

PREFACE

The policies and administrative rules of the Honey Creek Community School Board of Education, Washtenaw County, Michigan, are the result of a combined effort of the professional staff of the Michigan Association of School Boards, the Board of Education and the Academy's staff.

The staff of MASB has written the policy and rule model and integrated into that model the valid policies and procedures selected by the Academy at the time of the first draft. After forwarding the first draft, a MASB staff member, and selected staff members of the Academy worked in consort to edit all of the proposed policies and rules resulting in preparation of a final draft to be presented to the Board.

A special acknowledgement should go to the Board members and to the Director of the Academy who spent many hours studying the drafts and revisions to these policies and rules.

Understanding the Policy System

Policies are principles adopted by the Board to chart a course of action. They tell WHAT is wanted and may include WHY and HOW MUCH. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of problems day after day; they should be narrow enough to give the administration clear guidance.

RULES, REGULATIONS OR PROCEDURES are the detailed directions that are developed by the administration and staff to put policy into practice. They tell HOW, WHEN, WHERE and BY WHOM things are to be done. They are not adopted by the Board, but, rather, are changed, as needed, by the administration to meet the needs of day-to-day policy enforcement and administration of the schools.

This philosophy was incorporated into the thinking that produced the model and guided the Board and the Academy's staff in developing the final, adopted policies and review of rules.

One “hard copy” of the bylaws and policies are kept in a binder containing nine sections of policies and, where appropriate, administrative rules. These sections are as follows:

- 1000 — BOARD BYLAWS
- 2000 — GENERAL SCHOOL ADMINISTRATION
- 3000 — FISCAL MANAGEMENT
- 4000 — BUSINESS MANAGEMENT
- 5000 — PERSONNEL
- 6000 — NEGOTIATIONS (Not included in this manual, but reserved for future use if needed.)
- 7000 — INSTRUCTIONAL PROGRAM
- 8000 — STUDENTS
- 9000 — GENERAL PUBLIC AND ORGANIZATIONAL RELATIONS

This type of classification system is designed for computer use and adaptation to publication of the manual on the WWW, and conforms to sound principles of information storage and retrieval; to sound principles of school governance; and to the mandates of practicality. The Bylaw and Policy Manual’s ultimate success or failure will depend on the extent of its day-to-day usefulness as a management tool to facilitate school and Board operations.

Basic to the system is the vocabulary of policy development descriptors. This vocabulary includes more than 1,000 discrete terms, e.g., “Underground Newspapers,” “Psychological Testing,” “Nepotism,” etc. These terms set forth specific issues and concerns for possible school Board action at the policy development level.

The Index

The index, finalized following final Board approval of the manual, is designed to help the user find the subject described in the appropriate policy. The index also includes many terms not used in the classification system but that are still cross-referenced to official descriptors. Some of these topics are synonyms, e.g., Administrative Regulations; see “Administrative Rules.” Other classifications are included to show

where topics might be placed into the system by local classifiers, e.g., Sale of Bonds, see “Borrowing and Debt Service.”

In addition, major descriptors appear in several places in the index. This, again, is to facilitate the user’s search for correct term placement in the system.

When Using This Manual

To use the hard copy of the manual properly, the reader should look up the subject matter in the index and turn to the policy section first. (If published on the WWW via the MASB “POWER” Program, the task of “searching” is done through use of a simple or “advanced” search for ease of reference and retrieval.) The reader should check the table of contents found in the front of each policy section to determine whether the desired subject is cross-referenced to any other policy and to see if the symbols “Cf.,” “Also” or “See” are present. The reader should turn to the numeric code in the appropriate section and read the policy and any applicable rule. After the reader has done this, he/she should read all cross-references and other similar referrals.

If by chance a policy statement is not found, one of three things has occurred: (1) the Board does not have a policy or rule on the subject; (2) another classification (Cf.) is overriding and should be read to determine the Board’s policy; or (3) the code is consolidated with another code. This latter statement makes it incumbent on the reader to check the index and/or the table of contents before looking for the subject matter.

There will be times when a policy does not have a rule. If this occurs, the reader must assume that the Board felt the policy was self-executing and did not need an implementing rule. You will note in the hard copy that the numeric code with the policy title always appears in the upper left hand margin and, in addition, is printed in the upper right margin; this will help the reader to “thumb” through the pages and find a particular page much more easily. The reader will also note that multi-paged policies and rules are numbered which will assist in keeping pages in order. Policy paging is illustrated, for example, as 2550, 2550-2, while the paging for administrative RULES is 2550-R,

2550-R-2. There is no symbol for page one on any policy or rule. Pages of the hard copy of the manual are not numbered sequentially. This is done to avoid the need to renumber, totally, the entire manual in the event of the addition or deletion of a page.

The reader will also note that the rule, if any, immediately follows the policy. The reader will have to be alert to the numeric code to remember if he is reading a policy (2550) or a rule (2550-R). In the event a policy has more than one page, e.g., 2550-2, the rule to 2550, if any, will follow immediately as 2550-R. If there are several pages to a rule, the second page letter code will be 2550-R-2 and will be found in the upper right margin. Reference to these pages will help Board members and staff members turn immediately to the correct page without any trouble or confusion.

State Law and Negotiated Contracts

These policies are designed to contain little or no statutory language. That language exists in other, separate documents. If the reader is in doubt about the subject being pursued, he/she should ask the Director or some other administrative staff member for guidance.

Any Academy may request MASB policy writers to assist them in the drafting of locally generated new policies or amendments or in the numeric coding and placement of new policy.

Updating the Policy Book

The Academy should have one person, usually the Board Secretary, Clerk of the Board, or the Director, to insert new or changed policy in the Board policy book. This should be done within seven days of Board action on new or changed policy, and the old policy page placed in the historical record copy of Board policy, in the case of hard copies, or insertion into an electronic version of the manual. The practice of having several different people adding or deleting pages, or changing electronic records in the Academy's policy book increases the possibility of error and thus decreases the efficient use of the policy book.

Symbols

The policy classification system employs these signs and symbols which are explained below.

SN Scope Note — A brief statement used when necessary in order to clarify and/or limit the intended use of a descriptor entry:

Administrative Personnel

SN For school management and supervisory personnel below the Academy Director level, e.g.,

Also A prefix to a parenthetical code to indicate that the identical term (and similar school Board policy) appears elsewhere in the classification system, e.g., 1370 (Also 9110) Public Participation 9110 (Also 1370) Public Participation

Cf. A prefix used to indicate a cross reference to another policy or rule of similar subject matter, e.g., 4080 (Cf., 8620) Emergency Closings 8620 (Cf., 4080) Emergency Drills

-R An affix to a policy code to indicate that the statement following is an administrative rule for a school Board policy.

See A prefix to a parenthetical number code to indicate the preceding code is consolidated with referenced code in the parentheses, e.g., 2560 (See 2470)

Definitions

1. All LEGAL REF. (Legal References) are placed at the end of the policy, not after the -R or rule portion.
2. LEGAL REF.'s include:
 - a) The Revised School Code (MCL section 380 for general legislation or 388 for school funding)
 - b) Laws Relating to Education, February 1990 (or later)
 - c) Administrative Rules Relating to Education, November 1989 (or later)
 - d) OAG – Attorney General opinions
 - e) MCL – Michigan Compiled Law
 - f) USCA - U.S. Code Annotated
 - g) CFR – Code of Federal Regulations

h) MDE - Michigan Department of Education Booklets or Guidelines

If published on the WWW under the MASB “POWER” Program, a special “preface” will appear in the on-line version that explains the use of the on-line manual.

1000—BOARD ORGANIZATION AND OPERATIONS

- 1001 Introduction and Information
- 1005 Academy Authority
- 1010 Academy Legal Status
- 1015 Academy Mission Statement
- 1020 Bylaws
- 1030 Membership
- 1032 Powers and Duties
 - Functions of the Board
- 1040 Academy Goals and Objectives
- 1150 Board Officers
- 1152 Election of Officers and Length of Term
- 1155 Removal of a Board Officer from Office
- 1160 New Member Orientation
- 1162 Board Member Development Opportunities (Cf. 1168)
 - Board Certification
- 1168 Reimbursement for Expenses
- 1170 Board Position Vacancies
 - Process
- 1175 Vacancies in Office
- 1180 Board Advisory Committees
- 1185 Board-Director Relations
- 1190 Professional Services
- 1191 Attorney
- 1220 Consultants
- 1250 Board Remembrances
- 1260 Board Recognitions
 - Board Member Recognition
 - Staff Recognitions
 - Staff Retirements
- 1300 Meetings
 - Organizational
 - SN The organizational meeting of the Board, usually once a year, when the Board elects its officers.
 - Regular
 - Special Meetings
 - Emergency Meetings
 - Information/Work/Study Sessions
 - Adjourned Meetings
- 1310 Closed Sessions
- 1320 Agenda
 - Consent Agenda
- 1330 Rules of Order
 - Amendment/Suspension of Bylaws and Policies

	Quorum
1350	Voting Method
1360	Minutes
1370	Public Participation
	Handling of Complaints (Cf. 9450)
1375	Mailing of Notices and Documents to the Public
1400	News Coverage
	Broadcasting and Taping
	Reporting Board Meetings
	Cameras
	Recording Devices
1510	Bylaw and Policy Development System
	Draft Writer
	Attorney Involvement
	Staff Involvement
	Community Involvement
	Student Involvement
1550	Policy Adoption
	SN <u>The official action of the Board that makes new and/or revised policy statements operable.</u>
	Policy Dissemination
	Policy Review
	SN <u>The periodic assessment by the Board of its existing policies and policy development system.</u>
1570	Review of Administrative Regulations
1575	Administration in Absence of Policy
1600	Board Records
1650	Board Memberships
1750	Board Self-Assessment/Evaluation
1900	Contracts and Board Member Disclosure Obligations
1950	Board Member Conflict of Interest, Ethics and Responsibilities
	Board Member Responsibilities
	Employment of Former Board Members

The Board of Directors shall establish programs and procedures, which shall best produce the educational achievement needed by Academy students, and do so within the financial limitations of the Academy. The Board will function as a legislative body in formulating and adopting policy, by selecting an executive officer to implement policy and by evaluating the results. Further, the Board shall carry out its functions openly, while seeking the involvement and contributions of the public, students, and staff in its decision-making processes.

In accordance with these principles, the Board, through its operations, shall seek to achieve the following goals:

1. To function in a non-partisan, broadly representative manner and to emphasize that every Board member should represent the entire Academy open-mindedly,
2. To concentrate the Board's collective effort on its policy making and planning responsibilities, and to formulate Board policies that best serve the educational interests of each student,
3. To provide the Director with sufficient and adequate guidelines for implementing Board policies,
4. To maintain effective communication with the school community, the staff, and students, and
5. To conduct Board business openly, soliciting and encouraging broad-based involvement in the Board's decision-making processes by parent(s)/guardian(s), students, and staff.

Approved:

The Academy Articles of Incorporation and the bylaws approved by the WISD Board of Education are incorporated by reference.

It is the intent of the Board to establish direction and general and long-range operational procedures for the care and custody, establishment, maintenance, management and carrying on of the Academy and property of the Academy as authorized under current law.

Whenever the word “Director” appears in these policies and rules, the words “or designated representative” shall be assumed to follow. The delegation of authority of administrative actions does not relieve the Director of the responsibility of the actions of such designated representatives.

Approved:

Section 1000 – Board Organization and Operations

1010 Academy Legal Status

1010

The legal basis for the Honey Creek Community School is vested in the will of the people as expressed in the Michigan Constitution, the statutes pertaining to education, various court interpretations, the contract or charter issued by the WISD, and the powers implied by the above.

The official name of the Academy shall be Honey Creek Community School, Washtenaw County, and the Academy shall operate as a general powers public school Academy.

Approved:

LEGAL REF: Michigan Constitution

Honey Creek Community School is a public educational institution for children K - 8. The goals of Honey Creek Community School are to nurture the child's positive self-image, to foster a keen enthusiasm for learning through meaningful community and experience-based projects, and to develop a genuine appreciation and respect for the diversity in others and all life.

Honey Creek Community School's mission is to provide an education of the whole child, to integrate the different aspects of children's learning and lives to make them fuller and more meaningful. Honey Creek Community School offers an integrated, thematic and project-based curriculum with an emphasis on Academic Service-Learning; drawing on experiences at home, in the school, and in the larger community, and encouraging parent(s)/guardian(s) and other community members to participate in the school and share their expertise. The interaction among students, teachers, family members, and community members is designed to allow students to view their learning from a variety of different perspectives and, in the process, to learn to develop their own views while simultaneously developing an understanding of their local and global communities and ecosystems, and learning to participate more meaningfully in them.

Approved:

The exercise by the Board of its powers granted by statute, by the Articles of Incorporation, and by the charter or contract issued by the WISD, the conduct of its affairs, and the rights and powers of its members, Directors, and officers shall be governed by these policies and the bylaws approved by the WISD, in accord with the laws of the State of Michigan and the regulations of the Michigan Department of Education.

The Articles of Incorporation and the bylaws may not be amended without the prior written consent of the WISD Board of Education.

Approved:

LEGAL REF: Academy Articles of Incorporation and Academy Charter.

Board members shall be selected to a three-year term in the manner prescribed by the Articles of Incorporation and the bylaws. Board members must file an acceptance of office and take the statutory oath.

Board members may be removed from office in the manner prescribed by the Articles of Incorporation and the bylaws.

Approved:

LEGAL REF:

The Board shall act as a legislative body and shall appraise the work and programs of the Academy.

The Board shall observe and enforce the rules and regulations of the Michigan Department of Education affecting the operation and maintenance of a public school Academy.

Functions of the Board

The Board considers its most important legal functions fall into the following categories:

1. Legislative or Policy Making - The Board is responsible for the development of bylaws, which are subject to the approval of the WISD, and policy, and for the employment of a Director who shall carry out the Board's policies through the development and implementation of regulations.
2. Educational Planning and Appraisal - The Board is responsible for acquiring and requiring reliable information from responsible sources which shall enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisals of the results of the educational program.
3. Staffing and Appraisal - The Board is responsible for employing a Director and the staff necessary for carrying out the instructional program, for establishing salaries and other terms and conditions of employment, and for establishing personnel policies Academy-wide in application. The Board, through the Director, is responsible for appraising the effectiveness of its staff by providing for their regular evaluation.
4. Financial Resources - The Board is responsible for adopting a budget that will provide the financial basis for staff, materials and equipment, which will enable the Academy to carry out the educational program and to establish fees, if any.

The Board is responsible for exercising control over the finances of the Academy to assure proper use of and accounting for all Academy funds.

5. School Facilities - The Board is responsible for determining school-housing needs, for communicating these needs to the membership, for purchasing, and leasing, and disposing of properties, and for approving building plans, in cooperation with the WISD, that will support and enhance the educational program.
6. Communication with Public - The Board is responsible for providing adequate and direct means for keeping the parent(s)/guardian(s) of pupils informed about the school and for keeping itself informed about the wishes of the parent(s)/guardian(s).
7. Judicial - The Board is responsible for acting as a “court of appeal” for school staff members, students and parent(s)/guardian(s) when issues involve Board policies and their fair implementation, including review of the Director's decisions concerning admission of students to the Academy.
8. Committees – The Board shall establish those standing and/or ad hoc committees it deems necessary to assist the Board in the operation and oversight of the Academy.

The Board may exercise the above legal powers and duties only when convened in a legally constituted meeting.

Approved:

Section 1000 – Board Organization and Operations

1040 Academy Goals and Objectives (Cf. 1015)

1040

The Board shall annually establish and review a set of long-range goals and objectives to guide the operations of the Academy. All personnel in the Academy shall direct their efforts toward achieving the goals and objectives of the Board in order to ensure that students are able to function effectively in their environment, employment, and continuing educational efforts.

The Board shall participate in long-range planning through an annual meeting with the Director and invited staff to review progress on the implementation of priorities, initiatives, and long-range plans, to determine which goals have been achieved, whether any new efforts are needed, and to review major issues that may affect the future of the Academy. The Board also shall consider and act upon objectives and major activities proposed by the Director to achieve long-range goals.

The Director shall develop necessary procedures, forms, or other measures to implement the goals of this policy using simple, logical, and collegial processes.

The Director shall provide opportunities for interested patrons to become knowledgeable about the Academy's long-range planning process, and to review and to make recommendations concerning specific Academy long-range plans.

The Director shall give the Board periodic reports each year on the progress and success of various plans, and shall ensure that similar progress reports are available to the news media and to Academy patrons.

Approved:

Section 1000 – Board Organization and Operations

1150 Board Officers

1150

The officers of the Board shall be President, Vice-President, Secretary, Treasurer, and such Assistant Secretaries, Treasurers, and other officers, agents or assistants as the Board determines. For purposes of conducting business at a meeting where a quorum of the Board is present, the term “President” shall be considered to include the term “or other presiding officer.” The officers shall perform the duties prescribed in the bylaws.

Approved:

Section 1000 – Board Organization and Operations

1152 Election of Officers and Length of Term

1152

Election of Board officers shall occur at the annual organizational meeting of the Board held in July following the appointment of Board members in accordance with, the Contract (Charter) and Articles of Incorporation. Officers shall serve one-year terms as prescribed by the bylaws.

In the event the Board President is unable to chair the Board's organizational meeting, the Vice-President shall sit in place of the President until a new President is elected.

In the event a ranking Board officer is unable to chair the Board's organizational meeting, the Board shall elect a chairperson pro tem to chair the organizational meeting until a President is elected.

Approved:

Section 1000 – Board Organization and Operations

1155 Removal of a Board Officer from Office

1155

The Board may remove a member from a Board officer position and shall elect another Board member to the office. In the event of a motion to remove the President of the Board from office, the President shall, first, be asked by the person making the motion to step aside and allow the Vice-President or other officer to chair the meeting temporarily. If so asked, the President must vacate the chair temporarily or may elect to resign the Presidency voluntarily prior to the motion, discussion, and vote.

Approved:

LEGAL REF: MCL 380.11a

Section 1000 – Board Organization and Operations

1160 New Member Orientation

1160

Newly elected members of the Board shall be invited to attend, as observers, all meetings of the Board prior to the time they officially take office. Newly elected and newly appointed Board members shall be encouraged to attend workshops for new Board members sponsored by the Michigan Association of School Boards.

Present members of the Board and the Director shall conduct an appropriate orientation program designed to acquaint new Board members with the Academy, Board policy, duties, responsibilities, and other activities.

Newly elected Board members shall receive copies of all agenda, reports and other communications normally received by regular Board members except information or material of a confidential nature.

Approved:

Section 1000 – Board Organization and Operations

1162 Board Member Development Opportunities (Cf. 1168)

1162

The Board recognizes the need for continuing in-service training and education and encourages the participation of all members at these specific categories of activities as a part of their official duties: conferences, workshops, in-service programs, and conventions, at the local, regional, state, and national levels. A Board member's actual and necessary conference registration expenses shall be paid for or reimbursed when the member attends any of these activities.

The Director and Board Secretary shall present a listing of annual conferences, workshops, in-service programs, and conventions which Board members may wish to attend. The Director and Board Secretary shall update the list with additional in-service programs for Board members, as the programs become known. The Board shall periodically review the list and designate those activities for Board member participation along with limitations as to the number of persons attending specific events.

The Director and Board Secretary are responsible for authorizing requests for attendance of Board members at approved meetings if the requests come within budgeted appropriations and limitations.

The Director and Board Secretary shall consult with the Board President in situations where funds may not be available for a specific activity or when a determination is necessary as to who shall attend a given activity when more requests are received than can be honored. The President and Director may bring recommendations to the Board on such matters for final determination.

Funds for participation at all activities shall be budgeted for on an annual basis.

Section 1000 – Board Organization and Operations

1162 Board Member Development Opportunities (Cf. 1168)

1162-2

Board Certification

The Board suggests that each Board member earn the Certified Board Member Award (CBA) through the Michigan Association of School Boards Board Member Award Program during the first two years in office.

Expense reimbursement shall be in accord with policy, bylaws, and procedures on Board reimbursement.

Approved:

LEGAL REF: 380.1254; 388.1764b

Section 1000 – Board Organization and Operations

1168 Reimbursement for Expenses

1168

Board members shall be reimbursed for actual and necessary registration expenses incurred because of attendance at Board-approved workshops, seminars, conferences, or conventions.

To receive reimbursement for registration expense, an expense voucher, together with supporting receipts or other evidence of actual expenses, shall be submitted to the Academy business office for processing. Payment will be made after the Board approves the reimbursement.

Expenses for spouses, family members, or others accompanying Board members as companions, are not reimbursable unless such persons would otherwise be entitled to reimbursement as conference attendees and employees of the Academy.

There shall be no reimbursement for the purchase of any alcohol, tobacco, personal products or services, or gambling fees.

Approved:

LEGAL REF: MCL 380.1254; 388.1764b; OAG, 1977-1978, No 5272(1978).

Pursuant to the Articles of Incorporation, a vacancy in the office of a member of the Board of Trustees occurs immediately, without declaration by an officer or acceptance by the Board or one of its members, upon one of the following events:

- The death of the incumbent, or the incumbent's being adjudicated insane or being found to be mentally incompetent by a proper court.
- The incumbent's resignation.
- The incumbent's removal from office.
- The incumbent's conviction of a felony.
- The incumbent's appointment being declared void by the authorizing body, state board, or a competent court.
- The incumbent's neglect or failure to file the acceptance of office with the authorizing body, to take the oath of office, or to give or renew an official bond as required by law.
- The incumbent ceasing to possess the legal qualifications for holding office.
- The incumbent ceasing to reside in this state.

A vacancy shall be filled in the manner prescribed in the Articles of Incorporation.

Approved:

Section 1000 – Board Organization and Operations

1175 Vacancies in Office

1175

In the event of a vacancy in the office of President, the Vice-President shall become President.

In the event of a vacancy in any other Board office, the Board shall fill the vacancy by election at the next regular Board meeting.

Approved:

Section 1000 – Board Organization and Operations

1180 Board Advisory Committees

1180

Pursuant to the bylaws, and these organizational policies, committees may be established by resolution. Committees shall abide by the Open Meetings Act (MCL 15.263 *et. seq.*) as required.

The Director shall provide support and information to Board committees and each committee shall report its activities and recommendations to the Board.

Approved:

LEGAL REF: MCL 15.263; 380.11a; OAG, 1977-1978, No 5183, p 21 (March 8, 1977); OAG, 1977-1978, No 5183-A, p 97 (April 18, 1977); OAG, 1977-1978, No 5286, p 403 (March 31, 1978); *Schmiedicke v Clare School Board*, 228 Mich App 259 (1998)

Section 1000 – Board Organization and Operations

1185 Board-Director Relations

1185

The Board, in all phases of Academy operations, will endeavor to work through the Director, who shall direct Academy employees concerning such operations unless mutually agreed upon between the Board and the Director. The Board shall extend to the Director responsibility for implementing Board policy decisions.

Approved:

LEGAL REF: MCL 380.11a

Section 1000 – Board Organization and Operations

1190 Professional Services

1190

The Board may select and appoint qualified individuals or firms to provide the following professional services for the Academy such as legal, insurance, and architectural.

The following criteria shall be considered by the Board in its selection and appointment: certification and/or licenses, and training and experience, including that of partners and associates.

The Director shall be responsible for gathering appropriate background information and other information as requested by the Board prior to any interviews or decisions by the Board.

Approved:

The Board shall employ a qualified attorney and/or legal firm to handle all legal matters referred by the Board and to receive such compensation as the Board may provide. The duties of the attorney or legal firm shall be as follows:

1. Upon request of the Board President or Director, attend the meetings of the Board and act as counselor,
2. Render a written opinion on a legal question when requested by the Board,
3. Prepare or supervise the preparation of all legal papers and documents executed by the Board officers; or shall approve such papers and documents before execution thereof by the officers,
4. Provide such opinions or other legal information to the Director, which may be necessary for the immediate or long-range conduct of the Academy,
5. Represent the Academy as specifically designated by the Board in litigation to which the Academy may be a party or in which it is interested,
6. Shall represent, upon request, the Board in the purchase, sale, or lease of any real estate,
7. Attend to and act on any matters the Board refers to him/her for supervision, adjustment, and/or disposal,
9. Periodically provide progress reports to the Board on legal matters referred, and
10. Perform such other services as requested by the Board.

Compensation for duties and services shall be agreed to by the attorney and the Board in the employment agreement or understanding that shall set forth the annual fees and supplemental charges.

Only the President or Director is authorized to contact the attorney on legal matters concerning the Academy.

Section 1000 – Board Organization and Operations

1191 Attorney

1191-2

The Board's legal counsel shall not provide personal legal assistance to individual Board members, the Director, or members of the staff unless specifically authorized by the Board.

In any dispute or potential divergence of interests between the Board and Director, the Director shall not utilize the Academy's counsel to represent his/her interest.

Approved:

LEGAL REF: MCL 380.11a

The employment of consultants to directly advise the Board (such as, but not limited to, consultants for policy development or Director Search) shall require approval of the Board. Before making any commitment, the Board may require the submission of a written proposal, which can be incorporated into a written contract. The proposal shall detail:

1. The specific objectives to be accomplished by the consultant,
2. The specific tasks to be performed,
3. The procedures to be used in carrying out the tasks,
4. The target dates for completion of the task,
5. The method used to report results to the Board and/or delivery of the “product” to the Board, and
6. The consultant’s compensation, if any.

Neither the Director nor any member of the staff is authorized to engage a consultant to advise the Board directly, for pay, without the prior consent of the Board.

Approved:

LEGAL REF: MCL 380.11a

Section 1000 – Board Organization and Operations

1250 Board Remembrances

1250

The Board authorizes the Director to provide suitable remembrances on behalf of the Board or the Academy in situations or circumstances deemed necessary by either the Board President or the Director. No public funds shall be expended, however, for remembrances.¹ The Director is authorized and directed to seek other sources of revenue for such expenditures such as, but not limited to free-will donations from employees, and corporate or business donations.

In the case of death or serious illness involving a Board member or staff member, or student, or a member of such person's immediate family, the Director may provide a suitable remembrance on behalf of the Board or Academy. Such remembrance shall be in a form suitable to the circumstance and may take the form of, by way of illustration and not limitation: flowers, cards, plaques, etc., with costs to be covered by non-public funds.

A quarterly report will be provided to the Board by the Director indicating all remembrances provided by authority of Board policy.

Approved:

LEGAL REF: Michigan Department of the Treasury Bulletin, "Determining Lawful Expenditures," October 2002.

1260 Board Recognitions

1260

¹ Flowers to the sick or departed are not considered a lawful expenditure of public funds.

Section 1000 – Board Organization and Operations

The Board supports the concept of a recognition program for staff, students, community members, Board members, and others who have demonstrated extraordinary service, achievements and accomplishments on behalf of the Academy. Any costs for such a program shall be paid in accordance with law.²

The Director, in consultation with the Board President, shall be responsible for developing a recognition program for the Academy.

Board Member Recognition

A certificate of service shall be presented to each Board member who completes at least three years of service on behalf of the Academy.

The Board may give appropriate recognition to those members whose service extends for a period of ten or more years by passing a resolution recognizing the Board member's service or by other appropriate means as determined by the Board.

Staff Recognitions

The Board may provide appropriate recognition for staff members who have completed exemplary service to the Academy.

Staff Retirements

Retiring staff members shall receive appropriate recognition by the Board.

Approved:
LEGAL REF: MCL 380.11a

² Should the Director or Board President have a question as to what may, or may not, be a "legitimate" expenditure for "recognitions," it is urged that they contact MASB Legal Counsel or the Academy's retained counsel to discuss the issue of what costs are permissible "in accordance with law."

Organizational

The Board holds its organizational meeting in July.

Regular

The Board holds at least one regular meeting each month. The regular meeting is held on the 3rd Wednesday of each month at 6:15 p.m. at the High Point building. The Academy Director will post a notice of the regular meeting schedule at the entrance to the Principal office of the Board and/or the Principal office of the Academy within ten days after the organizational meeting.

The schedule of regular meetings or the regular meeting date may be changed by the Board as provided in current law.

Special Meetings

Special meetings of the Board may be called by the President of the Board or by the Director by providing the other Board members a written notice of the date, time, and place of the special meeting.

The notice may be served by delivering the notice to the Board member personally, or by email or fax transmission at least 24 hours before the meeting is to take place. Either a Board member or an employee of the Academy may serve the notice.

Emergency Meetings

The Board may meet in emergency session in the event of severe and imminent threat to the health, safety or welfare of the public, when two-thirds of the members elected to, appointed, and serving on the Board decide that delay would be detrimental to the efforts to lessen or respond to the threat.

Section 1000 – Board Organization and Operations

1300 Meetings

1300-2

Information/Work/Study Sessions

Information/work or study sessions of the Board shall be held as called by the President. Such sessions shall be open to the public and properly posted as Board meetings. Normally, no action by the Board shall be taken at such meetings.

Adjourned Meetings

Meetings may be adjourned and reconvened as provided by law.

Approved:

LEGAL REF: MCL 15.261-275; 168.642; 380.1201, 380.1202

The Board may meet in closed session as provided for under current law. The minutes of any closed session shall be kept separate from the minutes of the regular or special meeting and shall not be a matter of public record except as provided for under current law.³

Any Board action taken because of a closed session shall be taken in a public meeting and recorded as such.

The Board shall conduct closed sessions only as provided by current law.

