

Adopted 7/22/13
Revised 3/11/14; 2/3/15; 4/12/16; 3/7/17

© National Charter Schools Institute

SCHOOL INFORMATION PROGRAM

The Board of Directors directs the Educational Service Provider to implement reasonable means to keep parents and other interested parties informed on matters of importance regarding School policies, finances, programs, personnel, and operations. The Educational Service Provider shall develop administrative guidelines for this purpose.

Adopted 7/22/13

© National Charter Schools Institute

SCHOOL VISITORS, ANIMALS

The Board of Directors welcomes and encourages visits to School by parents, other adult residents of the community, and interested educators. However, for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the School, it is necessary to establish visitor guidelines. The Board directs the Educational Service Provider to develop guidelines regarding this policy.

No animals may be brought or released onto school premises without the prior written approval of the school administrator. This policy shall not apply to animals brought to school in a safe manner by teachers for valid educational purposes, to canines brought on the premises by law enforcement personnel for law enforcement purposes, or “service animals” required for use by a person with a disability.

Adopted 7/22/13

© National Charter Schools Institute

PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Directors welcomes the attendance of members of the community at public events held in the School, but the Board also acknowledges its duty to maintain order and preserve the facilities of the School during the conduct of such events. The Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave School property when reasonably requested. In accordance with Board Policy 7440 and AG 7440 B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

To the extent required by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, no person with a disability will be denied the benefits of, denied participation in, or be discriminated against as to any program or activity because the School's facilities are inaccessible to or unusable by persons with disabilities.

For facilities constructed or altered on or after June 3, 1977, the School will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the School is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing reasonable accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

Persons who require the assistance of service animals shall be permitted to have their service animals in all School facilities and at all School events to the extent permitted by Policy 8390 – Animals on School Property. Confirmation of disability, need for a service animal to access/participate in the school event, and current certification/training of the service animal may be required. Certain restrictions may be applied when necessary due to allergies, health, safety, disability other issues of those attending the event. The goal, subject to Policy 8390, shall be to provide all attendees with the same access and participation provided to other members of the public.

In accordance with the provisions of the Americans with Disabilities Act, as amended, individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board.

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within all School facilities and in any area adjacent to points of ingress into or egress from such facilities, within all School grounds, and at any School-related event.

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events. The Board has no objection, provided that such use does not violate the privacy of any individual, does not violate any license or copyright or similar law, does not interfere with the conduct of the particular event or impinge on the enjoyment of the event by other members of the audience.

The Board authorizes the Educational Service Provider to establish rules and procedures governing the use of non-School audio/visual devices and equipment at School-sponsored events or activities, particularly athletic events; dramatic presentations; musical concerts; and graduation ceremonies. Such rules are to be distributed in such a manner that members of the audience, wishing to record the event, are aware of the rules early enough to make arrangements to obtain their recordings without causing delay or disruption to the activity.

© National Charter Schools Institute

The school administrator shall ensure that all notices, signs, schedules, and other communications about School events contain the following statement:

"Upon submission of a request to the Administrator, the School shall make reasonable accommodation for a disabled person to be able to participate in this activity."

Any person or organization seeking to film students or a School activity that is not a public event shall obtain prior permission from the school administrator.

Adopted 7/22/13
Revised 3/11/14

© National Charter Schools Institute

SCHOOL SUPPORT ORGANIZATIONS

The Board of Directors appreciates the formation and efforts of organizations whose objectives are to enhance the educational experiences of students in the School and to help meet educational needs of students.

The Board recognizes that parent-teacher organizations and other school-related organizations are channels through which School personnel, parents, and other citizens may discuss educational concerns, problems, and needs and then work together toward solutions.

No organization may hold itself out as a School support organization unless directly authorized to do so by the School Board of Directors, and then only as a “booster” or PTA/PTO organization for support purposes. No support organization shall be, or hold itself out as, an agent of the School for any purpose whatsoever.

Adopted 2/3/15
Revised 4/12/16

© National Charter Schools Institute

RELATIONS WITH PARENTS

The Board of Directors believes the education of children should be a joint responsibility shared with the parents of the students attending the School. To ensure the best interests of the student are served in this process, a strong program of communication between home and the School must be maintained.

Parents have the right to participate in the education of their child. Parents also have the ultimate responsibility for their child's in-school behavior, including the behavior of students who have reached the legal age of majority, but are still under parental authority.

In accordance with Board policies and administrative guidelines 2240 (Opt-Out), 2413/14 (Health/Sex Education) and 9150 (School Visitors), the School shall provide opportunities for parents to review curriculum and instructional materials and to visit the School to observe the instructional process.

With regard to student behavior during School hours, the Board, through the Educational Service Provider/School Leader, acts in place of the parents. The Board directs the Educational Service Provider to develop administrative guidelines for this policy.

Adopted 7/22/13

© National Charter Schools Institute

RELATIONS WITH EDUCATIONAL INSTITUTIONS AND ORGANIZATIONS

It is the policy of the Board of Directors that strong lines of communication be maintained by the School with other schools, institutions, and organizations that provide School students with programs, training, or services not available in the School.

The Educational Service Provider may implement, subject to Board approval, cooperative ventures with other institutions or organizations for the purpose of providing programs correlated to the School's curriculum and helping students better accomplish the educational outcomes established by the Board.

Adopted 7/22/13

© National Charter Schools Institute

PARTNERSHIPS WITH BUSINESS

The Board of Directors is well aware of the role education plays in increasing the student's productivity and future well-being. Success requires a combination of talent and resources within the region between business and education. The Board also recognizes that the School needs to operate as an integral part of the economic community, if students are to receive the type of education and training they will need to function effectively in the twenty-first century.

The Educational Service Provider may establish partnerships between the School and individual companies. The purpose of such partnerships will be to increase opportunities for students and staff to share in new strategies and technologies being created in the business world and to offer, in exchange, the knowledge and skills of School personnel in creating more effective continuing education for employees and members of the community. Properly planned and implemented, such partnerships could have significant impact on the nature and content of the curriculum and on the manner in which students are taught.

Adopted 7/22/13

© National Charter Schools Institute

RELATIONS WITH SPECIAL INTEREST GROUPS

School facilities shall not be used for advertising or promoting the interests of any non-School agency or organization, public or private, without the approval of the Board or its delegated representative. Any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by the 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 on the basis of their educational contribution to part or all of the School program, and their 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 may permit the use of educational materials, programs, and equipment that contain commercial messages, but only if the content of such messages and the manner of presentation have been pre-approved by the Administrator/Educational Service Provider and are in compliance with the School's administrative guidelines.

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 School as a whole, but participation in such special activities is forbidden if such activities:

A. have the primary effect of advancing a special product, group, or company;

B. make unreasonable demands upon the time and energies of staff or students or upon the resources of the School;

C. involve any direct cost to the School, unless the student body as a whole derives benefit from such activities;

D. cause the participants to leave the School, unless the Board's Policy 2340 (Field and Other School Sponsored Trips) has been complied with in all aspects.

Distribution and/or Posting of Literature

No outside organization or staff member (or student) representing an outside organization may distribute or post literature on that organization's behalf on School property, either during or after School hours without the permission and prior review by the Educational Service Provider.

© National Charter Schools Institute

The Educational Service Provider shall establish administrative procedures which ensure that:

A. criteria established in Policy 5722 - Student Publications and Productions - are used to make a decision regarding materials that students seek to post or distribute;

B. the school mail system is not used by students or staff for distribution of non-school related materials;

C. no materials from any profit-making organization are distributed for students to take home to their parents; unless authorized by the Administrator;

D. the time, place, and manner of distribution of all non-school related materials is clearly established and communicated.