Approved:

LEGAL REF: MCL 15.268

³ A public body may meet in closed session only for the following purposes: (a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing, (b) To consider the dismissal, suspension, or disciplining of a student if the public body is a part of the Academy, intermediate Academy, or institution of higher education that the student is attending, and if the student's parent(s)/guardian(s) request a closed hearing, (c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either party requests a closed hearing, (d) To consider the purchase or lease of real property, (e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, (f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential, (g) Partisan caucuses of members of the state legislature, (h) To consider material exempt from discussion or disclosure by state or federal statute, (i) For a compliance conference conducted by the department of commerce under section 16231 of the public health code, (j) In the process of searching for and selecting a President of an institution of higher education, *et seq.*

The Director shall distribute to each Board member prior to each meeting appropriate material and written matter concerning items on the agenda, which then shall be referred to as the annotated agenda.

The Board agenda shall be compiled by the President, in cooperation with the Director, and shall include a period of time when the public may speak to the Board. Other Board members may request items to be placed on the agenda except at special meetings of the Board.

A request by the public to place an item on the Board agenda must be made to the Director or President at least seven days in advance of the meeting at which it is desired to have the item discussed. The request should include a brief statement of the matter to be brought before the Board along with any background information available that may be provided to the Board in advance of the meeting.

The Director in consultation with the President shall determine whether the matter is an appropriate agenda item for that meeting or a future meeting. The Director shall notify the person making the request whether or not the item will be placed on the agenda. If the item is placed on the agenda, the person making the request shall be allowed a reasonable amount of time to present or discuss the issue.

Items not placed on the agenda upon the request of a member or the public may be added to the agenda by a majority vote of the members elected to, appointed, and serving on the Board if the item is an action item. Generally, it shall be the Board's policy to add items for action only in critical or urgent situations. Discussion items may be added by a majority vote of those members elected to, appointed, and serving on the Board.

The agenda and supporting materials shall be sent to all Board members at least three calendar days prior to any regular Board meeting.

The annotated agenda may include the following information; however, other items and reports may be added as the need arises: the agenda format, including items to be discussed and Board procedure, monthly reports to the Board, financial reports, important correspondence, bids specifications, attendance center reports, requests for hearing, and other such information.

Consent Agenda

The President may place routine matters in a single consent agenda item for action by the Board. Any Board member may request that a consent item be removed and considered separately at any time prior to final vote on the consent agenda.

Approval of the consent agenda shall be by vote according to the Board operations language on motions and votes.

Approved:

LEGAL REF: MCL 380.11a

The Board shall be governed by rules of procedure as adopted by the Board. In NO event shall the Board adopt Robert’s Rules of Order. The presiding officer at his/her discretion may use, however, Robert’s Rules of Order as a “guideline” in the conduct of meetings. The purpose of this parliamentary procedure is to ensure the minority has rights that cannot be changed by the majority.

The President (or Vice-President in the absence of the President) shall preside at all meetings. In the absence of both the President and Vice-President, the members present shall elect a President pro-tempore who will serve only for that meeting or for that part of the meeting in which the President and Vice-President are absent.

Any member of the Board who wishes to make a motion, second a motion or discuss pending business will first secure recognition of the Board President.

The President will present each agenda item for discussion or designate the Director or other staff member who will represent the agenda item.

The Board will take all formal actions by ordinary motions unless a formal resolution is required.

The following motions will be in order:

1. To recess,
2. To take action,
3. To amend a motion made to take action, but such amending motion will be disposed of before any other motion to amend the main motion will be in order,
4. To defer action, either finally or to a specific time, date and place,
5. To go into closed session, and
6. To adjourn, either finally or to a specific time, date or place.

Amendment/Suspension of Operational Procedures

The Board, by a vote of a majority of its members, may amend the operational procedures, or suspend the operation of the operational procedures temporarily, but such amendment or suspension shall not relieve the Board from complying with applicable law. Policies shall be adopted, amended, or repealed only by a majority vote of the Board.

Quorum

A majority of the members elected to, appointed, and serving on the Board shall constitute a quorum.

Approved:

LEGAL REF: MCL 380.11a; 380.1201; OAG, 1981-1982, No 6057, p 622 (April 20, 1982); OAG, 1981-1982, No 6091, p 711 (August 18, 1982)

The Board shall take action by way of motions. No motion may be acted upon until it has been duly supported or seconded by a member of the Board. The vote on all motions shall be by “yes” and “no” and will be taken by a voice vote or a roll call vote. There can be no “secret” ballots. Each member must indicate his or her agreement or disagreement with a motion while in public session. Following each vote, the President shall announce that the motion passed or failed, and if not a unanimous vote, shall announce the number voting “yes” and the number voting “no.” Each Board member may have the privilege of explaining for the record any vote, be it affirmative or negative at the discretion of the President. In the rare event that a Board member has a right or obligation to abstain from voting, the Board member may have the privilege of explaining the reason for the abstention at the discretion of the President. The minutes shall reflect the vote of each member for each action item.

Approved:

LEGAL REF: MCL 388.1769b

The Secretary or temporary Secretary of the Board shall be responsible for keeping the minutes, or see to that minutes of every meeting of the Board are kept. A recording Secretary, not a member of the Board, may be appointed by the Board and shall attend all meetings and record all actions of the Board. Such minutes shall be reviewed and signed by the Secretary of the Board or acting Secretary. The minutes shall include the date, time, place, members present, members absent, all motions made at open meetings and action taken thereon, the purpose(s) for which closed sessions are called, all votes taken, a reference to reports presented, a record of those speaking at the public comment session and the topic on which they spoke, and items discussed when no action is taken.

Open meeting minutes shall not contain personally identifiable information about students who have been suspended or expelled.

The minutes shall not usually contain comments from Board members.

Copies of proposed minutes of an open meeting shall be provided upon request to members of the public within eight business days of the meeting and copies of approved minutes within five business days of the meeting at which they were approved. Minutes shall be presented for approval at the next meeting of the Board and copies shall be sent to all Board members prior to the next meeting.

Minutes of closed meetings shall not be made public except as specified by current law.

Approved:

LEGAL REF: MCL 15.269; 380.11a; 380.1201; 380.1202; OAG, 1985-1986, No 6353, p 255 (April 11, 1986)

At each meeting of the Board, the President or the presiding Board officer shall welcome all visitors to the Board meeting.

The Board President shall ask, at the appropriate time as specified on the agenda, those members of the public attending the Board meeting if any of them have something to bring to the attention of the Board. All those wishing to address the Board shall be subject to the following procedural regulations:

- a. The public participation portion of the meeting shall be limited to one-half hour normally. An exception will be made so that no one's right to address the Board will be denied.
- b. Each person shall be allowed to speak for up to five minutes, except where the number of speakers exceeds the time limit. In those instances, either the Board President may reduce the five-minute limit to a three-minute limit for each speaker or the President will waive the one-half hour time limit and establish a longer period.
- c. Each person wishing to address the Board may be asked to identify himself/herself by name and address. If the person is representing an organization or group, the person should indicate whether the comments or presentation represents the official view of the organization or group or are his/her own comments.
- d. If a delegation is present to address the Board, the delegation may be asked to select up to five representatives to speak on its behalf, for a total of not more than 15 minutes. This request, however, does not mean that any person wishing to address the Board will be denied that opportunity.
- e. Any written statements should be given to the Board Secretary so that copies may be made available to all Board members. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

Section 1000 – Board Organization and Operations

1370 Public Participation

1370-2

- f. Individuals addressing the Board should take into consideration the rules of common courtesy. The public participation portion of the meeting cannot be used to make personal attacks against a Board member, Academy employee, or student that are totally unrelated to the administration of the Academy.

A person who states a complaint against a Board member, employee, or student of the Academy that is related directly to their job performance, duties, or the administration of the Academy during public comment will, as provided in these bylaws, be permitted to make the initial allegation. Thereafter, the affected Board member, employee, or student may request that further discussion and/or deliberation occur in a closed session pursuant to the Open Meetings Act.

- g. Board members may question speakers, but are not obligated to answer questions or make statements or commitments in response to issues raised by the public. In general, such issues will be referred to the Director for investigation, study, and recommendation or designated as future agenda items for Board consideration.

Handling of Complaints (Cf. 9450)

Speakers are encouraged to present complaints about a specific employee, Board member, or student through proper channels established under Board policy before requesting Board consideration.

Approved:

LEGAL REF: MCL 15.263(1); 15.268; 380.11a; 380.1808; *Gault v Battle Creek*, 73 F Supp 2d 811 (WD Mich, 1999); *Lysogorski v Bridgeport Charter Twp.*, 662 N.W. 2d 108 (2003)

Section 1000 – Board Organization and Operations

1375 Mailing of Notices and Documents to the Public

1375

Recognizing that the public has a right to request, in writing, a renewable 6 month subscription to receive copies of any Board documents that are created, issued or disseminated on a regular basis, such as: Notices of scheduled Board meetings, Board Committee meetings (if such meetings are posted by Board policy) agendas, minutes and newsletters, the Board hereby sets the subscription cost of such items at \$1.00 per month per item. Specifically exempted from subscription fees will be the printed or electronic news media.

Approved:

LEGAL REF: MCL 15.233, 15.266

Section 1000 – Board Organization and Operations

1400 News Coverage

1400

At each meeting of the Board, the Board may provide seating for all members of the news media present and may assist in explaining any action or consideration taken by the Board. The Director may provide copies of the Board agenda to all news media prior to each meeting of the Board upon request or as required by law.

Broadcasting and Taping

All meetings for the conduct of the affairs of and the transaction of business by the Board, including committee and subcommittee meetings shall be open to the public. Broadcasting and taping of the public Board meeting shall be subject to rules adopted by the Board.

The use of cameras, photographic lights, and recording devices at any meeting of said Board shall be subject to the following rules, which are designed to ensure the orderly conduct of the proceedings.

Reporting Board Meetings

The media, members of the public, and staff shall be informed of actions and decisions of the Board in the following manner:

Brief summaries of Board actions and decisions shall be published in the parent/guardian newsletter and shall be made available to the media after each meeting.

Cameras

The use of cameras at any said Board meeting shall be permitted only when, in the judgment of the Board, the use or proposed use of any camera will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the camera or the proposed user thereof.

Recording Devices

Use of recording devices at any said Board meeting shall be permitted when, in the judgment of the Board, the use or proposed use of any recording device will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the recording device or the proposed user thereof.

All recording devices together with all appurtenances and paraphernalia, including microphones, shall be kept in the area designated for the media; and recording devices, microphones or other appurtenances shall be allowed on, under or in the immediate vicinity of the Board conference table only with Board permission.

No cameras or recording devices shall be allowed at closed sessions of the Board.

Approved:

LEGAL REF: MCL 15.261; 15.263; 380.11a

Section 1000 – Board Organization and Operations

1510 Board Procedure and Policy Development System

1510

The Director, as the need arises, shall advise the Board when he/she is of the opinion that a Board procedure or policy should be changed or supplemented and present to the Board the reasons therefor.

The Board shall oversee and review its Board procedures and policies and shall, as needs dictate, delete, amend and supplement existing Board procedures and policies and adopt new Board procedures and policies. Amendments that the Board might wish to make to the bylaws, per se, must be submitted to the WISD for approval. Copies of all policies and procedures shall be furnished to the WISD upon adoption.

Draft Writer

The Director shall draft all recommended policy changes. New bylaws proposals and recommendations for changes shall be drafted by the Director in conjunction with the Board President.

Attorney Involvement

Bylaws, policies, and rules of the Board may be submitted to the Board's attorney to determine the legality of said bylaws and policies and rules before they are submitted to the Board for final approval.

The opinion of the attorney shall be made available to all Board members and Director.

Staff Involvement

In formulating policy recommendations to be made to the Board, the Director may involve members of the staff in the formulation of such policy.

The Director may solicit recommendations from the staff concerning the workability of present policies, needs for change and new policies. The Director, in formulating recommendations to the Board, shall consider the recommendations made to him/her by the staff.

Section 1000 – Board Organization and Operations

1510 Bylaw and Policy Development System

1510-2

Parent/Guardian Involvement

The Board may involve parent(s)/guardian(s) of students in the development of Board policy.

Approved:

LEGAL REF: MCL 380.11a

Section 1000 – Board Organization and Operations

1550 Policy Adoption

1550

The Board shall adopt new policies and delete or modify existing policies as the need arises. The Board, for compliance with Board policy, may review all rules and regulations found in handbooks for students, teachers or other employees and supplements.

The Board shall make adoption and/or amendments to policies of the Board after two readings. However, policies of the Board may be amended at any regular, special, or adjourned meeting of the Board by a majority vote of the members elected to, appointed, and serving on the Board.

A recommendation by an individual or group of parent(s)/guardian(s) to adopt or amend any bylaw or policy may be submitted at any time to the Director or Board President. The Board may consider such requests at the next regular Board meeting. Final action on any such recommendation may take place at the next regular meeting of the Board unless an emergency is declared whereby final action may be taken immediately.

Policy Dissemination

The Director shall be responsible for devising a procedure to ensure that those persons having copies of the Board policy manual receive changes in Board policy that have been amended or deleted are removed from such policy manuals. At least one “hard copy” of the Board policy manual shall be kept in the central business office. Each Board member shall be furnished a copy of the policy manual in either “hard copy” or electronic format, and the Director may designate which administrators shall be furnished with copies of said policy manual.

The Board may elect to publish the policy manual of the Academy on the Internet through the auspices of the Michigan Association of School Boards as a means of a “paperless” and searchable retrieval system. If published on the Internet via MASB, the Board shall determine whether the manual shall be password protected or open to retrieval and viewing by persons other than Academy staff and Board members.

Section 1000 – Board Organization and Operations

1550 Bylaw and Policy Adoption

1550-2

The Board Secretary shall keep a ten-year running historical set of Board policies that shall reflect all revisions, amendments or other such actions pertaining to every policy, and rule.

Policy Review

The Board shall oversee and review its policies and rules as the needs arise.

Approved:

LEGAL REF: MCL 380.11a

Section 1000 – Board Organization and Operations

1570 Review of Administrative Regulations

1570

All rules/regulations or procedures developed pursuant to the Board's policies shall conform to the intent of the policies. The Board shall not normally approve or adopt administrative rules/regulations or procedures except in those instances in which the Director or legal counsel believe such formal adoption shall be necessary or desirable because of potential litigation, public attitudes, or possible student or staff reaction, or the requirement of the contract of Articles of Incorporation. The Board gives the Director authority to develop and implement all necessary rules/regulations or procedures authorized by Board policy or state statute. All rules/regulations or procedures shall be published in the appropriate staff and student handbooks.

The Director shall keep the Board informed of any rules/regulations or procedures developed to implement Board policy and shall periodically present them to the Board for review. The Board may veto any administrative rule/regulation or procedure when, in the judgment of the Board, they are inconsistent with Board policy or Board intent.

Rules/Regulations or procedures may be issued directly by the Director without adoption of Board policy.

Rules/Regulations or procedures issued to implement Board policy shall be made a part of the policy manual and copies shall be provided to all holders of Board policy manuals. Staff, students and patrons of the Academy shall be informed of any rules/regulations or procedures affecting them as individuals or as a group.

Approved:

LEGAL REF: MCL 380.11a

Section 1000 – Board Organization and Operations

1575 Administration in Absence of Policy

1575

When action must be taken and no guidelines have been provided for administrative action, the Director shall have the power to act. Such decisions shall be subject to review by the Board at its next regular meeting. It shall be the duty of the Director to notify the Board of such action and to advise the Board for needed policy.

Approved:

LEGAL REF: MCL 380.11a

Section 1000 – Board Organization and Operations

1600 Board Records

1600

The Board shall keep such Board records as shall be necessary for the understanding of their actions. In addition to those records required to be kept by law, the Director shall be responsible for the designing and keeping of such other records as are necessary for the efficient operation of the Academy.

The Board recognizes the need for its records to be stored as a blend of printed, bound and electronically recorded (i.e., audio tape, video tape, microfiche, computer disk) material.⁴ The securing, cataloging and storing of all records shall be the responsibility of the Secretary, with assistance from the Director.

Approved: MASB Rec.

LEGAL REF: MCL 380.601a; 380.623; 380.862; MDE Bulletin 522 – Records Retention and Disposal Schedule for Michigan Public Schools, revised Sept. 2006

⁴ MDE Bulletin 522 revised Sept. 2006. **Record Maintenance** Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, e-mail messages, databases, etc. The retention periods listed on this general schedule do not specify the format that the record may exist in, because each government agency that adopts this schedule may choose to retain its records using different recording media. Government agencies are responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during this entire retention period. All records [**this includes Academy email records**] need to be stored in a secure and stable environment that will protect them from tampering, damage and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. It is important to understand that the original technology that is used to create electronic records will eventually become obsolete. As a result, Academies should work with their information technology staff to develop preservation plans for retaining electronic records with long-term (more than 10 years) retention requirements. Various laws (including the Records Reproduction Act, [MCL 24.401-24.406](#)) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws. **Public Disclosure** Select records series that are listed on this schedule may be exempt from public disclosure, in accordance with the provisions of various state and federal laws. Please consult with your attorney if you need additional information. **Suspending Destruction** Academies must immediately cease the destruction of all relevant records (even if destruction is authorized by an approved Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an investigation or litigation has commenced. If relevant records exist in electronic formats (such as **e-mail**, digital images, word processed documents, databases, backup tapes, etc.), the Academy may need to notify its information technology staff. Failure to cease the destruction of relevant records could result in penalties.

Section 1000 – Board Organization and Operations

1650 Board Memberships

1650

The Board, annually, shall consider memberships in the Michigan Association of Public School Academies and the Michigan Association of School Boards. Through membership in MASB, the Board is an indirect member of the National School Boards Association. The Board and its members shall actively participate in the activities of these organizations insofar as possible.

The Board may maintain memberships in other educational associations or organizations through which the Academy may derive benefits when the Director recommends such memberships and the Board approves them.

Dues and membership fees to local, state and national educational organizations shall be budgeted for and provided by the Board. Materials and other benefits of institutional memberships shall be distributed and used to the best advantage of the Academy.

Approved:
LEGAL REF:

The primary purpose for Board self-assessment/evaluation is for the improvement of Board member leadership. In evaluating the Board's functions and roles, the Board may focus attention to the following:

1. The Board shall assess the needs of the Academy's students, establish priorities, and allocate the personnel and financial resources to meet the student's needs,
2. The Board shall know the standards against which they will evaluate themselves and be involved in the development of those standards,
3. The evaluation should be a composite of the individual Board members' opinions,
4. The evaluation should include a discussion of strengths and weaknesses, and
5. The Board should be free to comment on any area related to its function of directing the Academy.

The Board and Director may cooperatively develop an evaluation plan that annually evaluates the various aspects of the Board's functions, duties, and roles.

Approved:

LEGAL REF: MCL 380.11a

School Board Evaluation Form

This checklist divides a school Board's responsibilities into eleven categories. You are asked to evaluate your Boards current level of performance either as "adequate or needs improvement." Assume that each of the phrases that follow completes a sentence beginning, "I believe this School Board....." then check the appropriate box.

Goal Setting

- a) Develops and establishes a well-defined set of goals.
☐Adequate ☐Needs Improvement
- b) Regularly reviews reports on the school system's progress toward meeting these goals.
☐Adequate ☐Needs Improvement

Policy

- a) Maintains a well-defined and codified policy manual.
☐Adequate ☐Needs Improvement
- b) Periodically reviews and updates our policy manual.
☐Adequate ☐Needs Improvement
- c) Involves administrators, teachers, students, and parent(s)/guardian(s) in the development of policy.
☐Adequate ☐Needs Improvement
- d) Keeps abreast of policies mandated by state and federal law, the state Board of education, attorney general opinions, and the courts.
☐Adequate ☐Needs Improvement
- e) Makes policies available to all teachers, students, parent(s)/guardian(s) and the community.
☐Adequate ☐Needs Improvement
- f) Provides a good procedure for evaluating a policy before it is adopted by the Board, and enables people affected by the policy to have an opportunity to comment on it before it is adopted.
☐Adequate ☐Needs Improvement

Section 1000 – Board Organization and Operations

- g) Establishes and maintains a systematic plan for feedback on policies to determine their effectiveness, their worth, and whether they need to be amended, modified, or canceled.

☐Adequate

☐Needs Improvement

Finance

- a) Sets priorities based on the total financial needs of the system.
- ☐Adequate ☐Needs Improvement
- b) Knows its debt limitations.
- ☐Adequate ☐Needs Improvement
- c) Ensures no illegal expenditures are made.
- ☐Adequate ☐Needs Improvement
- d) Stays apprised of its requirements for the retirement of bonds if appropriate.
- ☐Adequate ☐Needs Improvement
- e) Is periodically advised of the availability of outside funds, such as state and federal grants, special programs, community resources, research programs, and special construction funds.
- ☐Adequate ☐Needs Improvement
- f) Maintains an adequate financial reserve.
- ☐Adequate ☐Needs Improvement
- g) Regularly revises expenditures and accounting of all monies handled by the Academy.
- ☐Adequate ☐Needs Improvement
- h) Provides proper maintenance of its investment: the substantial materials and equipment owned by the Board.
- ☐Adequate ☐Needs Improvement
- i) Maintains an up-to-date valuation of all its property, to ensure adequate insurance coverage.
- ☐Adequate ☐Needs Improvement
- j) Provides worker's compensation, unemployment compensation, bonding, liability insurance, property insurance, Board liability insurance, and so forth.
- ☐Adequate ☐Needs Improvement

1750-R Board Self-Assessment/Evaluation

1750-R-3

Relationship with Director

- a) Has written policies to guide the Director.

Honey Creek Community School

Section 1000 – Board Organization and Operations

☐Adequate

☐Needs Improvement

- b) Provides the Director a clear statement of its expectations of performance and personal qualities, such as an annual Director Evaluation form.

☐Adequate

☐Needs Improvement

- c) Engenders confidence in and of the Director by inviting communication.

☐Adequate

☐Needs Improvement

- d) Reaches decisions only based on study of all available background data and consideration of the recommendation of the Director.

☐Adequate

☐Needs Improvement

- e) Requests information from staff members only with the knowledge of the Director.

☐Adequate

☐Needs Improvement

- f) Discusses matters tending to alienate either Board members or the Director immediately, rather than allowing them to fester or have the situation deteriorate.

☐Adequate

☐Needs Improvement

- g) Provides opportunity and encouragement for the Director's professional growth.

☐Adequate

☐Needs Improvement

- h) Provides ample time for the Director to plan.

☐Adequate

☐Needs Improvement

- i) Takes the initiative in maintaining a professional-level salary for the Director, comparable with salaries paid for similar responsibilities in and out of the profession.

☐Adequate

☐Needs Improvement

Community Relations

- a) Designates someone to handle public relations for the school system.

☐Adequate

☐Needs Improvement

1750-R **Board Self-Assessment/Evaluation**

1750-R-4

- b) Encourages the community to attend-Board meetings by having meetings at a convenient time and place.

☐Adequate

☐Needs Improvement

- c) Actively fosters cooperation with various news media to help spread information about the Academy's programs.

☐Adequate

☐Needs Improvement

Section 1000 – Board Organization and Operations

- d) Actively participates in community affairs.
☐Adequate ☐Needs Improvement
- e) Advises members to channel all concerns, complaints, and criticisms of the school system through the Director for study, with the expectation that the Board will be advised if action is required.
☐Adequate ☐Needs Improvement
- f) Protects the Director from unjust criticism and the efforts of vocal special interest groups.
☐Adequate ☐Needs Improvement
- g) Encourages community participation, in an advisory capacity, to help solve specific problems.
☐Adequate ☐Needs Improvement

Board Meetings

- a) Has established written procedures for conducting meetings, including ample provision for the community to be heard, but preventing a single individual or group from dominating discussions.
☐Adequate ☐Needs Improvement
- b) Selects a chairperson based on the ability to conduct a meeting properly rather than on seniority or on a rotation basis.
☐Adequate ☐Needs Improvement
- c) Does not introduce new items of a complex nature if they are not listed on the agenda; instead, holds such items for listing on a subsequent agenda.
☐Adequate ☐Needs Improvement
- d) Withholds definitive action until asking if there is a staff recommendation and hearing it.
☐Adequate ☐Needs Improvement

1750-R **Board Self-Assessment/Evaluation**

1750-R-5

- e) Uses care in criticizing a staff recommendation.
☐Adequate ☐Needs Improvement
- f) Does not abuse the privilege of holding matters over for further study.
☐Adequate ☐Needs Improvement
- g) Has members who make sincere efforts to be informed in advance on all listed agenda items.
☐Adequate ☐Needs improvement

Section 1000 – Board Organization and Operations

- h) Is sensitive to controversial or complicated matters by holding them over or placing them on the agenda for discussion only.

☐Adequate

☐Needs Improvement

- i) Has a master agenda.

☐Adequate

☐Needs Improvement

Staff and Personnel Relationships

- a) Develops sound personnel policies, involving staff members when appropriate.

☐Adequate

☐Needs Improvement

- b) Pays adequate salaries when employing new teachers.

☐Adequate

☐Needs Improvement

- c) Authorizes the employment or dismissal of staff members only on the recommendation of the Director.

☐Adequate

☐Needs Improvement

- d) Listens to employees' complaints; after full study, if staff dissatisfaction is found, the Board takes action to correct the situation through appropriate administrative channels.

☐Adequate

☐Needs Improvement

- e) Is receptive to suggestions for improvement of the school system.

☐Adequate

☐Needs Improvement

- f) Encourages professional staff growth and increased competency through: (1) attendance at education meetings; (2) training on the job; (3) salary increments that recognize training and experience beyond minimum qualifications for a given position.

1750-R **Board Self-Assessment/Evaluation**

1750-R-6

☐Adequate

☐Needs Improvement

- g) Makes staff members aware of the esteem in which they are held.

☐Adequate

☐Need Improvement

- h) Provides staff development at the school and system level.

☐Adequate

☐Needs improvement

- i) Establishes qualifications for substitute teachers.

☐Adequate

☐Needs Improvement

- j) Has clearly defined teacher competency standards.

☐Adequate

☐Needs Improvement

Section 1000 – Board Organization and Operations

- k) Has clearly defined administrative competency standards.
☐Adequate ☐Needs Improvement
- l) Informs teachers of opportunities for advancement within the school system.
☐Adequate ☐Needs Improvement
- m) Has a well-defined plan for teacher evaluation.
☐Adequate ☐Needs Improvement
- n) Has a well-defined plan for administrator evaluation.
☐Adequate ☐Needs Improvement

Instructional Program

- a) Stays informed about what the children are learning through scholastic reports showing the pass/fail record in all the subject areas and the impact of extracurricular activities.
☐Adequate ☐Needs Improvement
- b) Receives well-defined discipline reports and attendance reports.
☐Adequate ☐Needs Improvement
- c) Reviews curriculum requirements periodically.
☐Adequate ☐Needs Improvement
- d) Establishes good alternatives to suspension.
☐Adequate ☐Needs Improvement

1750-R Board Self-Assessment/Evaluation

1750-R-7

- e) Regularly tours the school to observe not only the physical plant, but also the quality of teaching, the quality of administration, and the education opportunities offered in the school.
☐Adequate ☐Needs Improvement

Leadership

- a) Actively preserves the local control of public school academy education.
☐Adequate ☐Needs Improvement
- b) Is known by taxpayers, staff members, and students.
☐Adequate ☐Needs Improvement
- c) Is invited to send members to speak to civic groups.
☐Adequate ☐Needs Improvement
- d) Is asked to send members to serve on regional, state, and national education committees.
☐Adequate ☐Needs Improvement

Section 1000 – Board Organization and Operations

- e) Is asked by area legislators for opinions on pending legislation.

☐Adequate ☐Needs Improvement

- g) Gives leadership to meeting the needs of education.

☐Adequate ☐Needs Improvement

Energy Conservation

- a) Periodically reviews measures to ensure greater energy conservation.

☐Adequate ☐Needs Improvement

- b) Takes advantage of all possible energy conservation in remodeling plans.

☐Adequate ☐Needs Improvement

- c) Makes sure teachers and employees review, on a systematic basis, the many ways of conserving energy.

☐Adequate ☐Needs Improvement

- d) Makes sure the curriculum includes energy conservation.

☐Adequate ☐Needs Improvement

- e) Is aware of new energy conservation techniques identified through research.

1750-R Board Self-Assessment/Evaluation

1750-R-8

☐Adequate ☐Needs Improvement

Personal Development

- a) Affords its members adequate training by encouraging attendance at state, regional, and national school Boards association meetings, seminars, and the like.

☐Adequate ☐Needs Improvement

- b) Buys books and subscribes to periodicals that keep its members informed of the needs, trends, problems, and solutions in education.

☐Adequate ☐Needs Improvement

- c) Is familiar with the groups and organizations concerned directly with education.

☐Adequate ☐Needs Improvement

Section 1000 – Board Organization and Operations

1900 Contracts and Board Member Disclosure Obligations

1900

1. Except for contracts specified in Section 5, below, a Board member shall comply with the disclosure provisions of Section 2 of this policy in contracts where:
 - a. The Board member is a direct party to any contract between himself/herself and the Academy, or
 - b. The Board member, directly or indirectly, solicits, negotiates, re-negotiates, represents a party to, or is an indirect party to, any contract with the Academy, and
 - i. Any firm, meaning a co-partnership or other unincorporated association, or in which he/she is a partner, member, or employee,
 - ii. Any private corporation in which he/she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of \$25,000.00 if the stock is listed on a stock exchange or of which he/she is a Director, officer, or employee, or
 - iii. Any trust of which he/she is a beneficiary or trustee.
2. A Board member shall promptly disclose any pecuniary interest in the contract to the Board of Trustees, which disclosure shall be a matter of record in its official proceedings. This disclosure shall be made in the following ways:
 - a. If the contract is for emergency repairs of services, the Board member must promptly disclose any pecuniary interest in the contract which disclosure shall be made a matter of record in the Board's official proceedings.
 - b. If the Board member will directly benefit from an Academy contract in an amount less than \$250.00 and less than 5% of the public cost of the contract, the Board member must disclose his/her pecuniary interest in the contract by filing a sworn affidavit with the school Board.

Section 1000 – Board Organization and Operations

1900 Contracts and Board Member Disclosure Obligations

1900-2

- c. If the Board member will benefit by \$250.00 or more, or 5% or more of the public cost of the contract, his/her pecuniary interest must be disclosed in one of two ways:
 - i. By notifying, in writing, the President of the Board of his/her interest at least seven (7) calendar days before the meeting at which a decision regarding the contract will be made. If the President of the Board is the individual with the conflict of interest, disclosure must be made to the Secretary of the Board. The disclosure shall be made public in the same manner as in public meeting notice, or
 - ii. By disclosing his/her interest in the contract at a Board meeting. Under this option, the Board may not vote on the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.
 - d. If the Board member's pecuniary interest in the contract exceeds \$5,000.00, the Board member must disclose his/her interest in the contract at a Board meeting, and the Board may not vote in the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.
- 3. Except as provided in Section 4 below, the contract must be approved by a vote of not less than 2/3rds of the full membership of the Board of Trustees in open session without the vote of the Board member making disclosure specified in Section 2. The Board of Trustees must disclose the following summary information in its official minutes:
 - a. The name of each party involved in the contract,
 - b. The terms of the contract, including duration, financial consideration between parties, facilities or services of the Academy included in the contract, and the nature and degree of assignment of employee of the Academy for fulfillment of the contract,

Section 1000 – Board Organization and Operations

1900 Contracts and Board Member Disclosure Obligations

1900-3

- c. The nature of the pecuniary interest.
- 4. If 2/3rds of the members of the Board are not eligible under this policy to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will directly benefit from the contract in an amount less than \$250.00 and less than 5% of the public cost of the contract and the member files a sworn affidavit to that effect with the official body. The affidavit shall be made part of the public record of the official proceedings.
- 5. This policy shall not apply to:
 - a. Contracts between the Academy and another public entity,
 - b. Contracts awarded to the lowest qualified bidder, other than a Board member, upon receipt of sealed bids pursuant to a published notice therefore provided such notice does not bar, except as authorized by law, any qualified person, firm, corporation or trust from bidding. Amendments or re-negotiations of a contract or additional payment thereunder which were not authorized by the contract at the time of award are not excluded from the requirements of Sections 2 through 4 above, and
 - c. Contracts for public utility services where the rates therefore are regulated by the state or federal government.

Approved:

LEGAL REF: MCL 15.321, *et seq*

Section 1000 – Board Organization and Operations

1950 Board Member Conflicts of Interest, Ethics and Responsibilities

1950

The objectives of this policy are to maintain an impartial administration of the business of the Academy and to maintain public confidence in the Board of Education.

No member of the Board of Trustees shall engage in, or be a party to, any of the following activities:

1. Representing his/her opinion as that of the Board of Trustees or making commitments on behalf of the Academy or the Board unless that person has been designated specifically to do so by official Board action. The Board shall make the staff and community aware that only the Board, not individual members, has the right to take official action for the Academy. Board members may be contacted for discussion of Academy business or for complaints. The Board member may listen but shall not make a commitment on behalf of the Board. The individual Board member does not and cannot, speak for the Board or the Director.
2. Placing him/herself in situations where prejudice, bias, favoritism or personal gain is a motivating force in his/her conduct.
3. Disclosing or releasing confidential information, not otherwise available to members of the public, in advance of the time prescribed for the release; provided however, that this provision shall not prevent a Board of Education member from divulging or releasing confidential information regarding suspected violations of law.
4. Benefiting financially from confidential information obtained due to the member's position on the Board of Trustees.
5. Using personnel resources, property, or funds of the Academy, except in accordance with prescribed constitutional, statutory, and regulatory procedures, and in accordance with good business procedures and not for personal gain or benefit.

Section 1000 – Board Organization and Operations

1950 Board Member Conflict of Interest, Ethics and Responsibilities

1950-2

6. Soliciting or accepting a gift or loan of money, goods, services or other things of value, which tends to influence the manner in which the Board of Trustees member performs his/her official duties.
7. Becoming employed by the Academy or receiving any compensation for services rendered, except compensation for attending meetings as permitted by law.
8. Endorsing any organizations, institutions, instructional books or materials, political candidates, etc., on behalf of the Academy or the Board without the express approval of the full Board.

Board Members shall:

1. Attend all scheduled Board meetings insofar as possible and become informed concerning the issues to be discussed at Board meetings,
2. Take no action that will compromise the Board or the Academy's staff and respect the confidentiality of information that is privileged under applicable law,
3. Make policy only after full discussion of the issues at publicly held Board meetings,
4. Encourage the free expression of opinion by all Board members and seek systematic communications between the Board, students, staff, and all elements of the community,
5. Work with other Board members to establish effective policy and to delegate authority for the administration of the Academy to the Director,
6. Communicate to other Board members and the Director public reaction to Board policy and Academy programs,
7. Become informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national School Boards Associations, and

Section 1000 – Board Organization and Operations

1950 Board Member Conflict of Interest, Ethics and Responsibilities

1950-3

8. Support the employment of those persons best qualified to serve as Academy staff and insist on a regular, impartial evaluation of all staff.

Board Member Responsibilities

The Board shall transact all business at legally called and noticed meetings.

If a specific complaint needs attention, the Board member shall explain to the complainant the Academy's chain of command for handling complaints or refer the complaint to the Director. The Board member also shall inform the complainant about the process for bringing items to the Board through the Board's agenda or through the public participation portion of the Board meeting.

Employment of Former Board Members

The Academy shall not employ any former Board of Education member until that individual has been out of office for at least one (1) full year from the date of official separation from office.

Approved:

LEGAL REF: OAG, 1985-1986, No 6368, p 296 (June 5, 1986); OAG, 1989-1990, No 6642, p 274 (January 2, 1990); OAG, 1991-1992, No 6728, p 172 (August 26, 1992)

2000—GENERAL ACADEMY ADMINISTRATION

2020	Administrative Organization
2100	Academy Director
2110	Director Qualifications
2120	Duties of the Director
	Essential Duties
	General Duties
2130	Recruitment (Cf. 5020)
2140	Director Appointment
2150	Compensation and Benefits
2170	Professional Development Opportunities-Director
2200	Consulting Activities (Cf. 5645)
2220	Residency Requirements
	Non-Compliance – Director and Other Administrators
2250	Director Evaluation
2270	Resolution Regarding Employee Resignations
2400	Administrative Personnel
	SN <u>For Academy management and supervisory personnel below</u>
	<u>Academy Director level.</u>
	Compensation Guides and Contracts
	Qualifications and Duties
	Recruitment and Selection of Administrators
	Assignment
	Orientation
	Supervision
	Time Schedules
	Temporary Administrators
	Personnel
	Travel Expense
2430	Administrative Evaluation (Cf. 2250, 5520)
2450	Non-Discrimination and Complaint Procedure (Cf. 5030, 8015)
2550	Handbooks and Other Publications
2560	Consultants (Cf. 1220)
2590	Professional Development Opportunities-Administrators (Cf. 2170, 5190, 5330)
2700	Policy Implementation
2750	Administrative Rules (Cf. 1570)
	Staff Involvement
	Community Involvement
	Rules Implementation
	Rules Dissemination
	Administration in Policy Absence

Section 2000 – General Academy Administration

TC-2000-2

- 2760 Indemnification - Board Members and Others
- 2780 Administration of Medication by Academy Personnel (Cf. 8670)
 - Self-Administration/Self-Possession of Medications
 - Diabetic Emergencies
 - Management of Students with Asthma in the Academy Setting
 - Exercise Induced Asthma Attacks
 - Academy Staff Training
 - Storage and Access to Medications
 - Record-Keeping of Medications
- 2790 Academy Safety Information Policy Implementation
 - Incidents to be Reported
 - Michigan Statewide Unsafe School Choice Policy
 - Community Meetings
- 2800 Records (Cf. 1600)
- 2810 Public Review and Inspection of Records
 - Fees
 - Appeals
- 2850 Reports
 - Types
 - Dissemination

Section 2000 – General Academy Administration

2020 Administrative Organization

2020

The legal authority of the Board shall be transmitted through the Director to other positions through an approved organizational structure.

The Director shall be responsible for keeping the administrative structure of the Academy up-to-date as to the goals, curricula, instructional arrangements, and services change, and shall recommend revisions in the structure to the Board.

The Director may reorganize lines of authority and revise the organizational chart subject to Board approval.

Approved:

Section 2000 – General Academy Administration

2100 Academy Director

2100

The Director shall be the chief administrative head of the Academy and shall have, under the direction of the Board, general supervision of the instructional program, and all the personnel and various operations of the Academy. The Director is responsible for the management of the Academy under Board policies and is accountable to the Board.

The Director, at his/her discretion, may delegate to other Academy personnel the exercise of any powers and the discharge of any duties imposed upon the Director by these policies or by vote of the Board. The delegation of power or duty, however, shall not relieve the Director of responsibility for the action taken under such delegation.

Approved:

LEGAL REF: MCL 380.1229

Section 2000 – General Academy Administration

2110 Director Qualifications

2110

The Director shall have:

- Earned at least a Master's Degree from an approved institution of learning with graduate study in educational administration (although a Doctoral Degree is not required, work toward the degree is considered desirable),
- Established him/herself as an educational leader in the profession through active participation in a variety of areas, and
- Be knowledgeable in the use of educational technology.

Approved:

LEGAL REF: MCL 380.1229; 380.1246; 380.1536

Section 2000 – General Academy Administration

2120 Duties of the Director

2120

Essential Duties

The essential duties and responsibilities of the Director shall be to:

1. Serve as administrative head of the entire Academy and chief executive officer of the Board, in charge of both educational and business functions,
2. Attend all regular meetings of the Board, unless excused by the President of the Board, and keep the Board continually informed on the progress and condition of the Academy,
3. Carry out policies and rules of the Board,
4. Initiate matters of educational policy and make definite recommendations thereon,
5. Recommend the number and types of positions required to provide proper personnel for the operation of education programs,
6. Nominate for appointment, assignment, transfer or termination and define the duties of all personnel, subject to approval of the Board,
7. Recommend, in writing, the teachers necessary for the Academy, and
8. Suspend a teacher or other employee for cause.

General Duties

The general duties of the Director shall be to:

1. In accordance with the Mission Statement of the Academy, administer the development and maintenance of a positive educational program designed to meet the needs of the community, to keep abreast of the best educational developments and to advise regarding changes in programs,
2. Supervise the preparation of the annual budget and to recommend it to the Board for consideration,
3. Advise and recommend in matters of business administration; to pass upon all proper requests for equipment and supplies, to point out possible economies and to supervise activities of the Academy business functions,

Section 2000 – General Academy Administration

2120 Duties of the Director

2120-2

4. Conduct a continuous study of the development and needs of the Academy and keep the parents/guardians and other stakeholders in the Academy informed adequately concerning his/her findings,
5. Assure that Academy finances are credited with interest earned,
6. Put into practice the educational policies of the Board,
7. Supervise and direct the work of the teachers and other employees of the Board,
8. Classify and control the promotion of students,
9. Recommend to the Board the best methods of arranging the courses of study,
10. Recommend to the Board the curriculum and resources to be used,
11. Make written reports to the Board,
12. Make written reports to the State,
13. Make written reports to the WISD,
14. Assist the Board in matters pertaining to the general welfare of the Academy,
15. Serve as an *ex officio* member of each committee established by the Board, and
16. Perform other duties and discharge other responsibilities as the Board might direct that are pertinent and appropriate to the operation of the Academy.

Approved:

LEGAL REF: MCL 380.653; 380.654; 380.1229; 380.1246

Section 2000 – General Academy Administration

2130 Recruitment (Cf. 5020)

2130

When there is a need to hire a Director, the Board shall recruit, or retain the Michigan Association of School Boards or other consultant, in an effort to fill the position with the most capable person available. The Board shall consider only those candidates who meet both state and local qualifications and who display the ability to carry out the duties of the Director successfully.

The Board shall solicit applications from qualified members of the staff and may list the vacancy with placement offices at selected educational institutions in Michigan and in neighboring states.

Applications for the Director position shall be screened, and those candidates who appear to be most promising shall be interviewed.

Approved:

LEGAL REF: MCL 380.1246

Section 2000 – General Academy Administration

2140 Director Appointment

2140

All offers of employment to, or continued employment of, the Director shall be made by the Board contingent upon review of the offer by the Board's legal counsel and subject to final approval by the Board and the WISD. It is the responsibility of the Board President to see that the Director's appointment is properly executed. A copy of the agreement shall be on file at the Board office.

Approved:

LEGAL REF: MCL 15.268(8f); 38.71 (3); 38.91; 380.1229; 380.1246

Section 2000 – General Academy Administration

2150 Compensation and Benefits

2150

Compensation and benefits of the Director shall be determined annually by the Board and will be based on the Director's performance in relation to his/her ability to carry out the mission, goals, policies, and budget of the Academy.

Approved:

LEGAL REF: MCL 380.1250

Section 2000 – General Academy Administration

2170 Professional Development Opportunities-Director

2170

The Board shall offer the Director encouragement and assistance for his/her professional development. The Board shall encourage him/her to attend educational conferences, seminars, workshops and other professional meetings, visit other academies or school systems, and use other means to keep abreast of modern educational thought and practice.

Approved:

LEGAL REF: MCL 380.1246(2); 380.1254; 380.1525; OAG, 1979-1980, No 5272, p 365 (February 24, 1978)

Section 2000 – General Academy Administration

2170-R Professional Development Opportunities-Director

2170-R

Subject to financial resources, the annual budget shall provide an allocation for the Director's attendance at educational meetings. The Director shall be authorized to attend those conferences, workshops, and seminars, which in his/her judgment shall be of greatest value to the Academy within the limitations provided in the budget and/or limitations specifically placed on such attendance by the Board.

The Director shall report to the Board annually, as nearly as possible, the meetings he/she plans to attend and shall notify the Board President when attendance at such meetings will cause him/her to be absent from the Academy for more than a day.

Section 2000 – General Academy Administration

2200 Consulting Activities (Cf. 5645)

2200

The Director shall devote his/her time, skill, labor, and attention to the direction and supervision of the Academy, and shall not be engaged in any other regular business during the term of his/her employment. By agreement with the Board the Director may undertake, for remuneration, consultative work, speaking engagements, writing, lecturing, membership and office in educational organizations, or other professional duties and obligations.

Approved:

Section 2000 – General Academy Administration

2220 Residency Requirements

2220

The Board prefers to hire a Director and other administrators designated by the Board, who reside, or will commit to reside, within a 20-mile radius of the Academy boundaries, subject to state law. Said preference will be duly noted during the recruitment and selection process for a Director and other administrators designated by the Board.

When a non-resident is selected as the Director, or other administrator designated by the Board, it shall be a negotiated condition of the contract offered that he/she shall have 365 days from the beginning of the contracted date of employment to establish residency within a 20 mile radius of the Academy boundaries subject to state law.

Non-Compliance - Director and Other Administrators

A non-resident Director, or other administrator designated by the Board, either newly appointed or promoted, except those specifically exempted by law, who fails to take up residence within a 20 mile radius of the Academy's boundaries within one year from the date of his or her appointment or, if an extension is granted, by the extended date, shall be terminated at the end of the first school year in which statutory and other required notices of termination of employment can be timely given.

Approved:

LEGAL REF: MCL 15.601, 602 *et seq.*

Section 2000 – General Academy Administration

2250 Director Evaluation

2250

The Board shall evaluate the Director, at least annually, using the criteria and an evaluation process mutually agreed upon by the Board and Director. If mutual agreement cannot be reached, the Board shall proceed with the Director's evaluation using criteria that includes the Academy's attainment of the goals adopted by the Board, the Director's completion of personal job goals that have been established, the manner in which day-to-day operations of the Academy are handled, Board-Director relations, staff and community relations, and the degree to which the Director fulfills the responsibilities set forth in the job description and duties for that position. The criteria and process adopted by the Board should be communicated in advance to the Director.

An appraisal instrument may be used by the Director as a self-evaluation instrument prior to the Board's summary evaluation. Such self-evaluation can be presented to the Board by the Director at an evaluation meeting held as allowed under current law.

Prior to the summary evaluation meeting, individual Board members shall complete their evaluation of the Director. The Board and Director may meet in closed session, at the option of the Director, for the summary evaluation. The Director shall respond to the Board's summary evaluation in writing at the Director's discretion.

After the Director's summary evaluation has been prepared by the Board, the Board shall adopt, by vote, the summary evaluation at an open meeting. After the Board's adoption, the Director's summary evaluation shall be made available as provided under current law.

The Director's summary evaluation and any rebuttal thereto shall be retained in the Director's personnel file as a matter of record.

The evaluation procedure shall be on file at the Academy office.

Approved:

LEGAL REF: MCL 15.268; 15.243(1) (m); OAG, 1977-1978, No 5262, p 338 (January 31, 1978); OAG, 1979-1980, No 5608, p 496 (December 17, 1979); OAG 1981-1982, No 6091, p711 (August 18, 1982); OAG, 1989-1990, No 6668, p 409 (November 28, 1990)

Section 2000 – General Academy Administration

2270 Resolution Regarding Employee Resignations

2270

The Board authorizes and directs the Director, and his/her designee(s), to accept all employee resignations on behalf of the Academy. Those persons, whom the Director may wish to designate as being authorized to accept resignations, shall be so notified in writing by the Director. Upon acceptance, resignations shall be irrevocable. The Director shall inform the Board of any resignations on a monthly basis.

Approved:

LEGAL REF: MCL 38.111; 380.1131; 380.1231

Section 2000 – General Academy Administration

2400 Administrative Personnel

2400

The Board may employ administrative personnel other than the Director, as the needs of the Academy require.

Compensation Guides and Contracts

All administrative personnel shall be compensated for their services in conformity with a salary as determined by the Board.

Qualifications and Duties

The Director shall develop appropriate job descriptions for each administrative position in the Academy. Such documents shall be filed in the central office.

Recruitment and Selection of Administrators

The Board delegates to the Director the authority to identify and recommend the appointment of qualified individuals to fill vacant administrative positions. Unless the Board can establish that the Director has violated law, the policies of the Board, in the selection of administrative candidates recommended for a contract, the Board should approve the Director's recommendations. Members of the Board shall not involve themselves, either personally or as a collective body, in the recruitment, interviewing, or selection process for any administrative position to be filled in the Academy other than the position of Director of the Academy.

Assignment

Assignment of administrative personnel shall be recommended by the Director subject to review of the Board. Should a majority of the Board decide to override the decisions or recommendations of the Director regarding administrative assignments within the Academy, the reasons therefore shall be transmitted to the Director in writing.

Orientation

The Director shall conduct an appropriate administrative orientation program designed to acquaint such personnel with the Academy, Board policies, duties and responsibilities and other such activities as time and the needs of the Academy require.

Section 2000 – General Academy Administration

2400 Administrative Personnel

2400-2

Supervision

The Director shall be responsible for the supervision of all administrative personnel.

Time Schedules

Administrative time schedules and workloads will be dictated by the terms of the employment contract and by assigned responsibilities.

Temporary Administrators

The Director shall designate a staff member to serve as chief administrator of the Academy in his/her absence.

Personnel

The administrative staff shall fill only those positions authorized by the Board.

Approved:

LEGAL REF: MCL 38.91; 380.1536

Section 2000 – General Academy Administration

2400-R Administrative Personnel

2400-R

Recruitment and Screening

All administrative applicants will be screened initially by the Director who may use other staff members to assist him/her, and who shall then make recommendations to the Board.

At the discretion of the Director, all or part of the expenses incurred by candidates who are interviewed for an administrative position may be paid by the Academy.

The Academy shall endeavor to conduct interviews on a school day so that a candidate may visit the Academy while school is in session.

Compensation Guides and Contracts

Administrative employment status will be reviewed annually.

Section 2000 – General Academy Administration

2430 Administrative Evaluation (Cf. 2250, 5520)

2430

All administrative personnel shall be evaluated in writing annually by the Director. Board discussion of an administrator's evaluation can be held in either a closed or open Board meeting. The administrator's evaluation shall be made available to those authorized by law when so requested.

Approved:

LEGAL REF: MCL 15.231-244; 15.268; 380.1229

Section 2000 – General Academy Administration

2450 Non-Discrimination and Complaint Procedure (Cf. 5030, 8015)

2450

The Academy will not discriminate against any person based on sex, sexual orientation, race, color, national origin, religion, height, weight, marital status, handicap, age, or disability. The Board reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d. et seq.; and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; The Americans With Disabilities Act of 1990, 42 U.S.C. §§ 1210, et seq.; The Persons with Disabilities Civil Rights Act, MCL §§ 37.1101, et seq.; and The Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.

The Assistant Director of the Academy is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs and activities. The Assistant Director is appointed the Civil Rights Coordinator regarding discrimination complaints made by students (grades Pre-K through 12) and/or their parent(s)/guardian(s), and involving sex, sexual orientation, race, color, national origin, religion, height, weight, age, or marital status. The Director is appointed the Civil Rights Coordinator regarding all other complaints of discrimination. In the event the complaint is against the Director, the Vice-President of the Board of Education is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination based on disability/handicap should be directed to:

The Assistant Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

Section 2000 – General Academy Administration

2450 Non-Discrimination and Complaint Procedure (Cf. 5030, 8015)

2450-2

Inquiries or complaints made by students (grades Pre-K through 12) and/or their parent(s)/guardian(s) related to discrimination based on sex, sexual orientation, race, color, national origin, religion, height, weight, age, or marital status should be directed to:

The Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

In the event a complaint is against the Director of the Academy, the complaint should be directed to:

The Vice-President of the Board of Education
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

All other inquiries related to discrimination should be directed to:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

The Civil Rights Coordinators, as specified herein, are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will take, then, the following action: First, cause an investigation of the complaint to be commenced. Second, arrange for a meeting to occur with the complainant, which may include Academy staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise that will assist in resolving the complaint.

Section 2000 – General Academy Administration

2450 Non-Discrimination and Complaint Procedure (Cf. 5030, 8015)

2450-3

Third, complete the investigation of the complaint and provide, in writing, a reply to the complainant. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the Director. In the event the complaint is against the Director, a copy of the determination shall be delivered to the President of the Board of Education. The complainant may appeal the Civil Rights Coordinator's determination to the Director, or, in the case of a complaint against the Director, to the President of the Board, by so notifying the Director or Board President in writing within the (10) calendar days of the Civil Rights Coordinator's determination. The Director or Board President may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Board Vice-President or President may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Director.

The Director, or Board President in the case of a complaint against the Director, shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the Civil Rights Coordinator's proposed resolution or a modification thereof. The Director or Board President's decision shall be final.

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Approved:

LEGAL REF: Included in Text

Section 2000 – General Academy Administration

2550 Handbooks and Other Publications

2550

In order that pertinent Board policies and administrative rules/regulations or procedures are known by all staff members, parents/guardians, and students, The Director of the Academy, in cooperation with the professional staff when advisable, is granted authority to develop and issue staff and student handbooks.

The Director shall review all handbooks prior to publication to ensure that the contents conform completely to Board policy and current law.

Approved:

Section 2000 – General Academy Administration

2560 Consultants (Cf. 1220)

2560

The Director of the Academy shall encourage the use of professional consultants and other resource persons when such consultative services will be helpful in the improvement of the educational program in the Academy. All compensated consultants shall be approved by the Board prior to the invitation and arrangement for visitation by such person or persons to the Academy except when such compensation is within the amount specifically budgeted.

Consultants shall exercise no administrative authority over the work of employees, but shall act only as advisors in those fields in which they are qualified to offer assistance and for which they are employed.

All consultants shall be hired based on a written contract.

Approved:

Section 2000 – General Academy Administration

2590 Professional Development Opportunities-Administrators
(Cf. 2170, 5190, 5330)

2590

If any Administrators other than the Director are employed by the Academy they shall make every effort to stay abreast of the latest developments in their respective fields. The Board may require or otherwise encourage administrators to attend summer sessions, conferences, workshops or other activities, which will directly benefit the Academy. Expenses of registration fees, board and room, travel and other incidental expenses may be paid by the Academy to attend state, national and local meetings approved by the Director in accordance with money budgeted for this purpose, to attend periodic in-service workshops sponsored by the Academy, to improve skills in personnel management, supervision and improvement of instruction, public relations and other aspects of Academy management.

Approved:

LEGAL REF: MCL 380.1525

Section 2000 – General Academy Administration

2700 Policy Implementation

2700

All employees of the Academy are expected to carry out and enforce all policies duly adopted by the Board, all administrative rules of the Academy, and regulations of state authorities.

Failure of any employee to implement and adhere to the policies of the Board, administrative rules of the Academy, or regulations promulgated by state authorities may result in suspension, demotion, probation, or other disciplinary actions.

Approved:

Section 2000 – General Academy Administration

2750 Administrative Rules (Cf. 1570)

2750

The Director has the responsibility for developing required rules/regulations and procedures to carry out Board policies and to operate the Academy. These rules/regulations and procedures shall constitute the administrative regulations governing the Academy. The Director shall inform the Board of substantive changes in administrative rules.

There may be cases where the Director requests that the Board officially approve/adopt administrative rules. In those instances where administrative rules have been approved/adopted by the Board, the rules shall be subject to a planned review by the Board.

Should the Board feel that any administrative rule is unlawful, or does not reflect the policy intent of the Board, the Board may modify or reject the rule as the situation warrants.

Staff Involvement

In the development of rules/regulations, procedures and arrangements for the operation of the Academy, the Director may include representatives of those employees who will be affected by such provisions.

The Director shall develop procedures utilizing certified and non-certified employees for the ready exchange of ideas regarding the operation of the Academy. He/She shall carefully consider the advice given by employees especially that given by groups designated to represent large segments of the staff, and shall inform the Board of such counsel in presenting reports of administrative action and in presenting recommendations for Board action. (See also 5140)

Section 2000 – General Academy Administration

2750 Administrative Rules (Cf. 1570)

2750-2

Community Involvement

The Director may involve Academy parents/guardians or other persons from the community served by the Academy on committees or study groups whenever necessary and when their participation may materially aid in the solution of Academy problems or enhance the submission of recommendations of proposed Board action or Academy policy formulation.

Rules Implementation

All suggestions for administrative rules/regulations or procedures that originate from the staff must be approved by the Director before put into practice or modified.

Rules Dissemination

Copies of administrative rules/regulations or procedures shall be made available to those employees who play a role in enforcing the rules or who will be affected by the rule changes. Copies of administrative rules/regulations or procedures will also be provided to the WISD.

Administration in Policy Absence

In cases of an emergency in which action must be taken within the Academy, where the Board has provided no guides for administrative action, the Director shall have the power to act, but his/her decisions shall be subject to review by the Board at the next Board meeting. It shall be the duty of the Director to inform the Board promptly of such action and of any need for policy.

Approved:

LEGAL REF: MCL 380.11a

Section 2000 – General Academy Administration

2750-R Administrative Rules (Cf. 1570)

2750-R

No administrative rule shall be in conflict with Board policy.

Rules Drafting

All proposed rules/regulations or procedures may be submitted to the Board's attorney for a legal interpretation before being submitted to the Board for review.

Staff Involvement

The Director may, at his/her discretion, appoint committees for such functions as are not being performed by existing groups or persons.

Each staff or community committee shall act in an advisory capacity to the staff person responsible for the area in which the committee was designated to operate.

Administration in Policy Absence

In the event the Director is forced to act in the absence of regular Board policy or guidelines and feels that policy is needed, he/she may draft a proposed Board policy, together with appropriate rules, to be presented to the Board at its next meeting for its consideration.

Section 2000 – General Academy Administration

2760 Indemnification - Board Members and Others

2760

The Academy shall agree to indemnify, save harmless and defend a current or prior Board member, Director, committee member, agent, WISD and its Board, or other employee from claims, actions, suits (civil or criminal) and judgments caused by his/her action if the action was:

- Taken in good faith while in the course of employment, or serving on the Board, and
- Within the scope of his/her authority.

Appropriate insurance coverage shall be maintained to effectuate this policy.

Approved:

LEGAL REF: MCL 691.1408; Contract (Charter); Articles of Incorporation

Section 2000 – General Academy Administration

2780 Administration of Medications by Academy Personnel (Cf. 8670)

2780

This policy is intended to cover all students. It includes students with disabilities who have an Individualized Educational Program (IEP) or Section 504 Plan. The following definition of “medication” is adopted for use in this Academy: “Medication,” includes prescription, non-prescription and herbal medications, and includes those taken by mouth, by inhaler, those that are injectable, and those applied as drops to eyes, nose, or medications applied to the skin.

Whenever possible, medications for students should be administered by parent(s)/guardian(s) at home. As a service to the family, the Director shall establish procedures for the administration of medication by Academy personnel in circumstances where such administration is deemed necessary for the student’s well being by the student’s parent(s)/guardian(s) and physician. The pupil’s parent(s)/guardian(s) must provide the Academy with written permission and a written request to administer medications to their child. Written instructions from a physician, which include the name of the pupil, name of the medication, dosage of the medication, route of administration, and time the medication is to be administered to the pupil must accompany the request and be kept on record by the Academy. The parent(s)/guardian(s) request/permission and a physician’s instructions for administration shall be renewed every school year.

Any and all “biohazards” generated, such as, but not limited to: sharps, bandages, gauze, towelettes, and discarded live or attenuated vaccines, due to the administration of medications by Academy personnel shall be disposed of in accordance with the Michigan Medical Waste Regulatory Act, 1978 PA 368, R 325.1545(10). Students who “self administer” medications shall be responsible for returning any such wastes to their home for disposal. The Director shall be responsible for providing staff members with written procedures to implement this requirement.