E. flyers and notices from outside non-profit organizations may be made available for students to pick up at the literature distribution rack/table by the School building's office, under the following circumstances:

1. the flyer/notice publicizes a specific community activity or event that is age appropriate for the students that attend the School;

2. the organization submits the number of copies of the flyer that it wants placed in the literature distribution rack/table;

No student shall be required to take any of the flyers/notices placed in the literature/distribution rack/table, and the rack/table shall contain a clear notice that the Educational Service Provider does not support or endorse any of the organizations and/or activities/events identified in the flyers/notices.

Solicitation of Funds

Any outside organization or staff member, representing an outside organization and desiring to solicit funds on School property, must first receive permission to do so from the Educational Service Provider.

Permission to solicit funds will be granted only to those organizations or individuals who meet the permission criteria established in the Administrative Procedures. Solicitation must take place at such times and places and in such a manner specified in the Administrative Procedures. In accordance with Board Policy 5830, no School student may participate in the solicitation without the Administrator's approval.

The Board disclaims all responsibility for the protection of, or accounting for, such funds.

Solicited funds are not to be deposited in any regular or special accounts of the School.

A copy of this policy, as well as the relevant Administrative Procedure, shall be given to any individual granted permission to solicit funds on School property.

This policy does not apply to raising funds for School-sponsored activities.

© National Charter Schools Institute

Use of the name, logo, or any assets of the School, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Educational Service Provider.

Lawful 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 already required by law to be provided as part of 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 appreciates the generosity of organizations which offer scholarships or prizes to deserving students in this School. In accepting the offer of such scholarships or prizes, the Board directs that these guidelines be observed:

A. No information either academic or personal shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student, if he or she is eighteen (18) or older, or without the permission of the parents of a student who is younger, in accordance with the Board's policy on student records.

B. The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the Educational Service Provider.

C. The Administrator, together with a committee of staff members designated by the Administrator, shall be involved in the selection of the recipient and, if agreeable to the sponsoring organization, the selection shall be left entirely to the Administrator and staff committee.

Sale of School Supplies

To permit the sale of school supplies by organizations other than the School, the Board must first determine that:

A. the organization has a purpose which will benefit the School and its students;

B. the organization's planned activities are clearly in the best interest of the School and its students; and

C. the organization has submitted the following information and assurances on the form provided by the School: a statement noting the purpose of the organization, financial accountability assurances, and use of facility assurances.

All funds generated by the sale of such school supplies shall be kept separate from other activity funds or other transactions of the Board.

© National Charter Schools Institute

Surveys and Questionnaires

Neither School-related nor non-school related organizations shall be allowed to administer a survey or questionnaire to students or staff, unless the instrument and the proposed plan are submitted in advance to the Administrator/Educational Service Provider for approval. If the survey or questionnaire is approved, a copy of the results and the proposed manner of their communication must be provided to the Administrator/Educational Service Provider for review and approval before they are released.

Students shall not be required to complete surveys to provide marketing information to vendors. The School shall not distribute to vendors any personal information of students, including but not limited to names, addresses, and telephone numbers, unless required by law. In addition, the School shall not enter into any contract for products or services, including electronic media services, where personal information will be collected from the students by the providers of the services.

Adopted 7/22/13
Revised 3/7/17

© National Charter Schools Institute

VOLUNTEERS

The Board of Directors recognizes certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Administrator shall be responsible for recruiting volunteers, reviewing their capabilities, and making appropriate placements. He/She shall not place or assign volunteers whose abilities are not in accord with School needs.

Any individual who volunteers to work in the School or on any School sponsored activity shall submit to a criminal history records check, prior to being allowed to participate in any activity or program.

The Administrator shall conduct criminal background checks on all volunteers in the same manner as required for other professional staff.

The Administrator is to inform each volunteer about his/her requirements and responsibilities. Volunteers are expected to agree to the following conditions:

A. abide by all Board policies and School guidelines while on duty as a volunteer, including completion of an application which includes permission to conduct a criminal history records check;

B. sign a form releasing the School of any obligation if the volunteer becomes ill or receives an injury as a result of his/her volunteer services.

The Administrator shall also demonstrate to each volunteer the School's appreciation for his/her time and efforts in assisting the operation of the School.

Adopted 7/22/13

© National Charter Schools Institute