The Academy shall have a plan for handling medical emergencies.

Section 2000 – General Academy Administration

2780 Administration of Medications by Academy Personnel (Cf. 8670)

2780-2

The Director will designate an individual(s) responsible for administering medications to Academy pupils. The Director, teacher, or other Academy employee authorized to do so by the Director, may administer medication to a pupil in the presence of another adult employee pursuant to written permission of the pupil's parent(s)/guardian(s), and in compliance with, the written instructions of a physician. Where the individual administering the medication is a licensed registered professional nurse, or when an emergency threatens the life or health of the pupil, a second adult need not be present.

Self-Administration/Self-Possession of Medications

The following definition of “self-administration/self-possession” is adopted for use in this Academy: “Self-administration” means that the pupil is able to consume or apply prescription and non-prescription medication in the manner directed by the physician without additional assistance or direction. Self-possession means that the pupil may carry medication on his/her person to allow for immediate and self-determined administration.

A pupil whose parent(s)/guardian(s) and physician provide written permission will be able to self-administer and self-possess his/her own medications. A medication that a pupil possesses must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration. A pupil's use shall not be denied if the conditions of written permission and physician direction are met. The Director may discontinue a pupil's right to self-administer and self-possession if there is misuse by the pupil. The denial shall come only after a consultation with the parent(s)/guardian(s). For example, a pupil who requires the use of an inhaler for relief or prevention of asthma symptoms shall be allowed to carry and use the inhaler if there is written approval from the pupil's physician and parent(s)/guardian(s) on record at the Academy (as described in the Michigan Revised School Code, Section 380.1179).

Section 2000 – General Academy Administration

2780 Administration of Medications by Academy Personnel (Cf. 8670)

2780-3

A pupil who is in possession of an inhaler under the above conditions shall have each of his/her teachers notified of this by the Director.

Diabetic Emergencies

Staff shall be made aware of the symptoms of a diabetic emergency. Staff with diabetic students should know the signs of possible side effects of diabetic medications, and also, be aware which side effects are serious enough to warrant reporting to the child's parent(s)/guardian(s) or health provider.

Management of Students with Asthma in the Academy Setting

If needed, Academy personnel may have direct communication with the child's health care provider in order to resolve individual problems that may arise because of a child's asthma. All staff shall be informed about the early warning signs of an acute asthma episode and should be aware of emergency procedures and contacts in case a child needs medical assistance. Copies of the "Signs of an Asthma Emergency" published by the Michigan Department of Education will be distributed to all staff and shall be posted on appropriate bulletin Boards in the Academy.

Exercise Induced Asthma Attacks

Physical education teachers, playground aides, and teachers are to be informed that exercise can induce acute episodes for many students with asthma. It shall be the responsibility of the Director to inform Academy staff responsible for students during physical activity of the identity of those students who have exercise-induced asthma. A child with exercise-induced asthma shall be allowed to stop any physical activity if they are having difficulty.

The Director will promulgate rules and guidelines to implement this provision.

Academy Staff Training

All individuals designated or authorized to administer medication are required to receive in-service training on all Academy policies and procedures related to this responsibility.

Section 2000 – General Academy Administration

2780 Administration of Medications by Academy Personnel (Cf. 8670)

2780-4

Academy staff must be trained by a licensed registered professional nurse, physician, or physician assistant who has knowledge of local Academy medication policies and procedures.

Storage and Access to Medications

All medication shall be kept in a labeled container as prepared by a pharmacy, physician, or pharmaceutical company with the pupil's name, the name of the medication, dosage, and the frequency of administration. Medications shall be stored in a location that is kept locked. However, emergency medications may be stored in an area readily accessible to the individuals designated to administer them. All controlled-substance medications will be counted and recorded upon receipt from the parent(s)/guardian(s). The medication shall be recounted on a regular basis (monthly or bi-weekly) and this count shall be reconciled with the medication administration log/record.

Record-Keeping of Medications

A log of medication administration shall be kept in the Academy office and filed in a pupil's permanent record at the end of each school year (see sample Medication Administration Daily Log). The individual pupil log shall be kept at least one year after the pupil's date of leaving the Academy.

Approved:

LEGAL REF: MCL 380.1178; MCL380.1179; OAG, 1979-1980, No 5679, p 7-0 (April 11, 1980); OAG, 1993, No 6746, (January 13, 1993); MDE Bulletin, October 18, 1999, PA 378, 1978, Medical Waste Regulatory Act, R 325.1545(2)

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R

The following administrative rules are to be followed by Academy personnel in the implementation of policy 2780. These rules and procedures may not be changed or amended without the express approval of the Director.

Administration of Medications – Prescription

Prescription medications shall not be stored or dispensed by Academy personnel without written permission and instructions from both:

- a. The parent(s)/guardian(s), who shall request and authorize Academy personnel to give medication in the dosage prescribed by the physician and to contact the physician directly.
- b. The physician, who shall provide instructions to Academy personnel regarding the administration of medication, and who shall identify any specific conditions or reactions to the medication which may require contacting the physician or other professional medical personnel. Instructions from the physician must include:
 - Name of the pupil,
 - Name of the medication,
 - Dosage of the medication,
 - Route of administration,
 - Time the medication is to be administered, and
 - The length of time (not to exceed the current school year) that medications are to be administered.

Any “biohazardous” wastes produced shall be disposed of in accordance with law, and the written instructions distributed by the administration.

New parent(s)/guardian(s) and physician written instructions and permission must accompany any change in medication, dosage, or time of administration.

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-2

Storage and access to medications during school

Prescription medication to be given at school must be delivered, by the parent(s)/guardian(s), in a container as prepared by a pharmacy, physician, or pharmaceutical company with a printed label specifying:

- a. The child's full name,
- b. The name of the medication and the dosage,
- c. The time of day medication should be administered, and
- d. The name of the physician.

The Director shall request that a pharmacy supply the oral medication in the exact dosage prescribed. Only limited quantities of a prescription medication may be kept at school, and the parent(s)/guardian(s) shall be solely responsible for any and all prescription refills. All prescription medication shall be kept in locked storage or other safe place.

The Director shall designate the Academy personnel authorized to administer medication to students.

The Director may set a reasonable designated time for the administration of medications. The parent(s)/guardian(s) shall be informed of this designated time and communicate this to the physician when he/she writes medication administration instructions. The Academy may request that the physician send a written explanation with the medication administration instructions if an exception to the Academy's designated time is necessary. Academy personnel authorized to administer prescription medication shall be given appropriate instruction in the administration of medications. After medication is administered, students should be observed for possible reactions to the medication. This observation may occur at the site of administration or in the classroom as part of the normal routine.

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-3

Except in the case of an emergency that threatens the life or well being of the student, all administration of medication shall be conducted in the presence of two or more adults. When necessary for a pupil to have medication administered while on a Academy-sponsored field trip or off-site activity, the individual designated to administer medication must carry the medication in the original container, and record the necessary information on the medication log upon return from the trip/activity.

Staff Training

In-service training shall include actual "hands-on" practice in identifying and dispensing medications. Individuals, with the exception of a licensed registered professional nurse, who are responsible for administering any medications that must be given by injection, by nebulizer, or administered rectally, vaginally, or into the bladder, must receive one-to-one training by a licensed health professional. Documentation that Academy personnel have completed the required in-service training shall be maintained by the Academy and made available, upon request, to a pupil's parent(s)/guardian(s), physician, licensed registered professional nurse, or by an Academy official.

Training Guidelines

Training for all individuals who are designated to administer medications to pupils in local and Intermediate School Districts, public school academies, and nonpublic schools must include all of the following content and skill practice:

1. A review and discussion of all Michigan and federal laws pertaining to the administration of medications to pupils in school, including discussion of confidentiality issues.

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-4

2. A review and discussion of all policies and procedures relating to medications in school including areas of responsibility of the Director, individuals designated to administer medications (i.e., Secretaries, aides, teachers, bus drivers, parent(s)/guardian(s)), and medical professionals (i.e., physicians, physician assistants, nurses).
3. Identification of the forms related to the administration of medications in school.
4. Safe storage and handling of medications in school including procedures for receiving and disposing of medications.
5. The use, effect, and route of administration of the most commonly prescribed medications in school, including adverse effects.
6. Procedures for safely dispensing medications to pupils in school, on field trips, and other off-site Academy activities.
7. Practice in identifying and dispensing medications to pupils.
8. Policies and procedures related to pupil self-administration and self-possession of medication in school.
9. Review and practice recording administration of medications.
10. Review and discuss procedures for dealing with medication administration errors.
It is the responsibility of the student to report to the appropriate Academy staff member at the time any prescription is to be taken.

Records

Academy personnel designated to administer medications shall maintain an accurate and confidential system of record keeping. The medications log shall include the following:

- a. The full name of the student,
- b. The physician instructions for administration,

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-5

- c. A log of the date and time, dosage, name of medication, administering adult, second adult present for each administration, and the signature of the administering adult and signature of witnessing adult for each administration. (If an error is made in recording, the individual who administered the medication shall cross out, initial the error, and make the correction in the log), and
- d. Any noted effects of, or reaction to the medication.

Academy personnel must take care to ensure that each student is provided the proper medication in the proper dosage, and shall log each administration immediately. In the event of a mistake in administration or dosage, the Director shall be contacted immediately. The Director is responsible for reporting the medication error to the pupil's parent(s)/guardian(s) immediately. It is advised that the Director also contact the physician so that he/she may indicate to the parent(s)/guardian(s) that staff members are conducting the appropriate medical follow up. The staff member shall write up the error on an Academy incident/accident report form and place a copy into the pupil's Academy record. Any adverse reaction to medication, as described on the physician's written instructions, shall be reported to the pupil's parent(s)/guardian(s) immediately.

Medications should be brought to school by the student's parent(s)/guardian(s). Academy personnel, trained appropriately, shall, throughout the school year, review medication instructions on file periodically and inventory medications being stored by the Academy. Expiration dates on prescription medication, epi-pens, and inhalers shall be checked at least twice each school year.

Parent(s)/Guardian(s) request/permission and a physician's instructions for administration of medications shall be renewed every school year. No changes to medication dosage or time of administration will be made except by instruction from a physician.

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-6

Medications must be claimed by parent(s)/guardian(s) at the end of the school year. If this is not done, the individual who administers the medication will dispose of the medication and record this disposal on the medication log. This procedure shall be witnessed and initialed by a second adult.

Unless otherwise dictated by law, the Academy may refuse to administer or may choose to discontinue the extra service of administering medication at the discretion of the Director, provided that appropriate notice is given to the parent(s)/guardian(s).

Academy Administration of Medications – Non-prescription

The procedures for administering non-prescription medications to students by the Academy shall be identical to those for prescription medications.

Student Self-Administration of Medications

Upon the written request of the parent(s)/guardian(s), and with directions supplied by the physician, and with the approval of the Academy administration, students may self-possess small quantities of medication for self-administration. Any student, however, may possess and use an inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, at school, on Academy-sponsored transportation, or at any activity, event, or program sponsored by or in which the Academy is participating if proper approvals are on file in writing. All self-possessed medications must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration.

Any “biohazardous” wastes produced by the student in the process of self-administration are to be carried back to the home by the student for proper disposal by the student/parent(s)/guardian(s).

All necessary written permission forms and physician’s directions detailed above for Academy administration of medications must be obtained and filed by the Academy prior to possession, storage, or self-administration by a student.

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-7

Assisting a Student in Distress

The Academy shall have a plan for handling medical emergencies.

Any Academy staff member may assist a student in distress in self-administration of a medication (ex. Epi-pen injection, asthma inhaler, etc.). For the purpose of this policy, distress refers to any obvious and serious discomfort or threatening condition. The staff member should first confirm that the medication and dosage are proper for the student as conditions allow.

As soon as possible, the staff member shall notify the Director, designated Academy medical response person, and/or the local emergency medical system. The staff member shall also complete an Academy incident/accident report form following the incident.

Diabetic Emergencies

Staff shall be made aware of the symptoms of a diabetic emergency. Staff with diabetic students should know the signs of possible side effects of diabetic medications, and also, be aware which side effects are serious enough to warrant reporting to the child's parent(s)/guardian(s) or health provider.

Management of Students with Asthma in the Academy Setting

Staff shall be made aware that chalk dust, animals in the classroom, strong odors (perfumes and paints), cleaning agents, pesticides, molds and numerous other substances may be asthma triggers for some children. In addition, environmental pollutants are often triggers for acute episodes of asthma. Therefore, the Director will endeavor to schedule extensive building repairs or cleaning during long vacation periods or during the summer months to avoid exposing children to fumes, dust, or other irritants. Routine cleaning and maintenance of the heating/cooling and air filtration system is important for reducing amounts of dust and mold in the building.

Staff with asthmatic students should know the signs of possible side effects of asthma medications, and, also, be aware which side effects are serious enough to warrant

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-8

reporting to the child's parent(s)/guardian(s) or health care provider. Information regarding qualified professionals in asthma management who can be contacted for staff in-service sessions on asthma may be found through the Michigan Department of Education's web site at <http://www.state.mi.us/mde>.

The "Academy - Based Asthma Management Plan" form and "Academy-Based Diabetes Management Plan" form below are to be used by the Academy.

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-9

This information expires on June 30, _____

ACADEMY-BASED ASTHMA MANAGEMENT PLAN

Endorsed by the Michigan Asthma Steering Committee of the Michigan Department of Community Health

STUDENT INFORMATION

Child's Name: _____ Birth Date: _____

Grade: _____ Home Room Teacher: _____

Physical Education Days and Times: _____

EMERGENCY INFORMATION

TO BE COMPLETED BY THE CHILD'S PARENT(S)/GUARDIAN(S):

Parent(s)/Guardian(s) Name(s): _____

First Priority Contact: Name _____

Second Priority Contact: Phone _____

Name _____

Phone _____

Doctor's Name: _____ Phone: _____

TO BE COMPLETED BY THE CHILD'S DOCTOR:

WHAT TO DO IN AN ACUTE ASTHMA EPISODE:

1. _____
2. _____
3. _____

CALL 911 OR AN AMBULANCE IF: Review attached "Signs of an Asthma Emergency and list any additional symptoms the child may present with:

1. _____
2. _____
3. _____

Daily Management Plan – To be completed by the child's doctor.

OVER FOR DAILY MANAGEMENT PLAN

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-10

Child's Name: _____

Be aware of the following asthma triggers: _____

Severe Allergies: _____

MEDICATIONS TO BE GIVEN AT SCHOOL:

NAME OF MEDICINE	DOSAGE	WHEN TO USE

Side effects to be reported to health care provider: _____

—

Does this child have exercise-induced asthma? Yes _____ No _____

This child uses an inhaler before engaging in physical exercise and if wheezing during physical activity. Yes _____ No _____

Activity Restrictions (e.g., staying indoors for recess, limited activity during physical education): _____

Please check all that apply:

_____ I have instructed this child in the proper way to use his/her inhaled medications. It is my professional opinion that this child should be allowed to carry and use that medication by him/herself.

_____ It is my professional opinion that this child should not carry his/her inhaled medications or epi-pen by him/herself.

_____ Please contact my office for instructions in the use of this nebulizer, metered-dose inhaler, and/or epi-pen.

_____ I have instructed this child in the proper use of a peak flow meter. His/her personal best peak flow is: _____.

Doctor's Signature: _____ Date: _____

Parent(s)/Guardian(s) Signature: _____ Date: _____

_____ Date: _____

Signs of Asthma Emergency

SEEK EMERGENCY CARE IF A CHILD EXPERIENCES ANY OF THE FOLLOWING:

- CHILD'S WHEEZING OR COUGHING DOES NOT IMPROVE AFTER TAKING MEDICINE (15-20 MINUTES FOR MOST ASTHMA MEDICATIONS)
- CHILD'S CHEST OR NECK IS PULLING IN WHILE STRUGGLING TO BREATHE
- CHILD HAS TROUBLE WALKING OR TALKING
- CHILD STOPS PLAYING AND CAN NOT START AGAIN
- CHILD'S FINGERNAILS AND/OR LIPS TURN BLUE OR GRAY
- SKIN BETWEEN CHILD'S RIBS SUCKS IN WHEN BREATHING

Asthma is **different for every person**. The "Asthma Emergency Signs" above represent general emergency situations as per the National Asthma Education and Prevention Program 1997 Expert Panel Report.

If you are at all uncertain of what to do in case of a
breathing emergency...

Call 911 and the child's parent(s)/guardian(s)

SIGNS OF A DIABETIC EMERGENCY

LOW BLOOD SUGAR (HYPOGLYCEMIA)

ONSET CAN BE RAPID. MOST LIKELY TO OCCUR AT PEAK INSULIN ACTION TIMES, SUCH AS BEFORE LUNCH.

SIGNS:

FAINTNESS/WOOZINESS/SHAKINESS
FATIGUE
SWEATING
DIZZINESS/WEAKNESS
PALE SKIN/CLAMMY SKIN
INAPPROPRIATE ACTIONS/CONFUSION
IRRITABILITY/MOOD CHANGES/CRANKINESS
DIFFICULTY FOLLOWING INSTRUCTIONS
COMBATIVENESS
INCOHERENT SPEECH
UNCONSCIOUSNESS

SYMPTOMS

MUSCLE CRAMPING
HUNGER
NERVOUSNESS
STOMACHACHE
BLURRED VISION/HEADACHE
CONVULSIONS

HIGH BLOOD SUGAR (HYPERGLYCEMIA)

ONSET MAY BE GRADUAL OR RAPID AND CAN LEAD TO SEVERE ILLNESS OR EVEN DEATH

SIGNS AND SYMPTOMS:

EXCESSIVE THIRST AND FREQUENT URINATION
BLURRED VISION
DROWSINESS/FATIGUE
ABDOMINAL PAIN
NAUSEA
VOMITING
LABORED BREATHING AND
FRUITY SMELLING BREATH

CHILDREN AND YOUTH THAT DISPLAY THESE SYMPTOMS SHOULD BE REPONDED TO IMMEDIATELY. EACH CHILD MAY REACT DIFFERENTLY. YOU SHOULD HAVE A LIST OF SYMPTOMS EACH CHILD MAY EXHIBIT ON FILE ALONG WITH HOW TO RESPOND. FOR ANY OF THE ABOVE SIGNS & SYMPTOMS, REPORT INCIDENT TO THE CHILD'S PARENT(S)/GUARDIAN(S).

IF THE CHILD IS VOMITING AND IS UNABLE TO TAKE FLUIDS, CONVULSING OR BECOMES UNCONSCIOUS, OR IF YOU ARE UNCERTAIN OF WHAT TO DO CALL 911 AND THE CHILD'S PARENT(S)/GUARDIAN(S)

The Management of Students with Diabetes in Schools Workgroup

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-13

(Sample Permission Form for Prescribed Medication)

Academy: _____ Date form received by the Academy: _____
Student: _____ Date of Birth or age: _____
Grade: _____ Teacher/Classroom: _____

To be completed by the physician or authorized prescriber

Name of medication: _____

Reason for medication (Optional) _____

Form of medication/treatment:

☐ Tablet/capsule ☐ Liquid ☐ Inhaler ☐ Injection ☐ Nebulizer ☐ Other _____

Instructions (Schedule and dose to be given at school): _____

Start: ☐ date form received ☐ Other dates: _____
Stop: ☐ end of school year ☐ Other date/duration: _____

Restrictions and/or important side effects: ☐ None anticipated ☐ Yes, Please describe: _____

Special storage requirements: ☐ None ☐ Refrigerate

This student is both capable and responsible for self-administering this medication
☐ No ☐ Yes-Supervised ☐ Yes-Unsupervised

This student may carry this medication: ☐ No ☐ Yes
Please indicate if you have provided additional information: ☐ On the back side of this form ☐ As an attachment

Date: _____ Signature: _____

Physician's Name: _____
Address: _____
Phone Number: _____

To be completed by parent(s)/guardian(s)

I request that (name of child) _____ receive the above medication at school according to standard Academy policy.

I request that (name of child) _____ be allowed to self-administer the above medication at school according to the Academy policy.

Date: _____ Signature: _____ Relationship: _____

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-14

Academy Name:: _____ This information expires on June 30, _____

ACADEMY-BASED CARE PLAN for the STUDENT with DIABETES

Name: _____ Birth Date: _____

Address: _____

Parent(s)/Guardian(s) or Emergency Contact: _____ Home Phone: _____

Work Phone: _____ Pager/Cell: _____

SYMPTOMS SPECIFIC TO STUDENT

Low blood sugar

High blood sugar

1. _____

1. _____

2. _____

2. _____

3. _____

3. _____

TO BE COMPLETED BY PHYSICIAN

The following activities will require supervision and/or assistance for _____ during the school day. Please check all that apply:

- | | |
|---|------------------------------------|
| <input type="checkbox"/> May self test? | |
| <input type="checkbox"/> Blood glucose testing | Daily at _____ |
| <input type="checkbox"/> Blood glucose testing | as need per symptoms |
| <input type="checkbox"/> Target glucose range | _____ |
| <input type="checkbox"/> Low blood sugar range | _____ |
| <input type="checkbox"/> Intervention | _____ |
| <input type="checkbox"/> High blood sugar range | _____ |
| <input type="checkbox"/> Intervention | _____ |
| <input type="checkbox"/> Ketone Checks | If glucose levels over _____ mg/dl |
| <input type="checkbox"/> Administer Glucagon | For following symptoms _____ |
| <input type="checkbox"/> Insulin administration | See attached schedule |
| <input type="checkbox"/> Snack | Daily at _____ |
| <input type="checkbox"/> Snack As needed | |

Training for the above procedures will be provided by: _____

Parent(s)/Guardian(s) Signature: _____

Physician Signature: _____

Section 2000 – General Academy Administration

Physician's Address: _____ Phone: _____

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-15

MEDICATION ADMINISTRATION DAILY LOG

(To be completed for each medication administered)

School Year _____ Name of Student: _____ Gender: _____

Date of Birth: _____ Grade/Teacher: _____ Name of Academy: _____ Name of Medication: _____

Dosage: _____ Route(s): _____ Time Given in School: _____ Expiration Date: _____

Directions: Initial with time of administration; a complete signature and initials of each individual administering medications shall be included below.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
August																															
September																															
October																															
November																															
December																															
January																															
February																															
March																															
April																															
May																															
June																															

Initial(s) of Individual Administering Medication	Signature	Initial(s) of Individual Administering Medication	Signature	Codes
1 _____	_____	7 _____	_____	(A) Absent (O) No Show
2 _____	_____	8 _____	_____	(E) Early Dismissal (W) Dosage Withheld
3 _____	_____	9 _____	_____	(F) Field Trip (N) No Medication
4 _____	_____	10 _____	_____	Available
5 _____	_____	11 _____	_____	(X) No School (i.e. Holiday, weekend,
6 _____	_____	12 _____	_____	snow day, etc.)

Use reverse side for reporting significant information (e.g. Observation of medication's effectiveness, adverse reactions, reason for omission, plan to prevent future "no shows"). MDCH
– Sample Updated 11-02

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-16

Resources for Staff Training

When selecting a person to train individuals to administer medications, it is imperative that this person knows the policies and procedures of the Academy, and WISD.

1. If the Academy employs a licensed registered professional nurse, he/she can conduct the training.
2. The WISD or local health department may also provide licensed professional nursing services for staff training (see list of local health departments in Michigan at <http://www.malph.org/page.cfm/18/>).
3. An Academy can contact the Michigan Association of School Nurses (MASN) at 734-992-2223 or through their website at www.michiganschoolnurses.org to see if there is a licensed registered professional nurse available to provide this training to the Academy.
4. A medical professional (ie: physician, nurse, physician assistant) from the community may be available to conduct training for Academy staff.
5. If none of the above resources for training are available, contact Patty Lawless at the Michigan Department of Education, at 517-373-1122 or by email at lawlessp@michigan.gov.

Section 2000 – General Academy Administration

2780-R Administration of Medications by Academy Personnel

2780-R-17

TRAINING CHECKLIST

Date(s) of Training: _____

Trainer(s) Name and Qualifications: _____

Names and job titles of individuals attending the training: ____ attached

Content and Skills Taught to Training Participants Shall Include:

- ___ Review of Michigan laws governing the administration of medications to pupils in school.
- ___ Discussion of Academy policies and procedures relating to the administration of medications to pupils in school.
- ___ Safe storage and handling of medications in school.
- ___ Uses, effects, and routes of administration of most commonly prescribed medications for pupils in school.
- ___ Safe dispensing procedures for medications in school, including procedures for field trips and other off-site Academy activities.
- ___ Review of local Academy policies and procedures related to pupil self-administration and self-possession of medications.
- ___ Recording procedures for medications administered in school.
- ___ Procedures for dealing with medication administration errors.
- ___ Opportunity for participants to ask questions regarding administration of medications to pupils in school.

Signature of Trainer: _____

Academy: _____

Date of Training: _____

Section 2000 – General Academy Administration

2790 Academy Safety Information Policy Implementation

2790

The Director is hereby designated as the official Academy Contact Person for receiving information from law enforcement⁵, prosecutors, and courts relative to any matters concerning crime and violence in the Honey Creek Community School. The Director shall see that a file of all incident reports or law enforcement records is kept in accordance with law and the Statewide School Safety Information Policy.

Incidents to be Reported

Reportable incidents for purposes of this policy shall be those as listed in the "Index of Reportable Incidents" as found in the School Safety Response Guide published in the Statewide School Safety Policy. Incidents reported involving students of the Academy shall be reviewed under the Academy's Student Code of Conduct relative to possible disciplinary consequences up to and including expulsion.

Michigan Statewide Unsafe School Choice Policy

The Board directs the Director to comply with the Michigan Statewide Unsafe School Choice Policy for schools that receive funds under the No Child Left Behind Act of 2001 (NCLB of 2001.) All reports mandated by the state policy shall be distributed to the Board before being forwarded to the WISD and/or the state. The Director may enact rules to implement compliance with the state policy.

Should any school or academy receiving funds under NCLB of 2001 be designated, "persistently dangerous," as defined by the state policy, the required, "corrective action plan," shall be prepared and presented to the Board for review and approval. The Director shall also insure that the transfer and notice requirements found in the state policy is implemented, and that the Board is kept informed of any transfers that are made.

2790 Academy Safety Information Policy Implementation

2790-2

⁵ For the purposes of this policy, "law enforcement" means: A regularly employed member of a police force of a city, county, township or village, the Michigan State Police, or a Michigan Indian tribal police force, who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of this state.

Section 2000 – General Academy Administration

A copy of the current Statewide Unsafe School Choice Policy shall be provided to each member of the Board, and a copy of the current policy shall be available in the Academy office.

Community Meetings

It shall be the responsibility of the Director to set appropriate meetings with representatives of the community regarding the implementation of the Statewide School Safety Information Policy and to call an annual meeting to review the effectiveness and review the procedures developed within this Academy's local School Safety Information Policy. Results of those meetings shall be shared with the Board as requested.

Approved:

LEGAL REF: MCL 380.1308; NCLB

Section 2000 – General Academy Administration

2800 Records (Cf. 1600)

2800

In compliance with bylaw 1600, the Academy shall establish and maintain a system of records as required by law and as necessary or pertinent to the performance of any function related to the operation of the Academy. The Director shall establish rules and procedures for the maintenance of Academy records.

Approved:

LEGAL REF: MCL 15.231 *et seq.* (Freedom of Information Act)

Section 2000 – General Academy Administration

2810 Public Review and Inspection of Records

2810

The Director shall establish and publish rules for public inspection and copying of records in accord with the Michigan Freedom of Information Act, and shall serve as FOIA coordinator for the Academy. Inspection of records by the public shall be limited to the regular office hours of the Academy office that houses the records. Copies of records, which are not exempt from disclosure, will be available on request.

Fees

The Director shall charge a fee to cover actual costs of providing access to and/or copies of public records in accord with law, except that disclosure to any of the following person(s) is in the public interest and shall be exempt from the first \$20.00 of fees incurred in an Academy fiscal year.

- a) A news media organization for dissemination to the public;
- b) A member of the Board;
- c) A minor for use in a school or community organization civics project (ex. Boy Scout Citizenship merit badge); and
- d) [Other person(s) designated by the Board]

Appeals

If a request for disclosure of record(s) is denied, procedures for appeal of the decision shall be provided in writing, along with the denial.

Approved:

LEGAL REF: MCL 15.231 *et seq.* (Freedom of Information Act)

Section 2000 – General Academy Administration

2810-R Public Review and Inspection of Records (Cf. 8940 *et seq.*)

2810-R

The Director shall serve as FOIA coordinator for all records maintained at the office of the Academy.

Routine Inquiries

Routine day-to-day inquiries to the Academy for information shall be handled appropriately by Academy staff. The procedures under this rule shall apply to requests made under the Michigan Freedom of Information Act.

Requests

Requests to inspect or copy public records must be made in writing (including FAX or e-mail) to the coordinator for the requested record(s) or his/her designee, and shall sufficiently describe the record to enable the coordinator to identify and locate the record. Separate requests shall be made for each record desired. Each coordinator shall file all requests and their dispositions in his/her office and make such reports as are requested by the Director or the Board. Filed requests shall be held for a period of at least one year.

Denials

The Director shall examine each request to determine whether the record requested is exempt from disclosure under the Michigan Freedom of Information Act. If the Director determines that the record is exempt from disclosure, he/she shall issue a written denial of the request. Such a denial shall be made within five days of receipt of the request or as otherwise provided by law, and shall include the reason(s) for the denial and the procedures for appeal of the decision to deny the request.

Should the requested record(s) be classified as exempt but contain information, which is not exempt from disclosure, the Director shall delete the exempt material and release the remaining information for inspection or copying.

Section 2000 – General Academy Administration

2810-R Public Review and Inspection of Records (Cf. 8940 *et seq.*)

2810-R-2

Subscriptions

Requests for a subscription to documents or records produced regularly by the Academy must be accompanied by appropriate payment of estimated fees for the period of the subscription. Subscriptions may run for up to six months and are renewable.

Delays

If the nature of the request requires additional time to access the records or to make a determination on whether the request will be granted, the coordinator shall give written notice to the person making the request extending the period of response. Such an extension shall be for a maximum of ten business days in accord with law.

Appeals

If a request to inspect or copy a record is denied by the Director, the person making the request may appeal the decision within the Academy by submitting the appeal to the Director in writing, detailing the reason(s) for requesting reversal of the denial. The Director shall respond in writing to the request as provided above.

If a request to inspect or copy a record is denied by the Director, the person requesting access may appeal the decision of the Director by submitting the appeal in writing to the Board for consideration at the next meeting of the Board. Such request(s) shall be submitted to the Director or Board President for scheduling on the agenda of the next Board meeting.

Fees

Fees for responding to a request shall be assessed as follows:

- a) Photocopying charges as determined by the Director, or if the nature of the duplication necessitates duplication by outside sources, the actual cost of employing such outside sources,
- b) Actual mailing costs,

Section 2000 – General Academy Administration

2810-R Public Review and Inspection of Records (Cf. 8940 *et seq.*)

2810-R-3

- c) Labor costs incurred in duplication and mailing assessed at the hourly wage of the lowest paid employee of the Academy capable of retrieving, copying, and mailing the information necessary to comply with the request,
- d) Labor costs for search, examination, review, and deletion or separation of exempt from non-exempt information, at the hourly wage of the lowest paid employee of the Academy capable of complying with the request. Such labor fees shall be charged only when the request requires more than \$50 of labor. In such cases, the coordinator shall identify the nature of this unreasonably high labor cost.

Upon receiving a request, the coordinator shall inform the person making the request of the estimated cost for processing the request. If the estimated cost exceeds \$50, the coordinator shall require a good faith deposit of one half of the estimated fee before processing the request.

No charge for the first \$20 of a fee shall be made to an individual who proves indigence or receipt of public assistance. State guidelines for determining free and reduced cost meals to families shall be used as guidelines to determine indigence.

A record of fees paid shall be kept along with each request. A record of fees incurred shall be kept for any person making a request who is exempt from initial fees as a matter of Board policy, though such fees will not be charged except those in excess of the yearly maximum.

Revenue from copying open records shall be deposited monthly in the general fund of the Academy.

Safety of Records

To ensure the safety and integrity of records, access to records shall be accorded only under the direct supervision of the coordinator or designated Academy employee.

Section 2000 – General Academy Administration

2810-R Public Review and Inspection of Records (Cf. 8940 *et seq.*)

2810-R-4

Inspection of record(s) by the public is limited to the regular office hours of the Academy office that houses the record(s). Original Academy record(s) are not permitted to leave the premises except as required by law or Board policy. Copies of records not exempt from disclosure will be furnished for the appropriate fee.

Computer Records

All new software purchased by the Academy to maintain records shall incorporate a feature enabling selected data to be exported in a text format for the purpose of complying with requests.

Record Listings

Employees are prohibited from giving or selling lists of any Academy records to any person except as authorized by law or Board policy.

Section 2000 – General Academy Administration

2850 Reports

2850

The Board may require reports from the staff concerning the operation and needs of the Academy.

Types

The Director shall prepare and submit to the WISD the requests required by the charter contract. The Board shall also receive these reports.

In the event the Director resigns or otherwise leaves the Academy, he/she shall complete and submit the annual report to the Board prior to final payment of compensation under his/her employment contract.

The Board delegates to the Director the authority to request certain reports from the Academy's staff concerning the operation of the Academy or on any subject relating to the educational program of the Academy.

Dissemination

The Board, upon request, shall receive copies of all reports submitted to the Director. Copies of staff reports may be sent to staff members for their confidential use at the discretion of the Director.

Approved:

3000—FISCAL MANAGEMENT

3050	Budget Planning
3100	Annual Operating Budget <ul style="list-style-type: none">PrioritiesDeadlines and SchedulesEncumbrancesRecommendationsPreliminary Adoption ProceduresHearings and Reviews
3150	Budget Fund Balance
3170	Line Item Transfer Authority
3200	State and Federal Funding Proposals and Applications
3280	Borrowing and Debt Service <ul style="list-style-type: none">Short Term LoansSale of BondsDebt Service
3300	Investment of Funds
3310	Reporting of Investment Risk
3340	Fees, Payments, and Rentals (Cf. 9250) <ul style="list-style-type: none">Rental and Leasing of Academy PropertyGate Receipts and AdmissionsIncome and Payments from Sales and ServiceNon-Sufficient Fund Checks
3400	Depository of Funds (Cf. 1300)
3405	Electronic Transactions of Funds <ul style="list-style-type: none">Internal Accounting
3410	Safeguarding of Monies and Equipment
3420	Monies in the Building
3430	Surety Bonds – Employees and Board Treasurer
3490	Inventories – Fixed and Controlled Assets <ul style="list-style-type: none">Control of EquipmentFixed Asset Accounting System
3500	Audits
3520	Fraud Prevention and Investigation (Cf. 3490, 3500, 5203, 8700)
3550	Authorized Signatures (Cf. 1300)
3580	Payroll Procedures and Schedules
3600	Reimbursement of Expenses (Cf. 1168, 5330)
3610	Purchasing Goods and Services <ul style="list-style-type: none">Purchasing From Academy EmployeesPurchases through the AcademyEmergency Purchases
3620	Administrative Leeway (Cf. 2750, 3660)
3650	Cooperative Purchasing (Cf. 3660)
3660	Bids and Quotations Requirements <ul style="list-style-type: none">Competitive BidsBid Specifications

Section 3000 – Fiscal Management

TC-3000-2

3730	Vendor Relations
3750	Payment Procedures
3800	Fund Raising and Student Activity Fund (Cf. 8700)
	Soliciting Funds From and By Students
	Student Groups
	Door-to-Door Sales
	Specifics
	Adult Groups
3900	Surplus Books, Equipment, and Supplies

Section 3000 – Fiscal Management

3050 Budget Planning

3050

The Director⁶ shall be responsible for planning the Academy's budget. The Director shall keep the Board informed during the planning process and secure input from the Board through discussions or workshops.

The Board may approve a special committee to work with the Director in determining budget priorities.

The Academy budget proposed must be transmitted to the WISD no later than 30 days prior to the end of the current fiscal year.

Approved:

LEGAL REF: MCL 141.434 (1); 141.422b (3) (c); 141.422d (1) (c) (d); 380.1133;
380.1218; 380.1281

⁶ Any time the word "Director" or "administrator" appears anywhere in this manual, the words "or designated representative" are presumed to follow.

Section 3000 – Fiscal Management

3050-R Budget Planning

3050-R

The Board encourages site-based budget development that includes the following major components:

1. The Director and staff will establish a reasonable Academy total revenue target,
2. Staff members, parent(s)/guardian(s), and students where appropriate, will be involved in developing a budget plan for the Academy,
3. The Board will review the full budget at a public hearing according to law.

Section 3000 – Fiscal Management

3100 Annual Operating Budget

3100

The Academy's budget shall be prepared by the Director in cooperation with selected Academy employees and shall reflect the educational goals of the Academy.

The Director shall prepare a detailed cost analysis of all programs that are funded by the Academy's budget.

The Director shall follow the adopted budget.

It shall be the goal of the Board to fund the operating budget according to approved fiscal and budgetary procedures adhered to and required by the State of Michigan and the WISD. The budget shall be the vehicle by which the educational goals and objectives of the Academy are to be met.

Priorities

The Board shall establish priorities for the Academy on a short-term, intermediate, and long-range basis.

Deadlines and Schedules

In order for the Academy's budget preparation to proceed in an orderly fashion, the Board shall establish deadlines and time schedules.

Encumbrances

All encumbrances shall be charged to a specific fund.

Recommendations

Recommendations of the Director and professional staff concerning the educational program of the Academy and related budget figures shall be presented to the Board prior to submission of the tentative draft budget.

Preliminary Adoption Procedures

The Director shall submit to the Board a preliminary draft of the Academy's budget as the Board may require.

Section 3000 – Fiscal Management

3100 Annual Operating Budget

3100-2

Hearings and Reviews

The Board shall conduct budget hearings according to state law.

Approved:

LEGAL REF: MCL 141.411; 141.421a-440a; 211.209-210; 380.1213-1214; 380.1216;
380.1218; 388.1702

Section 3000 – Fiscal Management

3100-R Annual Operating Budget

3100-R

Preliminary Adoption Procedures

The preliminary budget shall include expenditure and revenue data for the most recently completed fiscal year and the amount of surplus or deficit that has accumulated from prior fiscal years. The budget shall contain estimates needed for deficiency, contingency, or emergency purposes. The debt fund budgets shall include the amounts needed to pay the principal and interest from each fund for that fiscal year.

Details of expenditures and revenues for capital improvement projects from the general fund shall be projected for a period of three years. An informational summary of projected expenditures and revenues for the building and site funds of the Academy shall be included in the budget document with a projection of such expenditures and revenues for five full years beyond the fiscal year covered by the budget.

Recommendations

All recommendations of the Director and staff shall be presented to the Board no later than the regular Board meeting in May.

Hearings and Reviews

All budget reports, explanatory letters, and copies of the draft budget shall be available to interested patrons after being made available to the Board. The Board shall set the date, time, and location of the annual budget hearing.

Encumbrances

The Director shall make all encumbrances.

Priorities

The Board shall make the final decision for the priority status of various budget items.

Adoption

The Board shall approve the budget according to current law and pursuant to the contract.

Section 3000 – Fiscal Management

3150 Budget Fund Balance

3150

The Board realizes its responsibility under law to maintain a balanced, non-deficit, financial condition for the Academy so that the Academy does not find itself in a serious financial problem. Deficit financing is strictly prohibited by law. A budget fund balance provides flexibility in dealing with unanticipated budget emergencies such as mid-year reductions in state funding. In addition, it will help to avoid borrowing during the two-month period between the August and October State Aid payments.

To this end, the Board will strive to maintain an unappropriated fund balance in accordance with the recommendation of the Board's independent auditor as published in the annual audit report. Generally, this will mean a fund balance of approximately 15% minimum of the total annual operation expense of the Academy's General Fund Budget, or as otherwise recommended by the auditor.

The Director is directed to bring only those budget recommendations to the Board that comply with all laws and the intent of this policy.

Approved:

LEGAL REF: MCL 141.1201; 141.1231 – 1244; 141.2101; 380.1211 – 1227

Section 3000 – Fiscal Management

3170-R Line Item Transfer Authority

3170-R

Prior to any line item transfers within the budget, authorization shall be received from the Director.

Section 3000 – Fiscal Management

3170 Line Item Transfer Authority

3170

The Director is authorized to approve adjustments and/or transfers within line items of the Board adopted operating budget not to exceed \$1,500.00 without Board approval. Such adjustments and/or transfers shall be reported to the Board at the next regular meeting of the Board. Authorization for such adjustments and/or transfers shall be included annually in the general appropriations act.

Approved:

LEGAL REF: MCL141.421a-440a

Section 3000 – Fiscal Management

3200 State and Federal Funding Proposals and Applications

3200

The Board shall seek and consider as many sources of revenue as possible to supplement the state and federal funds received through the WISD.

The Director shall assume the responsibility for keeping the Board informed of any revenue sources that could enhance the educational program or operation of the Academy, and for which the Academy may be eligible, and make recommendations to the Board for action.

Approved:

LEGAL REF: MCL 3.541; 3.542; 388.801; 380.1210

Section 3000 – Fiscal Management

3280 Borrowing and Debt Service

3280

Unless the Academy receives written approval from the WISD the borrowing power of the Academy is limited to leases (with or without an option to purchase), land contracts, or installment purchase contracts. The aggregate amount of the Academy's indebtedness shall not exceed 5% of the funds the Academy is entitled to receive through the WISD as fiscal agent to the Academy on an annual basis each fiscal year. Any security for such obligations shall be limited to the goods for which the indebtedness is entered into without recourse to any of the funds or other property of the Academy or WISD.

Approved:

LEGAL REF: MCL 380.1356; Public School Academy Contract, ¶ 16; Academy Bylaws Article VI, ¶ 2.

Section 3000 – Fiscal Management

3300 Investment of Funds (Cf. 3310)

3300

Annually, the Board shall pass a resolution authorizing the Treasurer to invest surplus funds of the Academy. The Treasurer, with the authorization of the Board, may delegate day-to-day duties involving the investment of funds to the Director.

Should the Board choose to employ an outside consultant to advise the Treasurer, or Director if so delegated, that consultant, or consulting firm, shall be duly registered under the Investment Advisor's Act of 1940.

The Academy's investment portfolio shall be structured in such a way that the primary emphasis is on safety and liquidity of investments and preservation of the principal amount invested, as opposed to the rate of return. Academy cash flow needs shall be taken into account at all times when investments are contemplated.

In order to reduce the risk of losses on Academy investments, only "low-risk" investment instruments shall be used by the Academy. No Academy investments shall involve foreign currency risk.

This policy applies to all cash and investments under control of the Board, with the exception of funds related to debt issuance where other agreements or contracts are in effect for those funds.

The Director may develop appropriate administrative rules to accompany this policy.

Approved:

LEGAL REF: MCL 380.622; 380.1221; 380.1223; GASB Bulletin 40

Section 3000 – Fiscal Management

3300-R Investment of Funds

3300-R

The Treasurer, or Director if delegated by the Treasurer and approved by the Board, is responsible for maximizing the interest earnings of the Academy. Such authorized investments shall be restricted to:

1. Bonds, bills or notes of the United States, or obligations the principal and interest of which are fully guaranteed by the United States Government.
2. Certificates of deposit issued by any state or national bank organized and authorized to operate a bank in this state.
3. Commercial paper rated prime at the time of purchase and maturing not more than 270 days from date of purchase.
4. Certificates of deposit or share certificates of state or federal credit unions organized and authorized to operate in this state.
5. Securities issued or guaranteed by agencies or instrumentalities of the United States Government.
6. United States government or federal agency obligation repurchase agreements.
7. Bankers' acceptances issued by a bank that is a member of the federal deposit insurance corporation.
8. Mutual funds composed entirely of investment vehicles that are legal for direct investment by an Academy.
9. Investment pools, as authorized by the surplus funds investment pool act, composed entirely of instruments that are legal for direct investment by an Academy.

The Treasurer or Director if duly delegated, in determining the best investment, shall combine three factors: (1) quality of commercial paper, (2) interest rate available, and (3) accessibility of funds on short notice. Only prime one or two commercial paper shall be considered.

Consideration will also be given to the spread of interest rates between commercial paper and certificates of deposit (savings deposit receipts) issued by banks, savings and loans or credit unions.

Section 3000 – Fiscal Management

3300-R Investment of Funds

3300-R-2

When appropriate, banks having accounts of the Academy, or those from whom the Academy has recently secured loans, shall be given preference for the investment of funds.

The Board authorizes the Director to open passbook savings accounts for general fund monies to earn interest, while not being used for operating purposes or invested otherwise. Such accounts shall be used when the cash flow pattern does not permit the purchases of longer-term investments or when the rate of return is comparable or greater than is available from other investments. The Director, Assistant Director, and/or the Administrative Assistant are authorized to make deposits and withdrawals from this account.

Interest from investments shall accrue to the fund from which the investment was made as determined by the Board and permitted by current law.

The Director shall assume the responsibility of developing cash flow patterns for all funds in order to determine the availability of funds for investment. The Director shall report monthly to the Board on the status of all investments.

Section 3000 – Fiscal Management

3310 Reporting of Investment Risks (Cf. 3300)

3310

Although policy 3300 serves to reduce the risks associated with the investment of Academy dollars, the Academy may have deposits and investments that are subject to various levels of risk.

Statement No. 40 of the Governmental Accounting Standards Board (GASB) requires that certain deposits and investments of a local government that have the potential to result in losses be disclosed in Academy financial statements. The administration, in consultation with the auditor or WISD, shall insure that the Academy financial statements comply with GASB Statement No. 40.⁷

The Director may establish appropriate administrative rules to implement this policy.

Approved:

LEGAL REF: Governmental Accounting Standards Board, *Statement No. 40*.

⁷ “This Statement [GASB No. 40] is designed to inform financial statement users about deposit and investment risks that could affect a government’s ability to provide services and meet its obligations as they become due.” Governmental Accounting Standards Board, *Statement No. 40*.

Section 3000 – Fiscal Management

3310-R Reporting of Investment Risks
R

3310-

The administrator responsible for Business Management shall comply with the disclosure requirements of Statement No. 40 of the Governmental Accounting Standards Board (GASB). Pursuant to the Statement, disclosures will be organized by investment type. Disclosure of risks in investments and deposits shall appear in the Academy financial statement, including, but not limited to, the information described in the paragraphs that follow.

Credit Risk

Credit risk information about investments in debt securities shall be disclosed in Academy financial statements by repeating the credit quality ratings of the investments made by nationally recognized rating organizations. Credit quality ratings of “...external investment pools, money market funds, bond mutual funds, and other pooled investments of fixed income securities...” must be disclosed. Obligations of the U.S. Government and obligations that may be guaranteed by the U.S. Government do not require disclosure of credit quality.

Where the investments issued by a single source constitute 5% or more of the total investment, information concerning the concentration of credit risk must be disclosed in the Academy’s financial statement. Information concerning the interest rate risk of investments, or the terms of investments with values that are sensitive to interest rate changes must also be disclosed, using one of the methods described in GASB Statement No. 40.

Section 3000 – Fiscal Management

3340 Fees, Payments and Rentals (Cf. 9250)

3340

Proceeds from fees for equipment use or rental shall be credited to a fund specified by the Board.

Gate Receipts and Admissions

Academy events where admission fees are charged are a part of the Academy's educational program; therefore, such fees are also a part of the Academy's budgeting process. Thus, the administration shall be given the responsibility to set such fees. The level of the fee shall be set taking into consideration those factors which are a part of the appropriate Academy budget.

Income and Payments from Sales and Service

Jobs or projects may be undertaken by students for private individuals or community groups. The facilities of the Academy may be used for such activities. All receipts shall be deposited in the general fund and used as a reimbursement for materials and/or to purchase additional supplies and cover expenses of the Academy.

Non-Sufficient Fund Checks

In the event the Academy should receive a check for any purpose that is returned due to non-sufficient funds (NSF) the Academy will assess a charge of \$30.00 to the issuer of the check to cover the administrative and clerical costs of dealing with the matter. If the issuer fails to "make good" for the amount of the original check within 10 days of the date of the check being returned for NSF, the Academy reserves the right to file criminal charges and to refuse checks in the future from the issuer.

Approved:

LEGAL REF: MCL 380.11a; 380.1141

Section 3000 – Fiscal Management

3340-R Fees, Payments and Rentals (Cf. 9250)

3340-R

Gate Receipts and Admissions

No fees shall be charged unless first approved by the Director. All special tickets, i.e., season tickets, all sports tickets, and free passes, etc. shall have prior approval of the Board.

Income from Sales and Service

All projects undertaken by students and staff shall avoid competition with local businesses to the best extent possible.

Section 3000 – Fiscal Management

3400 Depository of Funds (Cf. 1300)

3400

At the annual organizational meeting, the Board shall, in accordance with state law, designate, by resolution, the financial institutions⁸ in which the funds of the Academy shall be deposited and the proportion of funds to be deposited in each. The Treasurer or Director if delegated by the Treasurer and approved by the Board, shall deposit or cause to be deposited, funds of the Academy in the institutions as authorized by the Board and in the proportions authorized by the Board.

Approved:

LEGAL REF: MCL 21.143; 129.12; 129.15; 380.1221-1222

⁸ MCL 129.15 includes credit unions as an appropriate place of deposit and uses the term “financial institutions,” not just banks or trust companies.

Section 3000 – Fiscal Management

3405 Electronic Transaction of Funds

3405

The Honey Creek Community School, through resolution of the Board, shall be a party to an Automated Clearing House⁹ (ACH) arrangement.¹⁰ The Director shall be responsible for the Honey Creek Community School ACH agreements, including payment approval, accounting, reporting, and generally for overseeing compliance with the ACH policy.¹¹ All ACH invoices are to be approved prior to payment.

Internal Accounting

The Director shall be responsible for development and maintenance of appropriate accounting controls to monitor the use of ACH transactions¹² made by the Honey Creek Community School.

Approved:

LEGAL REF: MCL 124.301-124.305

⁹ “Automated clearing house” or “ACH” - a national and governmental organization that has authority to process electronic payments, including, but not limited to, the national automated clearing house association and the federal reserve system (MCL 124.301(d)).

¹⁰ ACH arrangement – the agreement between the originator of the ACH transaction and the receiver of an ACH transaction (MCL 124.301(a)). Under Act 738 of 2002, MCL 124.301, an ACH arrangement is not subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101, or to provisions of law or charter concerning the issuance of debt by a local unit.

¹¹ ACH policy – the procedures and internal controls as determined under this written policy developed and adopted by the Director (MCL 124.301(b)).

¹² ACH transaction – an electronic payment, debit, or credit transfer processed through an automated clearinghouse (MCL 124.301(c)).

Section 3000 – Fiscal Management

3405-R Electronic Transaction of Funds

3405-R

For the purposes of accountability of ACH funds, the Director shall submit to the Board a monthly report detailing any goods or services purchased during the preceding month. The report must contain:

- 1) The goods or services purchased and their cost,
- 2) The date of the payment, and
- 3) The unit or department serviced by each payment.

This report may be maintained in the electronic general ledger software system of the Academy or in a separate report.

Internal Accounting

ACH accounting methods shall follow the established and approved Honey Creek Community School accounting procedures.

Section 3000 – Fiscal Management

3405-R Electronic Transaction of Funds

3405-R-2

Sample Resolution

For the authorization of Electronic Transactions under PA 738 of 2002, MCL 124.301, the Board hereby recognizes that:

- Electronic payment of public funds are required for some federally mandated transactions involving public funds by electronic payment, debit, or credit transfer processed through an automated clearing house, and
- The Board deems that it is in the best interest of the Academy to make certain Academy financial transactions by electronic payments as described in PA 738 of 2002.

It is therefore resolved, that the Board authorizes the Academy to utilize electronic transactions in compliance with the written procedures and internal controls developed by the Director.

Moved by: _____ Seconded by: _____

Ayes: _____ Nays: _____ Abstentions: _____

Resolution Adopted: _____

Section 3000 – Fiscal Management

3410 Safeguarding of Monies and Equipment

3410

The Director shall be responsible to see that administrative regulations are established and carried out so that all monies and equipment within all of the Academy's facilities are safeguarded and accounted for in an efficient manner at all times.

Approved:

Section 3000 – Fiscal Management

3420 Monies in the Building

3420

The Director may establish procedures to permit daily deposit of monies collected which will not require monies to be left in the building overnight. The Academy will not be responsible for monies remaining in classrooms overnight.

Approved:

Section 3000 – Fiscal Management

3420-R Monies in the Building

3420-R

In order to assure the safekeeping of monies collected by employees, student Treasurer or officer of the Academy, the following procedures shall be followed:

1. All monies shall be properly receipted, accounted for, and directed immediately to the proper location for deposit.
2. No money shall be left overnight in desks, lockers, or other such repositories.
3. All money left overnight shall be placed in a locked container in the Academy office.
4. The Assistant Director shall arrange to make deposits of funds as necessary.

Section 3000 – Fiscal Management

3430 Surety Bonds – Employees and Board Treasurer (Cf. 3520)

3430

The Board shall purchase an employee dishonesty or “surety” bond for Academy employees as recommended by the Director. The Board shall prescribe the amount of the bond based on the recommendation of the Director after his/her consultation with the Academy’s accounting firm.

Approved:

Section 3000 – Fiscal Management

3490 Inventories – Fixed and Controlled Assets

3490

An accounting will be made annually for property, real and personal, owned by the Academy in accordance with law, governmental regulations, and Academy rules.

Control of Equipment

Title to and control over equipment and/or property purchased with federal funds shall be maintained in accordance with the pertinent federal regulations. The Director shall develop written procedures outlining federal ownership and Academy use, loan, loss and disposal of such equipment/property.

Fixed Asset Accounting System

The administration shall maintain a fixed asset accounting system in accordance with law, governmental regulations, and the Academy's needs.

Approved:

LEGAL REF: Governmental Accounting Standards Board, Statement No. 34

Section 3000 – Fiscal Management

3490-R Inventories – Fixed and Controlled Assets

3490-R

For the purposes of accountability of Academy-owned property, the Director, or employee in charge of Business Services, shall develop an inventory record system. Annually, all inventory records shall be updated showing deletions and additions of Academy-owned property, the estimated value, estimated original cost, date of purchase, serial numbers (where available) and location and condition of each piece of property.

Fixed Asset Accounting System

The administration shall maintain a fixed asset accounting system in accordance with law, governmental regulations, and Academy needs. The fixed asset accounting system shall maintain sufficient information to permit the following:

- A. The preparation of year-end financial statements in accordance with law, governmental rules and generally accepted accounting principles,
- B. Adequate insurance coverage, and
- C. Control and accountability.

The Director, or administrator in charge of Business Services, shall be responsible for the development and maintenance of the fixed asset accounting system. He/She shall develop procedures to ensure compliance with all fixed asset accounting policies, law or governmental regulation. Each Director shall be assigned fixed asset responsibilities.

“Fixed assets” are defined as at least 80% of those tangible assets of the Academy with a useful life in excess of one year and an initial cost equal to or exceeding \$5,000.00.

In making this determination, the Director, or administrator in charge of Business Services, generally will use the recognized and accepted “standard useful life table” as published by the Association of School Business Officials International Accounting, Auditing and Budgeting Committee, Subcommittee on GASB Statement No. 34 Implementation. Additionally, the services of a professional property appraisal firm may be used to perform the asset inventory, to provide estimated historical cost information,

Section 3000 – Fiscal Management

3490-R Inventories – Fixed and Controlled Assets

3490-R-2

and to give an objective estimate of the asset's useful life that will generally be acceptable to auditors.

In determining what assets are to be accounted for in Academy inventories, the Director, or administrator in charge of Business Services, will consider the following information sources:

- Original purchase records,
- Bond documents, and
- Professional appraisal or other services, such as insurance appraisals.
- The total amount of original debt issuance, where appropriate, to help determine some assets' historical cost.

Periodically, the Director, or administrator in charge of Business Services, will review the estimated remaining life of specific fixed assets or groups of assets and adjust the remaining depreciable life accordingly.

Some items may be identified by the Director, or administrator in charge of Business Services, as "controlled" assets that, although they do not meet all fixed asset criteria, will be recorded on the fixed asset system to maintain control.

The Director, or administrator in charge of Business Services, will develop inventory forms and procedures. The custodian of records will file one copy of each inventory taken and one copy shall be filed in the central office.

Additional administrative regulations may be developed at the departmental level by the Director, or administrator in charge of Business Services, as required to implement policy 3490. Upon request, any such rules, regulations, procedures, or forms will be shared with the Board for their information.

Section 3000 – Fiscal Management

3500 Audits (Cf. 3520)

3500

The accounting records, including internal accounts, of the Academy shall be audited annually by an independent certified public accountant in accordance with prescribed standards and legal requirements. Two copies of the audit shall be provided to the WISD within 90 days after the end of the fiscal year.

The audit report shall be reviewed and approved annually by the Board at a public meeting. The management letter and recommendations of the auditor shall be brought to the attention of the Board, along with recommendations of the Director as to the feasibility of implementing the recommendations.

All Academy employees shall cooperate fully with the auditors.

Approved:

LEGAL REF: MCL 388.1618; Public School Academy Contract, ¶ 12 (c).

Section 3000 – Fiscal Management

3520 Fraud Prevention and Investigation (Cf. 3490, 3500, 5203, 8700) 3520

The Board expects all employees, Board members, consultants, vendors, contractors, and other parties maintaining any business relationship with the Academy to act with integrity, due diligence, and in accordance with all laws in their duties involving the Academy's fiscal resources. The Academy is entrusted with public dollars and no person connected with the Academy should do anything to erode that trust.

The Director shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety, or fiscal irregularities within the Academy. Every member of the Academy's administrative team shall be alert for any indication of fraud, financial impropriety, or irregularity within his/her areas of responsibility.

Any employee who suspects fraud, impropriety, or irregularity shall report their suspicions immediately to his/her immediate supervisor and/or the Director. The Director shall have primary responsibility for any necessary investigations and shall coordinate investigative efforts with the Academy's legal counsel, auditing firm, and other internal or external departments and agencies, including the Washtenaw County Prosecutor's Office and law enforcement officials, as the Director may deem appropriate.

In the event the concern or complaint involves the Director the concern shall be brought to the attention of the Vice-President of the Board who shall be empowered to contact the Academy's legal counsel, auditing firm, and any other agency to investigate the concern or complaint.

The Director may elect to employ the Academy's auditing firm to conduct a partial forensic/internal control/SAS99 audit annually or otherwise as often as deemed necessary. The Director is authorized to order a complete forensic audit if, in his/her judgment, such an audit would be useful and beneficial to the Academy.

Approved:

LEGAL REF: MCL 14.141-145; 15.361-369; 141.421-440a; 141.2101-141.2821;
380.1202; 380.1215; 380.1216; 380.1363; 388.1618

Section 3000 – Fiscal Management

3520-R Fraud Prevention and Investigation (Cf. 3490, 3500, 5203, 8700) 3520-R

Fraud, financial improprieties, or irregularities include, but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the Academy.
2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document.
3. Misappropriation of funds, securities, supplies, or other assets.
4. Impropriety in the handling of money or reporting of financial transactions.
5. Profiteering because of “insider” information of Academy information or activities.
6. Disclosing confidential and/or proprietary information to outside parties.
7. Accepting or seeking anything of material value, other than items used in the normal course of advertising, from contractors, vendors, or persons providing services to the Academy.
8. Destroying, removing, or inappropriately using Academy records, furniture, fixtures, or equipment.
9. Failing to provide financial records to authorized state or local entities.
10. Failure to cooperate fully with any financial auditors or investigators.
11. Any other dishonest or fraudulent act involving Academy monies or resources.

The Director shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential. If an investigation substantiates the occurrence of a fraudulent activity, the Director, or Board Vice-President if the investigation centers on the Director, shall issue a report to appropriate personnel and to the Board.

3520-R Fraud Prevention and Investigation (Cf. 3490, 3500, 5203, 8700) 3520-R-2

Section 3000 – Fiscal Management

The final disposition of the matter and any decision to file or not file a criminal complaint or to refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with Academy legal counsel. The results of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate right to know until the results are made public.

Section 3000 – Fiscal Management

3550 Authorized Signatures (Cf. 1300)

3550

At the annual organizational meeting, the Board shall authorize the signatures of those persons who may sign checks upon the various accounts of the Academy. Facsimile signatures may be used as authorized by the Board.

Approved:

Section 3000 – Fiscal Management

3550-R Authorized Signatures

3550-R

The authorized signatures for the Academy shall be those of the the Director, Assistant Director, and a Board representative.

Section 3000 – Fiscal Management

3580 Payroll Procedures and Schedules

3580

All employees shall be paid according to a specific schedule that shall be determined by the Board. All salaries, supplements, and payments for extra duties shall be paid from the payroll account. No payments shall be made directly to any Academy personnel for services rendered from any supplementary Academy fund.

No employee shall be paid in advance of services rendered.

Approved:

LEGAL REF: MCL 380.1224

Section 3000 – Fiscal Management

3580-R Payroll Procedures and Schedules

3580-R

Except for deductions for absences not covered by paid leave, required by law or contract, all salary deductions shall be subject to the Director's or Board's approval. All deductions not mandated by law shall require authorization by the employee through the Director's office.

Section 3000 – Fiscal Management

3600 Reimbursement of Expenses (Cf. 1168, 5330)

3600

Academy personnel, or members of the Board, who incur expenses in carrying out their authorized duties shall be reimbursed by the Academy to the extent approved or provided in Board policies upon submission of an approved voucher and supporting receipts. Such expenses may be approved and incurred in line with budgetary allocations for the specific type of expense.

Approved:

LEGAL REF: MCL 15.321-330; 129.221 et. seq.; 129.241 et. seq.; 380.621a; 380.1217a;
380.1254

Section 3000 – Fiscal Management

3600-R Reimbursement of Expenses

3600-R

When official travel by personally owned vehicle has been authorized, mileage payment may be made at the rate currently approved by the Board.

Spouses, Family Members, and Others

Expenses of spouses, other family members, or any non-Academy employees accompanying Board members or employees in discharging their official duties or performing authorized functions are not reimbursable.

Alcoholic Beverages and Tobacco

Reimbursement will not be paid for any expenditure for alcoholic beverages or tobacco products.

Authorization for Travel

The employee's immediate supervisor and Director must approve all travel. The appropriate forms must be completed prior to departure.

1. A Conference Request Form must be submitted no later than five school days prior to the meeting; and
2. Estimated expenses must be within appropriate budget allocations.

An Approval of Request Form signed by the Director shall constitute certification for authorized travel. Certain employees shall be authorized by the Director to travel locally in the performance of their duties and submit expense vouchers for reimbursement.

Methods of Travel

1. Travels by Common Carrier:

When a common carrier is authorized as the means of travel, the person traveling shall make reservations. Round-trip tickets for coach, tourist or economy class rates over the same or a permissible substitute route are to be purchased whenever they will lower the total cost, unless authorized travel to several points precludes the use of a round-trip ticket.

2. Travels by Private Automobile:

Section 3000 – Fiscal Management

3600-R Reimbursement of Expenses

3600-R-2

- a. Reimbursement for travel by private car should generally be authorized only under the following circumstances, with the reason indicated on the authorization form:
 - 1) When common carrier service is not available without undue loss of time or unless common carrier use would be more expensive to the Academy. If the traveler makes the choice, maximum reimbursement shall be limited to the lower of the mileage or common carrier cost,
 - 2) When two or more persons are eligible for similar authorized travel and riding together would mean a saving to the Academy. The Director is responsible for making such a determination before approving the travel request,
 - 3) When use of an automobile will permit the traveler to make stops en route and perform his/her duties more effectively, and
 - 4) When the use of an automobile will not require the traveler to be away from his/her duties for a substantially longer period than travel by common carrier.
 - b. Driving Extra Cars: Where two or more staff members could ride together on authorized travel, but choose to drive separately, any mileage reimbursement for which one of them might be eligible under (1) above, should be split among them. The toll and parking charges for the extra car or cars are not reimbursable.
3. Travels by Rented Vehicles:
- Under certain circumstances, the use of a rental car may be necessary. The Director must approve rental car service at the site of a conference to which a person travels by common carrier. In requesting such use, rationale must be presented which will justify the necessity of such use or its advantage to the Academy.

Section 3000 – Fiscal Management

3600-R Reimbursement of Expenses

3600-R-3

4. Travels by Charter Air Service:

The use of charter air service may be authorized when it is to the advantage of the Academy measured by both comparative travel costs and the time of the travelers.

Reimbursable Expenses

When travel is approved, the following will be reimbursable if budgeted:

1. Lodging (actual room cost),
2. Meals - \$40.00 per Diem
3. Conference registration fees,
4. Parking and tolls,
5. Common carrier transportation within limitations above,
6. Use of private vehicle within limitations above,
7. Postage, telephone and fax charge for business purposes, and
8. Charge for baggage service, tips (not to exceed 15 percent).

Advances

Request for an advance to pay expenses at a conference shall be made at the time application is made and may be approved by the Director. A maximum of 80 percent of the estimated cost may be advanced. Immediately upon return, a financial accounting, including documentation, shall be made to the business office and any unused funds returned. Expenditures not documented shall not be reimbursed by the Academy.

All requests for reimbursement for travel during a fiscal year shall be submitted to the business office by June 30 of that year.

Section 3000 – Fiscal Management

3610 Purchasing Goods and Services

3610

The Director shall be the sole purchasing agent for the Academy.

Purchasing from Academy Employees

The Board shall not purchase equipment, supplies, or services from any employee who is employed by the Academy for more than an average of 25 hours per week, nor from a member of a household of that employee, nor from any firm in which that employee or member of his/her household holds a 10 percent or greater financial interest.¹

Purchases through the Academy

Board members and employees shall not make any purchase through the Academy for personal use. The name of the Academy, or an employee's position, shall not be used in such manner that discounts or cost preferences are given to such person. Purchasing equipment and supplies by the Academy for resale to employees is prohibited.

Emergency Purchases

Emergency purchases may be made without using the quotation or bidding process. Such emergencies may arise because of an accident or other unforeseen occurrence that could affect the life, health, welfare, or safety of the Academy's students or employees.

Approved:

LEGAL REF: MCL 15.321-330; 380.1216; 380.1274

¹ MCL 15.322 Sec.2 (1) Except as provided in sections 3 and 3a, a public servant shall not be a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an officer or employee. MCL 15.323 Sec. 3 (1) Section 2 does not apply to either of the following: (a) A public servant who is paid for working an average of 25 hours per week or less for a public entity (b) A public servant who is an employee of a public community college, junior college or state college or university.

Section 3000 – Fiscal Management

3610-R Purchasing Goods and Services

3610-R

In order to properly oversee the purchasing function and protect the resources of the Academy, the following administrative rules shall apply to policy 3610. These rules shall apply equally to all employees of the Academy regardless of assignment.

1. No employee has authority to sign any contract for the purchase of any goods or services, nor encumber the Academy with any debts or obligations beyond the amount of \$100.00 without the specific, written permission of the Director. Should he/she so desire, the Director might issue written authorizations annually to certain Academy employees that authorizes expenditures of more than \$500.00 on a limited basis and for specific reasons.
2. Any expenditure for goods or services of \$100.00 or less is authorized only if such expenditures are chargeable, specifically, to an appropriate budget line item in the budget adopted by the Board of Education and approved by the Director.
3. The Director, or a person designated specifically by the Director, shall be empowered to sign lease agreements on behalf of the Academy regardless of duration of the lease or the amount of the expenditure. It shall be the general practice of the Academy that, with the exception of technology equipment, such as computers, printers, scanners, copying machines, and the like, and certain transportation equipment, no lease shall be entered into that encumbers the Academy and the Board for more than a two-year period.
4. Any employee violating or attempting to circumvent these rules will be subject to disciplinary action, up to and including discharge. In addition, the Director has authority to pursue any legal remedy necessary to seek

Section 3000 – Fiscal Management

restitution from the offending employee for any outstanding debts or obligations incurred by the Academy because of the employee's violation of these rules, subject to applicable collective bargaining agreements and law.

5. All vendors doing business with the Academy, or seeking to do business with the Academy, will be informed of these rules. Any vendor who seeks to circumvent or violate these rules might be barred, permanently, from doing business with the Academy.

Section 3000 – Fiscal Management

3620 Administrative Leeway (Cf. 2750, 3660)

3620

In the event of an emergency such as a power failure, severe cold weather or other such natural disasters, the Director shall have the authority to purchase capital equipment needed to keep the Academy open or to reopen the Academy. The Board, at a special or regular meeting as soon as possible after the purchase is made, shall approve any such purchases.

Such purchases shall not be made to circumvent the purposes of the competitive bid law.

Approved:

Section 3000 – Fiscal Management

3650 Cooperative Purchasing (Cf. 3660)

3650

The Director is authorized to consider, and recommend for Board approval, membership in cooperative purchasing organizations such as U.S. Communities Government Purchasing Alliance or others, that would be of benefit to the Academy.

Cooperative purchasing also pertains to what is commonly referred to as “third party bids.” Third party bidding shall constitute a competitive bid for purposes of policy 3660 - Competitive Bids.

Approved:

Section 3000 – Fiscal Management

3660 Bids and Quotation Requirements (Cf.4760)

3660

All purchases requiring competitive bids shall be made in accordance with current statutes, the creation of bid specifications, and adherence to the Academy's bidding procedure by the Academy's purchasing agent. Pursuant to the Contract, this policy shall not apply to the purchase of supplies, materials and equipment through the WISD.

The purchasing agent shall develop and maintain lists of potential bidders for various types of materials, equipment, and supplies. Such bid lists shall be used in the development of mailing lists for distribution of specification and invitations to bid.

Any supplier may be included in the list upon request. The purchasing agent shall review all bid lists annually.

A copy of this policy shall be given to all bidders upon creation of bid lists and upon request.

All bids and supporting documentation shall be retained in the Academy office with the Director for a period of one year after bids have been opened.

Competitive Bids

No purchases shall be made of supplies, materials or equipment in a single transaction costing more than allowed under current law unless competitive bids for those goods and services are obtained and the Board approves the purchase.

Bid Specifications

The Academy's purchasing agent shall write all bid specifications in a clear and concise manner. Such specifications shall include, when necessary: required performance, surety, bid and statutory bond information; compliance with preferential bid law; financial statements; the Board's right to reject any or all bids; compliance with all federal, state and local laws, ordinances and regulations; the date, time and place for the opening of bids; and other items as the Board directs.

Approved:

LEGAL REF: MCL 380.1267; 380.1274; Public School Academy Contract, ¶ 7 (g).

Section 3000 – Fiscal Management

3660-R Bids and Quotation Requirements

3660-R

Non-Competitive Bid Purchases

Non-competitive bid purchases may be made when there is only one supply source provided the amount does not exceed bidding requirement limitation.

Informal Quotations

Verbal quotations of price on equal products or services secured in person or by telephone may be used in purchases for routine supplies used by the Academy.

The Director shall make available to the Board, upon request, the price quotations, or competitive bids obtained from vendors for goods or services.

Formal Bid Quotations

The Director is authorized to purchase any item, or group of items in a single transaction, costing no more than allowed under current law, upon the receipt of at least three written bid quotations provided said purchase is within the approved budget. The Director shall use discretion in deciding whether such purchases are made based on requested quotations or through advertising for bids.

Competitive Bids on Building Construction, Renovation, and Repairs

Prior to commencing construction of a new building, or additions to or repair or renovation of the existing building costing more than allowed under current law, the Board shall obtain competitive bids on all material and labor to be required to complete the proposed construction, addition, repair or renovation. Repair work normally done by Academy employees is exempted from this bidding requirement.

The Board shall advertise 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 the building is to take place. The Board shall also post an advertisement for bids on the Michigan Department of Management and Budget's website for at least two weeks if the department has designated a website for this purpose.

Section 3000 – Fiscal Management

3660-R Bids and Quotation Requirements

3660-R-2

If the Department of Management and Budget designates a school organization website for advertisement purposes, the Department shall include a link on its website to the school organization website.

Such advertisements shall include:

- The date and time that the bids must be received by the Board,
- A statement specifying that the Board will not accept late submissions,
- The date, time, and place the bids will be opened and read by the Board, and
- A statement specifying that each bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship between the owner or employee of the bidder and any member of the Board or the Director of the Academy. The Board shall not accept any bids that do not contain this sworn and notarized statement.

Procedure

All bids must be submitted to the Director in sealed envelopes with the name of the bidder and the date of the bid opening plainly marked in the lower left-hand corner of the envelope. All timely received bids shall be opened, read aloud, and examined by the Board at the public meeting specified in the advertisement for bids. No bid shall be opened, considered, or accepted before the date and time specified for bid submission in the advertisement. All bidders and other interested persons are invited to be present when the bids are opened.

Bids not involving building construction, renovation and repairs may be opened by the Director or other person designated by the Board and one other Academy employee shall witness such opening. The bids shall then be arranged in order from low to high before they are presented to the Board for action.

Section 3000 – Fiscal Management

3660-R Bids and Quotation Requirements

3660-R-3

Responsible Bidder

All bids shall be awarded to the lowest responsible bidder. The Board remains the sole judge of whether or not a bidder is “responsible.” Criteria that may be used to judge “responsible,” by way of illustration and not limitation, are financial standing, reputation, experience, resources, facilities, judgment, and efficiency.

The Board may investigate the business reputation of any bidder by using information at hand to form an intelligent judgment, such as the Academy's architect, previous clients of the bidder, their own investigation, or an outside investigation agency.

Bid Specifications

The Board shall avoid negotiation of bid specifications after bids have been accepted and shall correct and request new bids if specifications are inadequately written.

If an error is discovered in the bid specifications, all bids shall be returned unopened and the project shall be re-bid using corrected and/or amended specifications.

Any bid submitted to the Academy may be withdrawn prior to the scheduled time for opening of bids.

Any bid received after the Board publicized date and time shall not be considered.

Rejection of Bids

The Board reserves the right to reject all bids and to ask for new bids. Such reservation shall be so specified in the publication or notification of bid letting.

The Board reserves the right to waive any informality in, or reject any part of, a bid.

Section 3000 – Fiscal Management

3730 Vendor Relations

3730

Vendors shall make contacts through the Director. Vendors shall not contact other administrators or Academy employees directly unless such contact is approved or authorized by the Director.

Approved:

Section 3000 – Fiscal Management

3730-R Vendor Relations

3730-R

The Director shall authorize demonstrations of equipment by vendors.

No Board member or Academy employee shall accept gifts from any persons, group, or entity desiring to do business with the Academy; and all business-related gratuities are specifically prohibited except nominal value advertising items widely distributed with a market value of \$100 or less.

The Director shall alert vendors of the Board's policy concerning gifts.

Employees shall not endorse products or services in a manner that will identify them with the Academy. The Board, the purchasing department, or employees of the Academy shall not solicit funds from vendors however worthy the purpose.

The Board or Director may give written approval in advance for inspection trips or other informational trips at a vendor's expense.

Samples for evaluation, supplied free of charge by a vendor, may be accepted if:

1. The business office is notified of the acceptance and given a copy of the evaluation report,
2. No pressure, either direct or indirect, is brought on a supplier to provide such samples unless required of all suppliers as a specific provision of a bid or quotation request, and
3. All suppliers are given the opportunity to provide samples for evaluation.

Section 3000 – Fiscal Management

3750 Payment Procedures

3750

Payment of bills shall be considered by the Board at regular Board meetings, upon recommendation by the Director.

Upon receipt of a request for payment by an Academy vendor, and upon receipt of all goods or satisfactory completion of all services from said vendor, the Board may authorize payment to said vendor within 30 days and full payment within 45 days.

The Board may designate one or more employees to pay bills in advance of any Board meeting in order to avoid a penalty for late payment or to take advantage of an early payment discount.

Approved:

Section 3000 – Fiscal Management

3800 Fund Raising and Student Activity Fund

3800

Soliciting Funds from and by Students

The Board recognizes the existence of many worthwhile community and student activities that require the raising of funds by the sale of merchandise, tickets, or perhaps direct requests for money. Because of the need to safeguard students in the educational program, the Board limits participation of students to those activities that have the Director's approval under this policy.

It is the responsibility of the Board to provide the necessary basic texts, materials, supplies, equipment, building, and facilities to conduct the approved, basic educational programs of the Academy. Co-curricular and Academy-sponsored extra-curricular programs of the Academy, however, such as athletic programs, Academy-sponsored student clubs, and curriculum-related field trips or excursions may require financial support beyond the capacity of the Academy's capacity to provide in order to survive. Community and Academy fund raising organizations may contribute to the enrichment of basic programs or to co-curricular and extra-curricular activities through the contribution of funds and/or items as long as those contributions have been determined consistent with the above and approved by the Director.

This policy is not to affect those regular Academy programs such as dramatics or musical concerts, etc., where students might be selling tickets for an activity in which they are taking part. Elementary students will not be asked to sell tickets for middle school activities.

If a fund raising project is conducted to sponsor a specific purchase, activity or trip, the purchase or trip must be approved prior to initiation of the fund raising effort. This shall apply to Academy related groups as well as to Academy-community organizations.

Every attempt shall be made to coordinate fund raising activities in order that excessive demands are not made upon members of the community.

Section 3000 – Fiscal Management

3800 Fund Raising and Student Activity Fund

3800-2

Student Groups

The Director must approve all fund raising events in advance. Requests must be on an approved application form and submitted to the Director at least one month prior to the proposed activity.

Only Academy-sponsored groups may sell or solicit in the Academy and then only during non-instructional time.

Students shall not sell or solicit for purposes of Academy fund raising outside the boundaries of the Academy except as part of a booth at a fair, shopping center, or other locations where potential “customers” are coming to them. Advertisements and sales may be solicited from establishments outside the Academy boundaries only if there is an apparent community of interest.

Door-to-Door Sales

Door-to-door sales by students for any Academy-sponsored purpose are prohibited.

Specifics

- A. Fund raising projects for special trips or special projects should not be started until approval of the trip or project is granted by the Director. Trips covered by this policy shall include out-of-state and overnight trips, as well as trips to foreign countries. (Cf. 7490 – Field Trips)
- B. Any sale of commercial products or the solicitation of funds through contracts with businesses shall require approval of the Director before any oral commitment, written agreement, or contract is made or any advance publicity or group promotional activity is undertaken. Once approved however, before sales begin or solicitations are made, contract agreements must be signed by the Director
- C. Fund raising projects shall be compatible with the Academy’s purpose, goals, and general community expectations.

Section 3000 – Fiscal Management

3800 Fund Raising and Student Activity Fund

3800-3

- D. The Academy shall transfer funds remaining in accounts of student organizations that have been inactive for one year or in accounts of classes that have been graduated for one year to accounts of other co-curricular organizations or to the Academy's general fund upon recommendation of the Director.

Adult Groups

Academy-related adult organizations raising funds that are to be used primarily for the improvement of the educational or athletic program must submit a written request to the Director. This request should be submitted one month in advance and identify the date(s) and nature of the activity (ies). No fund raising activity should commence until approval has been granted.

The purpose is not to limit the activities of these groups unduly, but rather to:

1. Be assured that students are not being "used" or their educational program interrupted.
2. To assist with coordination of activities so that similar activities are not in conflict with each other.
3. To be assured of the appropriateness of the activity and that all fund raising activities, and the use/expenditure of the funds raised there from, comply with local, state, and federal laws,² policies, and regulations.

Some courts have ruled that the Board is liable for fund raising activities of such groups if the money raised benefits a particular sport, the Academy, in general, or its organizations.

Approved:

LEGAL REF: *Gaincott v Davis*, 281 Mich 515; 275 NW 229 (1937); *Cook v Bennett*, 94 Mich App 93; 288 NW2d 609 (1979); Title IX (34 C.F.R. § 106.3(6)); *Title IX Athletics Investigator's Manual*, Office of Civil Rights.

² A school that accepts outside financial assistance and allows vast gender differences to emerge at the hands of a third party (the private booster club) may face claims of federal Title IX violations. Title IX regulations caution that to "aid or perpetuate discrimination" by providing "significant assistance" to any organization that provides benefits or services to students is a violation of Title IX. (34 C.F.R. § 106.3 (6)). "Where [athletic] 'booster clubs' provide benefits and services that assist only teams of one sex, the institution shall ensure that teams of the other sex receive equivalent benefits and services." *Title IX Athletics Investigator's Manual*, Office of Civil Rights.

Section 3000 – Fiscal Management

3800-R Fund Raising and Student Activity Fund

3800-R

Expenditures and Reports

Each student activity fund shall have an Academy employee, approved by the Director, in charge of said fund. The custodian of the fund shall be responsible for making reports of the student activity fund to the Director as requested, but in no event, less than once per semester. The Director shall share the information with the Board.

The report shall show opening and closing balances of each fund, the total amount of deposits, and an itemized list of expenditures.

All payments from student activity funds shall be made from purchase orders signed by the custodian of the fund.

The Academy shall assume control of all inactive activity organization funds and disburse those funds to the activity account selected or expend the funds as directed by the Board in the best interests of students.

Section 3000 – Fiscal Management

3900 Surplus Books, Equipment and Supplies

3900

The Director is authorized to dispose of surplus, obsolete books, equipment, and supplies. All transactions shall be reported to the Board and an equal opportunity for any purchases shall be given to everyone.

Approved:

LEGAL REF: MCL 380.11a

Section 3000 – Fiscal Management

3900-R Surplus Books, Equipment and Supplies

3900-R

The Director shall determine whether books, equipment or other saleable items may be obsolete and appropriate to offer for sale.

The Director shall determine the means of sale and provide notification of materials to be sold and the method of sale to the general public and those parties, which in his/her estimation, would be interested in such items. A public notice shall be circulated at least 10 days before the sale and the items for sale fully described. Monies realized from such sales shall be credited to the appropriate fund account.

Obsolete books, equipment, or supplies that cannot be sold may, at the discretion of the Board and Director, be donated to charitable organizations or discarded in an acceptable manner.

A record shall be maintained by the Director of all properties disposed of consistent with state and/or federal regulations.

Section 4000 – Business Management

TC-4000-1

4000—BUSINESS MANAGEMENT

SN Excludes fiscal management

- 4005 Employee Conflict of Interest - Purchases
- 4010 Building and Grounds Management
- 4015 Insurance Program (Cf. 1190, 1220, 8460)
 - Liability Insurance
 - Worker's Compensation
- 4040 Safety (Cf. 8590)
 - Emergency Drills
 - Fire Prevention
 - Warning Systems
 - Safety Inspections
- 4050 Environmental Health and Safety - Employee Indemnification
 - Toxic Hazards and Asbestos
- 4060 Energy Policy
- 4080 Emergency Closings
- 4100 Environment
- 4110 Security
- 4120 Thefts and Vandalism (Cf. 8350)
- 4170 Records
- 4250 Printing and Duplicating Service – Copyright
 - Employee Produced Material
 - Copyright Compliance and Computer Software Copyright
- 4260 Fax Machines
- 4460 Food Allergies
 - Dealing with Food Allergic Students
- 4500 Technology - (Cf. 8940, 2810)
 - SN For policies of a general nature on the generation and control of statistical and other information as desired by the Academy and/or required by state and federal regulations. See also "Records" and "Report," in Index.
 - New Programs
 - Upgrades
 - Data Management
 - Education and Instruction
- 4510 Computer Network (Cf. 4520)
 - Personal Accounts
 - Privacy
 - System Integrity
 - Network Use
 - Academy Web Page(s)
 - Limiting Access
 - Use of Computers in an Academy Library

Section 4000 – Business Management

TC-4000-2

4520	Filtering Software (Cf. 4510)
4750	Naming of Facilities/Portions of Facilities
4900	Fair Employment Clause

Section 4000 – Business Management

4005 Employee Conflict of Interest - Purchases

4005

Employees in a position to influence decisions on purchases shall not have a personal financial interest either directly or indirectly in purchase for the Academy, or benefit directly or indirectly from any financial transaction, unless that interest has been fully disclosed and the person involved has removed himself/herself from the decision-making process.

Purchases of, or use of Academy property, materials and manpower, by employees, shall be accomplished in accordance with good business practices, and within the framework of applicable laws, regulations, and Board policies.

The Director and any other administrator deemed by the Director to be in a position to influence the purchase of any goods or services, shall periodically sign and file a conflict of interest disclosure document.

Approved:

LEGAL REF: MCL 15.322-323; 380.1202

Section 4000 – Business Management

4005-R Employee Conflict of Interest - Purchases

4005-R

CONFLICT OF INTEREST DISCLOSURE FORM

APPROPRIATE EMPLOYEES

Employees in a position to influence decisions on purchases or contracts shall not have a personal financial interest either directly or indirectly in any contract or purchase of the Academy or benefit directly or indirectly from any financial transaction or contract of the Academy unless that interest has been fully disclosed and the person involved has removed him/herself from the decision-making process.

Purchases of or use of Academy property, materials and manpower by employees shall be accomplished in accordance with good business practices and within the framework of applicable laws and regulations.

The Director, and any other Academy employee deemed by the Director to be in a position to influence the purchase of any goods or services, shall sign and file the following information:

For purposes of this document, the following definitions are used:

ACADEMY: Honey Creek Community School

“SUPPLIER”: any person, partnership, trust, corporation, or other business entity that supplies materials, equipment, real estate, or services to the Academy.

“FINANCIAL INTEREST”: means any stock, bond, or other debt, obligation, option or right to purchase stock, share in profits, investment, partnership interest, or other interest of any nature. Ownership in securities in a corporation shall not be considered to constitute a FINANCIAL INTEREST therein for this purpose provided all the following conditions are met:

4005-R Employee Conflict of Interest - Purchases

4005-R-2

Section 4000 – Business Management

- (1) The securities are traded on a national securities exchange, or regularly reported in over-the-counter quotations in the financial press,
- (2) The securities owned by you and to your knowledge or belief, owned by your near relatives do not exceed 1% of the outstanding securities of such corporation of the same class, and
- (3) The market value of the securities of such corporation so owned does not exceed 50% of your gross annual income.

“NEAR RELATIVE”: means your spouse or partner and children, the parent(s)/guardian(s), sisters and brothers of yourself and your spouse, and the spouses of your brothers and sisters. It is not necessary to interrogate the members of your family. It is sufficient to give the facts, as you know them, or believe them to be.

Complete honesty and candor is required of all employees asked to submit this form. Section 2 of Public Act 317 makes it a misdemeanor for any public servant to:

".....directly or indirectly solicit any contract between the public entity of which he is an officer or employee and (a) himself, (b) any firm (meaning a co-partnership or other unincorporated association) of which he is a partner, member or employee, (c) any private corporation in which he is a stockholder owning more than 1% of the total outstanding stock of any class where such stock is not listed on a stock exchange or stock with a present total market value in excess of \$25,000.00 where stock is listed on a stock exchange or of which he is a Director, officer, or employee, or (d) any trust of which he is a beneficiary or trustee, nor shall he take any part in the negotiations for such a contract or the renegotiations thereof or amendment thereto or in the approval thereof, nor shall he represent either party in the transaction; except as provided in section 3.

Section 4000 – Business Management

Should you have inadvertently omitted a company in your statement and later there is a transaction involving that company to come before the Board, you have a clear obligation to make your interest in that company known. If after the statement is signed you acquire an interest in a company doing business with the Board, that interest should be made public at or before such time as a transaction involving that company comes before the Board.” Failure to reveal a conflict of interest as outlined in this policy and in the law, may subject you to disciplinary action up to and including dismissal.

1. At any time since January 1, _____, have you, or to your knowledge and belief has any NEAR RELATIVE of yours had any direct or indirect FINANCIAL INTEREST in any SUPPLIER of the Academy?

Yes _____ No _____

If the answer is “yes,” attach a statement giving full details.

2. At any time since January 1, _____, have you or any member of your household had a direct or indirect ownership of any business in which your ownership in such business exceeds 10% of the business' capital or the income from which represents more than 10% of your gross income?

Yes _____ No _____

If the answer is “yes,” attach a statement giving full details.

3. At any time, since January 1, _____, have you been a Director, officer, sole proprietor, partner, agent, representative, employee, or the paid consultant or advisor to, or the recipient of any fee or commission from any business enterprise other than your principle employer?

Yes _____ No _____

If the answer is “yes,” attach a statement giving full details.

Section 4000 – Business Management

It is important to the Academy that you make accurate and complete answers to the above questions. It is not satisfactory to answer questions “same as last report,” instead, any questions that cannot be answered “yes” or “no” should be completed in whatever detail is necessary either elsewhere on this form or by attachment.

Please sign and date below.

I declare that to the best of my knowledge and belief, the answers I have given and the statements attached are true and correct.

(Legal Signature) _____

Please Type or Print Full Name here

Date

Section 4000 – Business Management

4010 Building and Grounds Management

4010

The Academy building and surrounding property shall be inspected by the Director on a regular basis. The Director shall develop procedures in cooperation with the WISD that will ensure proper maintenance of any Academy property.

Approved:

Section 4000 – Business Management

4010-R Building and Grounds Management

4010-R

It is the duty and responsibility of all Academy employees to safeguard and protect all Academy property. Teachers shall be responsible for seeing that their classroom doors and windows are properly secured before leaving the building at the close of the school day. Students shall be instructed to use Academy owned equipment in the proper way and shall be encouraged to show respect for public and private property at all times.

Community groups such as PTO and other interested parties are encouraged to participate in the beautification of Academy grounds in accordance with the master plan of the Academy.

The Director may make annual recommendations to the Board and the WISD for approval of a priority list of maintenance projects to be carried out.

Section 4000 – Business Management

4015 Insurance Program (Cf. 1190, 1220, 8460)

4015

The Board shall insure Academy property. Such insurance may be obtained from companies licensed to do business in the state of Michigan. The status of the insurance program in its entirety shall be reviewed annually by the Director with specific reference to adequacy of coverage, placement of insurance, and services provided by insurance agents, their representatives, associates, or companies. Any recommended changes or improvements shall be brought to the Board for action.

Liability Insurance

Liability insurance shall be provided to cover Board members and Academy employees in performance of duties relating to Academy business and operation.

Worker's Compensation

Worker's Compensation insurance shall be carried for all employees as provided by law.

Except in unusual circumstances, all insurance shall be purchased taking into consideration cost, service, potential dividends, and any other factors that may be of benefit to the Academy.

The Director shall be responsible to develop specifications for all forms of insurance and make recommendations to the Board.

Approved:

LEGAL REF: MCL 380.1269; 380.1332; 691.1405-1409; Contract, ¶19

Section 4000 – Business Management

4040 Safety (Cf. 8590)

4040

The Board and its administrative staff shall make every effort to provide a safe environment for students to study and play and for all employees to fulfill their employment duties and responsibilities. The Director shall develop safety rules and practices. Annually, these rules shall be reviewed with all employees and students.

Emergency Drills

The Academy will comply fully with all laws regarding required fire drills, severe weather drills³, and lockdown drills. The Director shall report to the Board concerning the nature of legally required “lockdown” drills.⁴ There shall be coordination with local emergency management, fire, and/or police officials in the conduct of “Lockdown” drills.

Fire Prevention

The Academy's employees shall be constantly on the alert for potential fire hazards.

Warning Systems

The Board shall seek to cooperate with the WISD, local government officials, emergency preparedness authorities, and other related state agencies to ensure that adequate warning systems in the event of disasters are available for use in the Academy.

Safety Inspections

The Director and other professional staff shall inspect the building, building equipment, and play areas to determine whether said facilities or play areas are in adequate repair and free of harmful defects under a schedule developed by the Director.

Approved:

LEGAL REF: MCL 29.19; 380.1288; 30.409; R 340.1301-1305; Michigan Bureau of Fire Services, Fire Marshal Bulletin 2 - Fire and Tornado Drills, Revised January 2007.

³ While the Michigan Bureau of Fire Services, Fire Marshal Bulletin 2, January 2007 refers only to “tornado” drills, the Academy has interpreted this to mean ANY severe weather circumstance.

⁴ MCL 29.19 (5) A minimum of 2 drills in which the occupants are restricted to the interior of the building and the building secured is required for each school year at a school that operates any of grades kindergarten to 12. A drill conducted under this subsection shall include security measures that are appropriate to an emergency such as the release of a hazardous material or the presence of an armed individual on or near the premises. The drill shall be conducted in coordination with the local emergency management coordinator appointed under section 9 of the emergency management act, 1976 PA 390, MCL 30.409, the county sheriff for the county or the chief of police or fire chief for the municipality where the school is located, or the designee of the sheriff, chief of police, or fire chief and consistently with applicable federal, state, and local emergency operations plans. The governing body of a school shall seek input from the administration of the school on the nature of the drills to be conducted under this subsection.

Section 4000 – Business Management

4040-R Safety

4040-R

Safety Inspections

If, upon proper investigation, defects are found to exist, the individual conducting the investigation shall immediately inform the Director in writing. Necessary steps either to report, to repair, or to remove the defect shall be taken as soon as possible. Defects, which will require expenditure of money, shall be reported to the WISD in compliance with rules regulating such circumstances. Any defects not immediately removed, repaired, or otherwise eliminated shall be blocked off with fences or other restraining devices.

Weather Hazards

Insofar as possible, walkways should be kept clean of snow and ice and be maintained in a safe condition for pedestrian traffic.

Safety Glasses

Student and employee's eyes shall be protected at all times in those classes requiring the use of safety glasses. Safety glasses for visitors shall be available.

Accident Reports

All accidents on Academy grounds shall be reported to the Director by any Academy employee.

Records of Emergency Drills

A record of the time and date of each emergency drill shall be maintained. These records are subject to review by the State or local officials responsible for reviewing compliance with laws.

Section 4000 – Business Management

4050 Environmental Health and Safety - Employee Indemnification

4050

Toxic Hazards and Asbestos

The Board is concerned for the safety of students, staff, and the general public and shall attempt to comply with all federal and state statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of Academy officials, from the presence of asbestos materials used in previous construction, and from hazardous materials present in the Academy.

The Board shall work with the WISD to assure that someone is appointed to serve as the designated person who shall carry out the requirements of the Asbestos Hazard Emergency Response Act (AHERA), the Michigan Occupational Safety and Health Act, and the Michigan Right-To-Know Rules and Regulations.

Approved:

LEGAL REF: MCL 380.623b; 380.1256(1) (2); 380.1274b (Mercury in the schools);
388.864; 408.1001 (Michigan Occupational Safety and Health Act)

Section 4000 – Business Management

4060 Energy Policy

4060

The Director may develop and implement both short and long-range plans designed to conserve energy resources of the Academy.

Progress reports on the implementation of energy conservation measures shall be made as needed to the Board.

Members of the Academy staff and student body are encouraged to make suggestions to the Director that might aid in the conservation of energy.

Approved:

Section 4000 – Business Management

4080 Emergency Closings

4080

The Director is authorized to close the Academy in case of inclement weather or other emergency, which makes it unsafe for students to attend school. The Director may delay the opening of school in cases of fog or ice until such hour as it is anticipated conditions are safe for transportation. The Director shall develop a process to make appropriate information available on which to base the decision.

Approved:

Section 4000 – Business Management

4080-R Emergency Closings

4080-R

As soon as the decision to close the Academy is made, radio and TV stations shall be informed. Parent(s)/Guardian(s) shall be informed of the station over which the announcements will be made prior to the start of school and periodically throughout the school year.

In case the Academy is closed for emergencies, all personnel shall report for duty at their regular assigned time unless special instructions are otherwise given by the Director. If certain groups of employees are not to report, the Director shall include such information in his/her Academy-closing announcement.

If it is necessary to dismiss school early, employees shall remain until their regular dismissal time unless authorized otherwise by the Director.

Except in extreme emergency where there is no doubt about the ability to hold school, announcement of closing shall be made in the morning of the day of closing.

The Director may use his/her prerogative in scheduling activities on days the Academy is closed for emergency and the cancellation of activities already scheduled.

Section 4000 – Business Management

4100 Environment

4100

In order to establish sound environmental and ecological oriented attitudes throughout the Academy, the Board recognizes its obligation to consider environmental values in any decision-making or action the Board proposes to take.

The Board shall cooperate with governmental and community agencies in order to increase the awareness and knowledge of environmental problems and possible solutions.

To the extent practical, the Director shall develop administrative procedures relative to purchasing and use of materials, which shall consider the environmental and ecological impact of such purchases and uses. The development of bid specifications for material used by the Academy shall consider generally recognized and accepted environmental and ecological concepts and principles.

Approved:

Section 4000 – Business Management

4110 Security

4110

The Board shall attempt, through the entire staff, to ensure that staff members, students, patrons and all property owned by the Academy are protected at all times from possible damage or injury, outside intrusion or disturbances occurring on Academy grounds or in the building. Security devices and measures, such as, but not limited to, video cameras, audio surveillance devices, motion detectors, metal detectors (stationary or portable), lights and alarms, may be installed in or around any or all Academy areas, or in Academy buses or other vehicles to protect Academy personnel, students and property. Should such security devices be needed in or around leased premises, the Academy shall make an appropriate request of the lessor.

An adequate key control system shall be established which will limit access to the building to authorized personnel and will safeguard against the potential entrance to the building by unauthorized persons. The Academy shall cooperate with all law enforcement agencies and the WISD in enforcing security measures. (See 4120)

Approved:

LEGAL REF: MCL 380.1291; 1997 National Fire Protection Association 101, Life Safety Code: 5-2.1.5.1

Section 4000 – Business Management

4110-R Security

4110-R

Employee Access to the Building and Grounds

Employees who are given keys or combinations to locks to access the Academy building or grounds shall abide by the following rules established by the Director and the WISD. Employees found to have violated these rules shall be subject to discipline by the Director up to and including discharge.

Employee access to the Academy building and grounds outside of regular Academy hours shall be limited to personnel whose work requires such access and who are approved by the Director.

Employees who have access to the Academy building or grounds shall not use such access for any personal reasons not connected directly with their employment. This means that employees, for example, are prohibited from opening up Academy facilities to allow friends or family members to use the facilities for any personal or recreational purpose unless the facility has been duly leased or rented through the WISD for such use and all fees pertaining thereto have been paid.

Keys issued to employees shall not be loaned to anyone. Under no circumstances shall Academy employees have extra keys made unless specifically authorized to do so by the Director. It shall be understood, specifically, that all keys to the Academy building or grounds are the property of the Academy and must be surrendered on demand immediately if requested.

Any employee using the building in the evening or on weekends must be certain doors are locked after entering and upon leaving.

Student Access to Building and Grounds

Students, no matter what their status, shall not be loaned (even for a short period) or given keys to any building doors or storage facilities, whether indoors or outdoors unless authorized specifically by the Director. In any case, no student shall be issued any keys on an ongoing basis.

Section 4000 – Business Management

4110-R Security

4110-R-2

Any student not authorized by the Director found to be in possession of such keys shall be subject to disciplinary action. Any employee found to have loaned or given students such keys may be subject to disciplinary action up to and including discharge.

Combinations to Academy vaults and safes shall be changed each time there are changes in personnel who have had the combinations.

All equipment shall be stored in as safe a place as possible and employees must avoid leaving equipment and supplies where they are readily accessible to others.

Classroom windows and doors are to be locked when the teacher leaves the building.

Chaining of Doors

No exit doors shall be chained at any time whether or not the building is occupied. Custodians and other responsible persons must be certain that all accessible exits are operable whenever a building or portion of a building is in use. However, approved security bars or devices may be used to secure outside doors when school is not in session.

Videotapes- Retention as Evidence

In the event a videotape from a video surveillance device contains evidence of wrongdoing, be it a crime or a violation of the student code of conduct or bus conduct code that could result in discipline, suspension or expulsion of a pupil, the actual, original videotape will be pulled from service and not re-used or taped over for a period of not less than 3 years following the incident in question. Should the tape be confiscated by prosecutorial authorities as evidence in a crime, the Academy shall take all steps possible to arrange for a certified copy of the tape to be retained by the Academy.

Section 4000 – Business Management

4120 Thefts and Vandalism (Cf. 8350)

4120

The Board shall institute an on-going program designed to prevent thefts and vandalism. The costs of thefts and vandalism shall be made known on a regular basis.

Any known or suspected damage to, or unauthorized removal of Academy property, equipment or supplies, shall be reported to the Director promptly, along with any information which may assist in its recovery or replacement.

Approved:

LEGAL REF: MCL 600.2913

Section 4000 – Business Management

4120-R Thefts and Vandalism

4120-R

Students found to be responsible for any form of theft or vandalism shall be disciplined in accordance with the board's discipline policy, including possible suspension or expulsion from the academy.

in the case of malicious or wanton destruction of property, causing damage of \$2,500 or more, the student(s) may be suspended from regular classes and barred from academy property and from all academy activities. For other less serious acts of vandalism, the student(s) may be suspended for up to 10 days.

Recovery of damage and/or losses shall be sought from the person or persons involved. In the case of minors, restitution from their parent(s)/guardian(s) under the laws that hold parent(s)/guardian(s) liable up to \$2,500 for any loss or damage, may be sought.⁵

Upon Board approval, the Director shall sign a criminal complaint in the name of the Academy to bring charges against perpetrators of theft or vandalism.

If arrangements for restitution for damage or losses, as established by the Board and permitted by law, are to be made by the person or persons involved within a reasonable period of time, the Director, with the approval of the Board, may direct the Board attorney to commence a legal action to recover all damages, costs and legal fees associated with the incident.

⁵ 600.2913 Minor maliciously or willfully destroying property or causing bodily harm or injury to person; recovery of damages from parents.

Sec. 2913. A municipal corporation, county, township, village, school district, department of the state, person, partnership, corporation, association, or an incorporated or unincorporated religious organization may recover damages in an amount not to exceed \$2,500.00 in a civil action in a court of competent jurisdiction against the parents or parent of an unemancipated minor, living with his or her parents or parent, who has maliciously or willfully destroyed real, personal, or mixed property which belongs to the municipal corporation, county, township, village, school district, department of the state, person, partnership, corporation, association, or religious organization incorporated or unincorporated or who has maliciously or willfully caused bodily harm or injury to a person.

Section 4000 – Business Management

4170 Records

4170

All records pertaining to Academy-wide maintenance costs shall be filed in the central office. To the extent possible, a cost analysis of existing and proposed maintenance programs shall be developed by the Director.

Approved:

LEGAL REF: MCL 15.231 *et seq.*

Section 4000 – Business Management

4250 Printing and Duplicating Service – Copyright

4250

The Board shall make duplicating equipment available for administrative and instructional use to the extent that is economically feasible and practical according to the needs of the Academy.

The extent of production of instructional materials by staff shall be determined by the Director, who shall develop guidelines for requesting such services.

The copyright laws of the United States make it illegal for anyone to duplicate copyrighted materials without permission. Severe penalties are provided for unauthorized copying of all materials covered by the act unless the copying falls within the bounds of the “fair use,” as set forth in 4250-R.

Employee Produced Material

The Board has certain proprietary right to publications, devices, and instructional materials produced by Academy employees during their regular and normal workdays while in the employment of the Academy. All items prepared by Academy employees on Academy time, including data processing programs, shall become the property of the Academy. The Board may elect to copyright or patent such materials, devices or programs in the name of the Academy. All earnings or profits from such original materials, devices, or programs shall become assets of the Academy.

The Director shall inform staff, through regulations, of the guidelines for use of copyright materials.

Copyright Compliance and Computer Software Copyright

The Board shall adhere to the provisions of the U.S. copyright laws regarding the duplication of computer software programs. The Director shall develop appropriate procedures for staff to follow in this area.

Approved:

LEGAL REF: 17 USCA §101, et seq. (Copyright Act of 1976)

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R

In accordance with Board policy 4250, the following regulations will be observed to comply with the copyright laws of the United States.

Under the “fair use” doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship, or research. If duplicating or altering a product is to fall within the bounds of fair use, these four standards must be met for any of the purposes:

THE PURPOSE AND CHARACTER OF THE USE: The use must be for such purposes as teaching or scholarship and must be non-profit. Fair use would probably allow teachers acting independently to copy small portions of work for the classroom but would not allow a school or an institution to do so.

THE NATURE OF THE COPYRIGHTED WORK: Copying portions of a news article may fall under fair use but not copying from a workbook designed for a course of study.

THE AMOUNT AND SUBSTANTIALITY OF THE PORTION USED: Copying the whole of a work cannot be considered fair use; copying a small portion may be. At the same time, however, extracting a short sequence from a 16mm film or videotape may be far different from a short excerpt from a textbook, because two or three minutes out of a 20-minute film might be the very essence of that production and thus outside fair use. Under normal circumstances, extracting small amounts out of an entire work would be fair use, but a quantitative test alone does not suffice.

THE EFFECT OF THE USE UPON THE POTENTIAL MARKET FOR, OR VALUE OF, THE COPYRIGHTED WORK: If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials is an infringement, and making multiple copies presents the danger of greater penalties.

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R-2

Prohibited Practice

A teacher may not make multiple copies of a work for classroom use if it has already been copied for another class in the same institution; make multiple copies of a short poem, article, story, or essay from the same author more than once in a class term or make multiple copies from the same collective work or periodical issue more than three times a term; make multiple copies of works more than nine times in the same class term; make a copy of works to take the place of an anthology; and may not make a copy of “consumable” materials, such as workbooks.

Permitted Practice

A teacher may make—for use in scholarly research, in teaching or in preparation for teaching a class—a single copy of the following: a chapter from a book; an article from a periodical or newspaper; a short story, short essay or short poem (whether or not from a collected work); a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper; may make (for classroom use only and not to exceed one per student in a class) multiple copies of the following: a complete poem (if it has fewer than 250 words and is printed on not more than two pages), an excerpt from a longer poem (if the excerpt has fewer than 250 words), an excerpt from a prose work (if the excerpt has fewer than 1,000 words or 10 percent of the work, whichever is less) and one chart, graph, diagram, cartoon or picture per book or periodical.

A library may, for interlibrary-loan purposes, make up to six copies a year of a periodical published within the last five years, make up to six copies a year of small excerpts from longer works, make copies of unpublished works for purposes of preservation and security and make copies of out-of-print works that cannot be obtained at a fair price.

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R-3

Guidelines for Off-Air Recording of Broadcast

Programming for Education Purposes

A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable re-transmission) and retained for a period not to exceed the first 45 consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately.

Off-air recordings may be used once by individual teachers in the course of relevant teaching activities and repeated once, only when instructional reinforcement is necessary, in classrooms and similar places devoted to instruction within a single building, cluster or campus, as well as in the homes of students receiving formalized home instruction, during the first 10 consecutive school days in the 45 day calendar day retention period. “School days” are Academy session days—not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions—within the 45-calendar day retention period.

Off-air recordings may be made only at the request of, and use by, individual teachers and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recordings.

After the first 10 consecutive school days, off-air recordings may be used up to the end of the 45-calendar day retention period only for evaluation purposes by the teacher, i.e., to determine whether to include the broadcast program in the teaching curriculum. They may not be used for student exhibition or any other non-evaluation purpose without authorization.

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R-4

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast programs as recorded.

Software

Software developed by Academy employees shall conform to the copyright and patent provisions prescribed in Board policy. Academy employees shall adhere to ethical practices when using commercially developed software for developing individualized programs to meet the Academy's needs.

Software Royalties

Software marketed with private organizations or other educational agencies may produce royalties in the form of financial remuneration, equipment or other material or devices. The allocation and deposit of all royalties shall be determined by the Director.

Employee Produced Material

The Academy shall maintain full use, rights, and privileges on all software, manuals, devices, documents and programs and related materials developed by staff during work periods for which they are compensated.

Computer Software Copyright

It shall be a violation of Board policy and the copyright laws of the U. S. to use “pirated” or otherwise illegally obtained computer software for use on Academy owned equipment, whether for instructional, administrative, or any other purpose. The use of Academy equipment to make unauthorized copies of Academy owned, privately owned, or illegally obtained computer software is prohibited.

Section 4000 – Business Management

4250-R Printing and Duplicating Services - Copyright

4250-R-5

In an effort to discourage violations of copyright laws and to prevent illegal uses of the Academy's computer system:

(a) The proper use of computers will be taught through planned computer curriculum and computer related instruction for students, and staff will address the ethical and practical problems caused by software piracy.

(b) Academy employees shall adhere to all provisions of the U.S. copyright laws, which allow for the making of back-up copies of computer programs.

“ . . . it is not an infringement of the owner of a copy of a computer program to make or authorize the making of the copy or adaptation of that computer program provided: that such a new copy of adaptation is created as an essential step in the utilization of the computer program in conjunction with the machine and that it is used in no other manner, or that such a new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.”

(c) When software is being used on a disk sharing system, efforts will be made to secure the software from copying.

(d) Illegal copies of copyrighted programs may not be made or used on Academy equipment.

(e) The Director is the only individual who may sign license agreements for software.

(f) No Academy employee will illegally access any database or electronic bulletin board.

(g) No Academy employee will encourage or allow any student to illegally duplicate computer software or access any database or electronic bulletin board.

(h) The Director is responsible for establishing practices, which will enforce the Board's policy at the Academy level. A copyright warning may be placed on computer equipment.

Section 4000 – Business Management

4350 Student Transportation in Private Vehicles

4350

Field Trips

In scheduling transportation for field trips, the Director may approve the use of private vehicles in situations in which budget or schedule restrictions make it prohibitive or impractical to use buses.

Approved:

Section 4000 – Business Management

4350-R Student Transportation in Private Vehicles

4350-R

Field Trips

When private vehicles are used for field trips, the following requirements shall be met:

1. Only an adult licensed driver shall be allowed to drive the vehicle. The health and driving quality of the driver shall also be taken into consideration.
2. The vehicle shall be equipped with seatbelts and the number of passengers limited to the number of seatbelts available. Seatbelts shall be used at all times by all passengers when the vehicle is in operation.
3. The vehicle shall be generally in good condition, particularly as it pertains to safety equipment such as brakes, horn, tires, lights, etc.
4. Vehicle and driver shall be insured.
5. No open-type vehicle, such as a pickup or truck, shall be used for transporting students other than in the cab of the vehicle where proper seat belts can be used.
6. Non-ownership insurance as a secondary coverage may be carried by the Academy either on a permanent or temporary basis as determined by the Director.
7. A form verifying certain desired information to be signed by the driver of the vehicle shall be kept on file.
8. HCCS students may not sit in the front passenger seat, even if parent is driving.

Section 4000 – Business Management

4460 Food Allergies (Cf. 8453)

4460

Dealing with Food Allergic Students

The Honey Creek Community School takes food allergies seriously. We understand that food allergies can be life threatening. Recognizing that the risk of accidental exposure to foods can be reduced in the Academy setting, we are committed to working with students, parent(s)/guardian(s), and physicians to minimize risks and provide a safe educational environment for food-allergic students.

Accordingly, the Director shall direct the person in charge of food service programs to act affirmatively and work closely with parent(s)/guardian(s) to assure that the dietary needs of food-allergic students are taken into consideration in menu planning for the Academy's food service programs.

Approved:

LEGAL REF: The Food Allergy & Anaphylaxis Network's (FAAN) School Food Allergy Program.

Section 4000 – Business Management

4460-R Food Allergies (Cf. 8453)

4460-R

Administrative Regulations

In order to help assure that the needs of food-allergic students are met in the Academy's food service programs, the Director will:

1. NOTIFY PARENT(S)/GUARDIAN(S) OF THEIR RESPONSIBILITY TO:
 - Notify the Academy of their child's allergies.
 - Provide written medical documentation, instructions, and medication as directed by a physician. Include a photo of the child on written form.
 - Work with the Academy team to develop a plan to accommodate the child's needs to include time in the classroom and cafeteria, as well as an emergency action plan.
 - Replace medications after use or upon expiration.
 - Educate the child in the self-management of their food allergy including:
 1. Safe and unsafe foods
 2. Strategies for avoidance of exposure to unsafe foods
 3. Symptoms of allergic reactions
 4. How and when to tell an adult they may be having an allergy-related problem
 5. How to read food labels (if age appropriate)
 - Review policies after a reaction has occurred.
2. ASSURE THAT THE ACADEMY HAS TAKEN ALL NECESSARY STEPS TO:
 - Review the health records submitted by parent(s)/guardian(s) and physicians.
 - Not exclude students from Academy activities solely based on child's food allergy.

Section 4000 – Business Management

4460-R Food Allergies (Cf. 8453)

4460-R-2

- Identify a core team of, but not limited to, nurse*, teacher, Director, and counselor* to work with parent(s)/guardian(s) to establish prevention policies. All policy decisions about food allergy management should be made with core team participation. (*If available)
 - See to it that everyone who interacts with the student on a regular basis understands food allergies, can recognize common symptoms, knows what to do in an emergency, and works with other Academy personnel to work toward eliminating the use of food allergens in the allergic student's classroom as educational tools, arts and crafts projects, or incentives.
 - Cooperate with the Academy nurse* to be sure medications are appropriately stored, see that an emergency kit is available, that contains a physician's standing order and epinephrine, and that medications are kept easily accessible to designated staff. (*If available)
 - Designate Academy personnel who can administer medications.
 - Always be prepared to handle a reaction and ensure that a staff member is available who can administer medications during the school day regardless of time or location.
 - Review policies after a reaction has occurred.
 - Discuss field trips with family to decide how to handle them.
 - Follow State/Academy guidelines regarding sharing medical information about the student.
3. SHALL INFORM PARENT(S)/GUARDIAN(S) AND ACADEMY STAFF THAT:
- Parent(s)/Guardian(s) are to be made aware of food allergies and dietary concerns.

Section 4000 – Business Management

4460-R Food Allergies (Cf. 8453)

4460-R-3

- Academy personnel and volunteers are to avoid using food items such as candy, cookies, or other snack items as a “reward” for classroom behavior or accomplishments. Reward items other than food should be used in such instances.
- To get suggestions that are more detailed for implementing these objectives and creating a specific plan for each individual student in order to address his or her particular needs, they should refer to The Food Allergy & Anaphylaxis Network’s (FAAN) School Food Allergy Program.
- The School Food Allergy Program has been endorsed and/or supported by the Anaphylaxis Committee of the American Academy of Allergy Asthma and Immunology, the National Association of School Nurses, and the Executive Committee of the Section on Allergy and Immunology of the American Academy of Pediatrics.
- Inform parent(s)/guardian(s) and staff that FAAN can be reached at: 800/929-4040.

Section 4000 – Business Management

4500 Technology (Cf. 8940, 2810)

4500

The Board encourages the application of technology to any Academy function where efficiency, reliability, or student learning will be improved.

New Programs

New technologies or new applications of technology within the Academy shall be implemented only after careful and thorough planning on the part of administrative staff. Whenever possible, the administrative staff should establish pilot project(s) and evaluate their effectiveness prior to implementing a new technological program on an Academy-wide level. Academy support shall be given only to those new technologies that substantively improve efficiency, reliability, or learning beyond current or “traditional” practice.

Whenever the Board or the Director allocates funds for the purchase of new technological hardware or software, an appropriate portion of the funds allocated shall be designated for the training of staff and the development of necessary supplementary materials and documentation.

Upgrades

The Board recognizes the need for ongoing upgrading of technological resources within the Academy, and shall implement a plan and a budgeting process that ensures the regular replacement of aging equipment and software.

The Director shall develop and submit to the Board annually a plan for upgrading the Academy's technology resources based on a replacement cycle of 5 years or less. The plan shall include recommendations for expansion of resources where appropriate, based on the evaluation of pilot programs, and shall include provisions for staff training and curriculum/materials development. The plan shall be considered by the Board as a part of the annual budgeting process.

Section 4000 – Business Management

4500 Technology (Cf. 8940, 2810)

4500-2

Data Management

The Director shall provide for the orderly acquisition of data base software, information processing equipment, networks, and support materials to best use computer technology in support of Academy administrative functions. A student database shall be maintained which contains student administrative and instructional information.

The Director shall establish procedures, which ensure the security, safety, and confidentiality of Academy or Personally Identifiable Information (PII) data. Access to Academy or PII data in any form, including use of the database by students, staff, and volunteers, shall be limited in accord with the Board policies on Academy and student records. Academy databases shall be implemented in such a way as to facilitate access to subsets or aggregates of the data, which are not confidential.

Education and Instruction

The Director shall ensure that all staff and students are informed and instructed on the ethical uses of data and computer technology and computer hardware disposal.

The Director shall develop rules to implement this policy.

Approved:

LEGAL REF: MCL 15.231 *et seq.*; Contract ¶6 (b)

Section 4000 – Business Management

4500-R Technology

4500-R

New Programs

Pilot technology programs may be generated by students, teachers, administrative staff, Board members, or members of the community at large. Prior to consideration of a pilot project, the person(s) desiring to lead the project must submit to the Director a detailed project proposal and plan, which must include the following:

- The need for the project, its rationale, and goals.
- A description of the project, including participants and anticipated benefits or outcomes.
- An itemized list of Academy support required (financial and otherwise), including hardware and software needs, classroom requirements, staffing, parent(s)/guardian(s) support, in-service and training expenses.
- A list of other Academies, schools, or business that have implemented a similar project successfully and who may be used as a resource.
- A plan for evaluation and monitoring of the project.
- A preliminary plan for expanding the pilot project into a regular Academy program or offering, including “ballpark” cost estimates.

Upon submission of a pilot proposal, the administrator shall review the proposal and its alignment with Academy goals and objectives, suggest modifications, and make a recommendation to the Director, who may in turn make a recommendation to the Board.

In establishing pilot programs, cooperation with outside agencies, especially local universities, is encouraged. Project leaders should consider the cost-effectiveness of using outside consultants for in-service training and support.

Section 4000 – Business Management

4500-R Technology

4500-R-2

When a project is substantially in place and has been demonstrated successfully at another Academy or District, the Director may choose to recommend the implementation of the program without an in-Academy pilot, provided substantive and complete materials from the other Academy or District are available along with consultation and support.

Upgrades

Academy computer equipment shall be depreciated over no longer than a 5-year schedule. Each year, if funds are available, the Academy shall replace at least one-fifth of its computer hardware by installing new equipment in critical areas requiring current hardware, and moving older equipment to other applications in the Academy as appropriate. Additional funds may be allocated to expand computer resources in accord with pilot studies.

Academy computer software shall be depreciated over no longer than a 3-year schedule. The Academy shall order upgrades of software as appropriate and necessary for Academy operations, and shall allocate funds for the purchase of new software in line with Academy objectives.

Generally, a third of the funds allocated to technology upgrades and improvement should go to hardware and a third to software; the remainder should be allocated for training and development of curriculum and support materials.

The Director and the technology specialist shall develop a process for preparing the annual technology plan to present to the Board in advance of the preparation of the general budget. The process shall consider the recommendations of Academy system administrators, administrative and support staff, students, and community members. The technology plan for the current year must provide flexibility to deal with rapid changes in the field, and should project Academy needs for 3 years into the future.

Section 4000 – Business Management

4500-R Technology

4500-R-3

Data Management (Cf. 2810, 8940)

The acquisition, upgrade, and necessary support of Academy data management facilities shall be included in the development of the annual technology plan submitted to the Board. Any new database software or hardware must provide for appropriate security, and must offer a simple mechanism for the export of subsets and summaries of the data in a text format, in accord with Board policies on records. Where possible, the person(s) setting up a database should offer preset forms for excising confidential information fields from records during export, to facilitate Academy responses to requests for records. Student records database(s) maintained by the Academy shall include record fields that allow for the recording of non-Academy personnel requesting access to a student's records, in accord with Board policy on student records and Michigan law.

The Director is designated custodian for electronic records. All Academy database records shall be secured by a multi-level password system or equivalent, which allows the system administrator to control who has read-only, read-write, and full control over records and/or features in the database. Persons authorized to access a database shall be informed of proper security procedures with regard to passwords, and shall be required to change their password on a regular basis. Requests by a staff member, for access to specific data outside of what is required for that staff member's day-to-day job must be directed to the system administrator. At no time shall a person who is not a regular employee of the Academy be given a password or otherwise allowed to access any Academy database directly. Persons who knowingly allow non-employees, including volunteers or students, to use their password for database access may be subject to discipline.

Each custodian for electronic records shall secure the records by making and maintaining back-up copies of the data on an ongoing basis.

Section 4000 – Business Management

4500-R Technology

4500-R-4

data which is updated frequently should be backed up weekly, and the backups should be retained for six months before being re-used to insure against data corruption that is not detected immediately. In addition to the weekly backups, two full backups should be made bi-weekly, with one backup stored off-site to guard against fire or theft loss. Automatic server-based backup systems are encouraged where practical.

Education and Instruction

All Academy introductory computer classes, media center computer orientations, and classroom computer orientations shall include instruction on the ethics of computer use as an integral part of the curriculum or orientation. Such instruction shall include explanation and familiarization with the Academy's policy on computer and network use, and may include a computer code of ethics or other statement of ethical expectations of students. Examples or ethical case studies are highly recommended to help students develop good judgment when confronted by choices during their use of Academy technology.

Personal Equipment and Software

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using Academy technology equipment, students and employees are expected to exercise care, notify technology staff of the need to perform required maintenance, and follow all operating instructions, safety standards, and guidelines. The Academy employs technology staff to purchase, install, support, and maintain all aspects of technology relating to the business function of the Academy. The Academy prohibits students or employees from using or installing personal equipment in or on the network, computer desktops, laptops, or communication lines. If technology related equipment is needed to perform a job duty, a request should be made along with written approval from a technology manager or other appropriate supervisor and submitted to authorized technology staff.

Section 4000 – Business Management

4500-R Technology

4500-R-5

All technology equipment shall be purchased and installed by authorized technology staff only. Students or employees are not permitted to install or configure hardware, software, or peripherals without proper permission and approval. All technology purchases shall fit within the Academy's technology guidelines and plan. Equipment installed that does not fit these guidelines will be removed. The Academy prohibits the use of Academy equipment and facilities by any student or employee for private, personal gain or commercial use without written authorization from the Director that states the limited purpose and timeframe of using the Academy's equipment and facilities. Authorization will not be granted for any use that is contrary to the purposes, goals, policies, or administrative rules of the Academy. The use of the Academy's equipment and facilities by a student or employee contrary to these rules can result in disciplinary action, up to and including long-term suspension from the Academy for students or discharge for employees.

Games

Commercial arcade-style games where success is substantially related to physical skill, coordination, and reaction time are not permitted on Academy computer equipment. Students who as a personal or class programming assignment write an arcade-style game, however, may use Academy equipment for programming, testing, and debugging at the discretion of the system administrator. Games written by students, or commercial games that are substantially dependent on reasoning skills, problem solving, strategy, critical thinking, or knowledge may be allowed on Academy equipment as long as their use is not disruptive to the learning environment.

At all times, students and staff who have need of Academy technology for work related to a class assignment or other curricular project shall have priority over all other users. Staff, and students who are pursuing personal academic research, shall have priority over persons using games.

4500-R Technology

4500-R-6

Section 4000 – Business Management

A Technology Code of Ethics

1. I shall never copy and use software, videos, music, or anyone else's work, which is normally sold for money unless it has been purchased justly. I shall never copy or use anyone else's work (including software, videos, etc.) without his or her permission.
2. I shall never use technology to distort the truth, to lie, or to misrepresent someone else.
3. I shall never use technology intentionally to harm or harass anyone.
4. All of my chats, my e-mail, my newsgroup and forum postings, my electronic drawings, photographs, videos and music, and everything I publish on the web will be things to which I am proud to sign my name and show to my parent(s)/guardian(s) and teachers.
5. I shall never use my skills for unjust personal gain, to access the private files of others, or to illegally access or damage any computer system.
6. I shall abide by the rules of those whose systems and equipment I use.
7. When I discover an error, a bug, or a weakness in any system, I will report it to a staff member so that it may be corrected.
8. I shall be patient and helpful toward those who do not understand a technology as well as I do, and I shall never take advantage of their lack of understanding.
9. I shall work diligently to guard the rights and freedoms of all technology users, and shall report and attempt to stop anyone who would use technology unjustly.
10. I shall be mindful of the needs of other users, and refrain from monopolizing equipment, bandwidth, storage space, or any other shared resource.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510

The Board authorizes the Director to develop services linking computers within the Academy, and to provide access to the international computer network (Internet) for students, staff and, if requested, members of the Board of Education. All computer network implementation shall be in line with the Board policy on technology and the Academy's educational goals.

Use of the computer network(s) as a part of any class assignment shall be consistent with the curriculum adopted by the Academy. The Academy's general rules for behavior and communications shall apply when using any computer equipment.

Personal Accounts

The Board authorizes the Director to provide personal accounts for students, staff, and, if requested, members of the Board, access to the Academy computer network and the Internet, including electronic mail and file server space for developing and publishing material on the world wide web or other networked computer media. Such access shall be provided in furtherance of the Academy's educational mission, to enhance student knowledge and familiarity with technology, and to facilitate communication, innovation, and sharing of resources. To ensure the integrity of the educational process and to guard the reputation of the Academy, student and staff expression in public electronic media provided by the Academy may be subject to review, comment, editing, and/or removal by Academy officials.

Personal accounts and all use of Academy computer resources are considered a privilege, not a right, and are subject to the Academy's rules and policies. Electronic communications and stored material may be monitored or read by Academy officials. Electronic mail in personal accounts will not generally be inspected by Academy officials without the consent of the sender or a recipient, except as required to investigate complaints, which allege a violation of the Academy's rules and policies.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510-2

Student electronic mail and electronic storage space, which does not contain material made public by the student, shall be subject to the Academy's policy and rules on student records.

A fee may be charged by the Academy to defray the cost of personal accounts. However, if use of personal accounts is required for a core curricular class, no fees may be charged of a student for the duration of that class.

Privacy

The Academy may collect and store Personally Identifiable Information (PII). In the event PII is collected, all information shall be secured in accordance with Board policies 5180 - Unauthorized Release of Information and 8940 - Student Records.

System Integrity

The Director shall designate a person trained in computer technology (“system administrator”) to implement the Academy's rules and regulations and to provide computer support for students, staff and Board members. The Director in concert with the system administrator shall employ hardware and software security to ensure the integrity of the system and to prevent unauthorized access to the Academy’s records.

Network Use

The Director shall develop rules and procedures for computer and network use, and shall see to it that rules are published annually for students, parent(s)/ guardian(s), staff, and Board members.

The Academy's computer and network use rules shall be consistent with the following requirements:

- Users may not use Academy equipment to perform or solicit the performance of any activity that is prohibited by law.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510-3

- Users may not use the system to transmit or publish information that violates or infringes upon the rights of any other person, or information that is abusive, obscene, or sexually offensive.
- Academy computer equipment shall not be used for commercial purposes by any user, or for advertisement or solicitation without prior written approval from the Director.
- Except with prior authorization from a system administrator or the owner of the record in question, users may not access or attempt to access the records or files of other users, or of the Academy, nor delete, alter, or otherwise interfere with the integrity of computer-based information or resources.
- Users may not use the electronic mail facility to send unsolicited, bulk, chain, harassing, anonymous, or other messages which are an annoyance to the recipient or which may cause a degradation of system performance.
- Users may not use the network facility to access or bring into the Academy environment material that is inconsistent with the educational goals of the Academy, including but not limited to material which is defamatory, abusive, obscene, profane, sexually explicit, threatening, racially offensive, illegal, or which aids or advocates illegal activity other than non-violent civil disobedience.

Academy Web Page(s)

Any and all Web pages representing the Academy shall be carried and posted only on the Academy's server and shall be designed and published in accordance with rules promulgated by the Director.

Limiting Access

The administration may make use of technology, which attempts to block access by individual users to networked computers, data, or services that provide content, which, in the opinion of the administration, is not in keeping with the educational aims of the Academy pursuant to state statute.

Section 4000 – Business Management

4510 Computer Network (Cf. 4520)

4510-4

The administration is encouraged to pursue such technology for the personal accounts of elementary children where practical.

Complaints about content of networked information or access to blocked sites shall be handled in accord with the Academy's policy and procedures for complaints about library and instructional materials.

Use of Computers in an Academy Library

The Board, pursuant to state statute, requires when the Academy library offers use of the Internet or a computer, computer program, computer network, or computer system to the public, that access to minors be restricted in the following manner: The Academy will utilize a system or method that is designed to prevent a minor from viewing obscene matter or sexually explicit matter that is harmful to minors. To accomplish this, a library may use passwords and/or filters that restrict Internet access for those less than 18 years of age.

The Director will develop rules concerning library Internet access in compliance with state law.

Approved:

LEGAL REF: MCL 397.606; Contract ¶6 (b)

Section 4000 – Business Management

4510-R Computer Network

4510-R

Planning and funding for computer networking in the Academy shall be handled in accord with the Academy's policy and rules on technology.

Supervised Use

Teachers are encouraged to use the Academy network in researching material for classes, collaborating with colleagues, developing innovative approaches, or otherwise enhancing their background, skills and teaching. Teachers are encouraged to make use of the Academy network in their classes when the use of the network enhances the students' education, is appropriately supervised, and is consistent with Academy goals and objectives. Academy administrator(s) shall monitor technology use in the curriculum to ensure its effectiveness and develop ideas for further in-service instruction of staff.

The Academy library and media center will provide networked computers for students and staff to use for research purposes. Library/Media center staff shall make every attempt to assist users in the operation of the network and to monitor the content of material being accessed. Academic assignments have priority over personal research.

Any staff member who becomes aware of student network use in violation of the Academy's acceptable use rules shall refer the incident to the system administrator for action, and may remove the student from the computer.

Personal Accounts

No student, staff, or Board member network account shall be activated until the individual has submitted an Academy request for network access contract and been notified of the Academy rules for acceptable use of the network. Upon receipt of the contract, the system administrator will provide account, password, and other log-on information and instruction, including an initial disk space allocation where appropriate. Users may request additional disk space, which may be provided by the system administrator according to availability and priority of the use.

Section 4000 – Business Management

4510-R Computer Network Violations of Conditions

4510-R-2

Upon receiving notification of a violation of Academy rules or policies, the system administrator may suspend or terminate a staff member or student's personal account. The system administrator may access all relevant files of the user in attempting to determine the veracity and/or the extent of the violation.

System Integrity and Security

Computer file servers containing student records, employee records, or other sensitive administrative documents shall be maintained on an independent network separated by an electronic “firewall” from unauthorized access by outside entities, including student users. If dial-in access is permitted to this equipment, that number will not be published. All users, particularly staff, shall be instructed in password security. Passwords in general should not be (solely) English words available in common electronic dictionaries, nor should they be based on information, which is readily associated with the user (addresses, phone number, favorite flower, etc.). The system administrator may require a user to change a password if it fails to meet these criteria, or may issue randomly generated passwords to all users. Staff passwords should be changed every three months. No user should leave a computer that is logged on to the network unattended, and all users should promptly report any suspected breach of security or data integrity to the system administrator.

Section 4000 – Business Management

4510-R Computer Network

4510-R-3

Academy Web Page(s)

Guidelines for Construction of Honey Creek Community School WWW pages:

Purpose: Academy web pages should promote a positive image of the Academy and its programs. Web pages should facilitate and enhance the communication and educational goals of the Academy in a timely and professional manner.

Responsibility: The Director is responsible for overseeing the content and design of all Academy web pages. A Web Page Committee with a membership selected by the Director is responsible for developing guidelines and acting in an advisory capacity regarding all aspects of web page design and content.

Guidelines: These guidelines have been developed to ensure consistent quality and appropriate content of Honey Creek Community School web pages.

1. Academy web pages will be posted only on the Academy's server providing Internet access to the Academy as approved by the Director. No "personal" or private web pages representing the Academy shall be allowed. (Example: An Academy "club" or individual classroom that might wish to post a web page via twisted pair telephone lines or through a "private/personal" home page would be disallowed.) Any staff member or students violating this rule shall be subject to disciplinary action under the student code of conduct or applicable collective bargaining agreements.
2. Each home page will present a consistent appearance. Contents, menus, background colors, heading styles, fonts, point sizes, buttons, icons, page sizes, and other graphic, and design elements should create unity within the array of the Academy's program pages.

Section 4000 – Business Management

4510-R Computer Network

4510-R-4

3. Web pages will strive for high standards of professionalism with current and accurate information; correct grammar and spelling; and with no inappropriate reference to race, gender, religion, politics, alcohol, drugs, firearms, sex, or sexual orientation.
4. Academy web pages shall be free of all advertising and/or promotion of causes inappropriate to an educational setting.
5. No copyrighted text, graphics, or sound files will be used on Academy web pages without the express consent of the originator. It must be assumed that everything is copyrighted unless otherwise stated.
6. All updated and new pages must be proofread by someone other than the author/typist prior to uploading. Making sure the information is proofread is the responsibility of the person doing the uploading.
7. All links must be verified by someone other than the author/typist prior to uploading. This verification is the responsibility of the person doing the uploading.
8. Web pages linked from Academy web pages must have educational or Academy related value and be free of inappropriate references as stated in 3 and 4 above.
9. Permission of the parent(s)/guardian(s) must be on file prior to using a student's photo, name, and/or original work on the Internet (See attached form). Directory information of students (address, telephone number, and other personal information) will not be indicated on Academy web pages or used, in any form, on any Academy web page.
10. Academy pages that provide links to off-site web sites will include a disclaimer:

"The Honey Creek Community School makes every effort to provide a high quality web site with information and links that facilitate the accomplishment of our educational mission. Because of the unpredictable nature of the Internet

Section 4000 – Business Management

however, we cannot be responsible for the content of pages not directly linked to this web site."

Section 4000 – Business Management

4510-R Computer Network

4510-R-5

HONEY CREEK COMMUNITY SCHOOL TECHNOLOGY USE AGREEMENT

This form must be signed and returned to the Academy office before any Academy technology can be used.

I have read and hereby agree to comply with the Honey Creek Community School Technology Use Policy. I further understand that any violation of the policy is unethical and may constitute a criminal offense. Should I commit any violation of the policy, my access privileges may be revoked, and disciplinary action and/or appropriate legal action may be taken.

USER'S FULL NAME

First _____ Middle In. _____ Last _____

TODAY'S DATE _____

USER SIGNATURE _____

PARENT(S)/GUARDIAN(S) (Must be signed if applicant is under 18 years of age)

As parent(s)/guardian(s) of the student signing above, I have read and agree to the conditions set forth in the Honey Creek Community School's Technology Use Policy. I understand that this access is designed for educational purposes. I also recognize it is impossible for the Honey Creek Community School to restrict access to all controversial materials and I will not hold them responsible for materials acquired on the network. Further, I accept full responsibility for supervision if/when my child's use is not in a school setting. I hereby give permission for my child to access Academy technology and certify that the information contained on this form is correct.

I hereby _____ Give _____ Expressly withhold (Parent(s)/Guardian(s): Check one) permission for my child's photo, or any personal or Directory information to be published on Academy Web pages or the Internet. I _____ Do _____ Do Not (Parent(s)/Guardian(s) check one) give permission for my child's photo and name to be published on Academy Web pages or on the Internet as part of a "team" or other large group photo.

PARENT(S)/GUARDIAN(S) NAME (Please Print) _____

SIGNATURE _____

DATE _____

ACADEMY COORDINATOR AUTHORIZATION _____

Account Name: _____ Password: _____

Honey Creek Community School

Section 4000 – Business Management

4510-R Computer Network

4510-R-6

Limiting Access

Academy servers may incorporate blocking and filtering software. Sites that are rated above 0 may be blocked from access by middle school students and sites rated above 0 may be blocked from access by elementary school students.⁶ Additional sites may be blocked by the system administrator in response to a complaint by a student, staff member, Board member, or parent(s)/guardian(s) in accord with the Academy's procedures on controversial material.

E-mail sites, which deposit unsolicited, bulk, chain, or offensive messages on the Academy server, will be blocked. System administrators may also block e-mail following a complaint from any user. Time permitting; an effort will be made by the system administrator to notify the offending system operator of the violation and the Academy's desire not to be contacted in the future. The system administrator shall refer repeated violators, along with any case of solicitation for child abuse or other illegal act, to the Director for action in concert with law enforcement authorities.

⁶ Based on the ratings as established by the Internet Content Rating Association (ICRA).
<http://www.icra.org>

HONEY CREEK COMMUNITY SCHOOLRULES ON ACCEPTABLE USE OF COMPUTER NETWORK RESOURCES

Use of the computer network is a privilege, not a right. The fundamental rule for use of Academy computer network resources is that all use must be consistent with the Academy's educational goals and behavior expectations. Because electronic communications are so varied and diverse, these rules do not attempt to enumerate all required or proscribed behavior by system users. Users are expected to use common sense and adhere to the norms of behavior in the Academy community. In particular, users should:

- Be polite and courteous in all communications and language.
- Assist others in the use of the system, and help others who are looking for ideas or information.
- Post and share information which is interesting and helpful to other users.
- Always use the network as a resource to further their education and that of others.
- Be mindful of network security, and immediately report any bugs, errors, or security problems to the system administrator.

Users may not:

- Use the Academy equipment for anything contrary to law, or to solicit others to break any law.
- Illegally copy, send, or distribute any copyrighted software, work, or other material.
- Send, publish, download, access, or retrieve any communication or material that may be defamatory, abusive, obscene, profane, sexually explicit, threatening, racially or ethnically offensive, harassing, or illegal, or anything that violates or infringes on the rights of any person.
- Use the network for any commercial purpose or financial gain.

Section 4000 – Business Management

4510-R Computer Network

4510-R-8

- Use the network for any advertisement or solicitation without approval from the Director.
- Access, attempt to access, modify, or delete any record or file without permission or authorization.
- Attempt to harm or destroy the data of any other user or any system on the network, including creating or sending computer viruses, Trojan horses, or similar computer code.
- Use electronic mail to send unsolicited, bulk, chain, harassing, anonymous, or other messages, commonly considered an annoyance to recipients or to degrade system performance.
- Use vulgarity, obscenity, or swearing in messages or electronic postings, or send e-mail/message “flames” or other attacks.
- Attempt to access material or sites, which are blocked by the Academy, or attempt to use the network while access privileges are suspended.

STAFF, STUDENT REQUEST FOR COMPUTER NETWORK ACCESS

The Academy provides access to our computer network to students and staff to promote and enhance the learning of our students through communication, innovation, and sharing of resources. Access to the network is a privilege, not a right, and the Academy may restrict, suspend, or terminate any staff or student user's account with or without cause at any time. In requesting an account for access to the network, the user agrees to the following terms and conditions. Failure to abide by these terms and conditions, or any of the Academy's rules and regulations for computer network use, may result in the loss of privileges, disciplinary action, and/or legal action.

1. Use of the network must be for the purpose of education and research consistent with the goals of the Academy.
2. All use of the network must be in accord with the Academy's rules on acceptable use of network resources, as updated from time to time by the Academy.
3. The Academy makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Academy will not be responsible for any damages the user suffers, including but not limited to the loss of data, delays, non-deliveries, or service interruptions caused by its negligence or the users' errors or omissions.
4. The network provides access to third-party data and information over which the Academy has no control. Though the Academy may make efforts to block inappropriate material, users may be exposed to defamatory, inaccurate, or otherwise offensive material. Use of the network or any information obtained via the network is at the user's own risk. The Academy specifically denies any responsibility for the accuracy or content of information obtained through its services.

4510-R Computer Network

4510-R-10

5. The user is solely responsible for all charges and fees, including outside telephone, printing, and merchandise purchases made through the network. The Academy is not a party to such transactions and shall not be liable for any costs or damages, whether direct or indirect, arising out of network transactions by the user.
6. The user agrees to indemnify the Academy for any losses, costs, or damages, including reasonable attorney's fees, incurred by the Academy relating to or arising out of any breach of the terms of this request for network access.
7. The user acknowledges that the Academy's computer network belongs solely to the Academy and that any files, records, electronic mail, or other communication may be examined, edited, or deleted by the Academy at any time, in accord with Academy policy or regulations. In general, electronic mail in personal accounts will not be inspected without the consent of the sender or a recipient, except as necessary to investigate a complaint.
8. The User acknowledges that the Academy may collect and store Personally Identifiable Information (PII).
9. The user is responsible for regular and prompt payment of any fees charged by the Academy for network use.

I understand and agree to abide by the terms of this request for network access, and the Academy rules for acceptable use of network resources. I further understand that should I commit any violation, my access privileges may be revoked, and disciplinary and/or appropriate legal action may be taken. In consideration for using the Academy's network connection and having access to public networks, I hereby release the Academy and its Board members, employees, and agents from any claims and damages arising from my use, or inability to use, the network.

Section 4000 – Business Management

Signature

Date

4510-R Computer Network

4510-R-11

(For Student Requests) I have read this request for network access. I understand that it is designed for educational purposes. I recognize that it is impossible for the Academy to restrict access to all controversial and inappropriate materials available on the network. I will hold harmless the Academy, its employees, agents, and Board members, for any harm caused by materials obtained via the network. I accept full responsibility for supervision when my child's use is not in a school setting. I consent to the unrestricted release of any of my child's work, materials, and/or records which my child voluntarily or accidentally places in public-access storage areas on the Academy network/Internet. I have discussed the terms of this request with my child. I hereby request that my child be allowed access to the Academy network, in accord with these terms.

Parent(s)/Guardian(s) name (please print)

Signature

Date

BOARD MEMBER REQUEST FOR COMPUTER NETWORK ACCESS

The Academy provides access to our computer network to members of the Board of Trustees to promote and enhance the work of the Board as a public body through communication, innovation, and sharing of resources. Access to the network is a privilege, not a right, and the Board, by majority vote, may restrict, suspend, or terminate any Board member user's account for proven violations of Board policy or these rules. In requesting an account for access to the network, the Board member agrees to the following terms and conditions.

1. Use of the network must be for the purpose of legitimate Board business consistent with the goals of the Academy and the laws of the State of Michigan.
2. All use of the network must be in accord with the Academy's rules on acceptable use of network resources, as updated from time to time by the Academy.
3. The Academy makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Academy will not be responsible for any damages the user suffers, including but not limited to the loss of data, delays, non-deliveries, or service interruptions caused by its negligence or the users' errors or omissions.
4. The network provides access to third-party data and information over which the Academy has no control. Though the Academy may make efforts to block inappropriate material, users may be exposed to defamatory, inaccurate, or otherwise offensive material. Use of the network or any information obtained via the network is at the user's own risk. The Academy specifically denies any responsibility for the accuracy or content of information obtained through its services.

Section 4000 – Business Management

4510-R Computer Network

4510-R-13

5. The user is solely responsible for all charges and fees, including outside telephone, printing, and merchandise purchases made through the network. The Academy is not a party to such transactions and shall not be liable for any costs or damages, whether direct or indirect, arising out of network transactions by the user.
6. The user agrees to indemnify the Academy for any losses, costs, or damages, including reasonable attorney's fees, incurred by the Academy relating to or arising out of any breach of the terms of this request for network access.
7. The user acknowledges that the Academy's computer network belongs solely to the Academy and that any files, records, electronic mail, or other communication may be examined, edited, or deleted by the Academy at any time, in accord with Academy policy or regulations. In general, electronic mail in personal accounts will not be inspected without the consent of the sender or a recipient, except as necessary to investigate a complaint.
8. The User acknowledges that the Academy may collect and store Personally Identifiable Information (PII).
9. The user acknowledges and understands that correspondence sent or received over the Academy's network may be subject to retrieval under the State of Michigan Freedom of Information Act, MCL 15.231 - 246.

I, as a member of the Board of Trustees, understand and agree to abide by the terms of this request for network access, and the Academy rules for acceptable use of network resources. I further understand that should I commit any violation, my access privileges may be revoked by majority vote of the Board. In consideration for using the Academy's network connection and having access to public networks, I hereby release the Academy and its Board members, employees, and agents from any claims and damages arising from my use, or inability to use, the network.

Board Member's Signature

Date

Section 4000 – Business Management

4520 Filtering Software (Cf. 4510)

4520

The Director shall be responsible for directing appropriate Academy technology staff, or technology consultant staff, to bring all computers used by children into full compliance with all federal requirements regarding Internet filtering software to assure that Academy discounts under the federal e-rate program are not jeopardized.

Student Internet activities will be monitored by the Academy to ensure that students are not accessing inappropriate sites. Each Academy computer with Internet access shall have a filtering device or software program that blocks access to visual depictions that are obscene, pornographic, inappropriate for students, or harmful to minors.

Approved:

LEGAL REF: H.R. 4577, December 2000 Omnibus Spending Bill; 47 U.S.C. Section 254(h)

Section 4000 – Business Management

4520-R Filtering Software

4520-R

Any Academy computer used by students shall have Internet filtering software in place either on the computer itself, or on the server through which the computer accesses the Internet.

Academy staff shall not allow students to use any computer in the Academy with Internet capability that does not have Internet filtering software. This includes any computer, laptop, or desktop, in the Academy's Libraries or media centers, classrooms, laboratories, or offices where students are, for any reason, allowed to use a computer, or any other such device, with Internet access.

Staff members violating these rules are subject to disciplinary action up to and including discharge.

Section 4000 – Business Management

4750 Naming of Facilities/Portions of Facilities

4750

The Board, in cooperation with the WISD Board, may name existing facilities or portions of existing facilities after staff or community members after one year following the person's leaving the Academy through retirement or the person's death.

Approved:

Section 4000 – Business Management

4900 Fair Employment Clause

4900

It shall be the intent of the Board to award all contracts in excess of the base amount established by the State of Michigan for which competitive bids must be obtained for procurement of supplies, materials, or equipment, to qualified vendors who do not discriminate against any employee or applicant for employment because of age, sex, sexual orientation, race, color, religion, creed, age, physical handicap, ancestry, national origin, height, weight, or marital status. Compliance with this policy shall be assured by contractual provisions.

Prior to awarding a bid or purchase order for materials and services, a firm shall comply with all state and federal laws, and verify their compliance. The Director shall review and evaluate all such plans and his/her approval or disapproval shall be subject to review by the Board. A bidder has five working days to appeal the decision of the Director.

The above policy shall not apply to those contractors employing less than five persons.

Approved:

LEGAL REF: MCL 37.1101-1606 (Person's with Disabilities Civil Rights Act); 37.2101-2804 (Elliott-Larsen Civil Rights

5000—PERSONNEL

5010	Goals and Objectives	
5020	Equal Employment Opportunity	
5025	Multiracial Understanding	
5030	Non-Discrimination and Complaint Procedure (Cf. 2450, 8015)	
5035	Discriminatory Harassment of Employees or Applicants	
	Notification	
5040	Retaliation and Whistle-Blowing	
5160	Qualifications and Duties	
5170	Recruitment	
	Identity and Employment Status	
	Non-Discrimination	
5175	Criminal History and Background Checks	
5180	Unauthorized Release of Information	
5185	Social security Number Confidentiality	
5190	Staff Development Opportunities	In-Service Education
5200	Staff Conduct	
	Federal Compliance	
	Staff Appearance	
5203	Use of Academy Equipment, Supplies, Property, and Materials (Cf. 9250)	
5205	Possessing, Transporting, or Transmitting Dangerous Weapons (Cf. 8300)	
	Facsimile Weapons	
5210	Staff Complaints (Cf. 5030, 5040)	
5220	Staff-Student Relations	
	Threats to Students	
5230	Conflict of Interest (Cf. 5695)	
5250	Employee use of Electronic Communication Devices	
	Academy-Issued Communication Devices	
	Personally Owned Communication Devices	
5300	Personnel Records	
5330	Travel Expenses (Cf. 1168, 3600)	
5335	Health Records - HIPAA	
5340	Staff Health and Safety (Cf. 5370)	
5345	Staff Smoking and Tobacco Products	
5350	Alcohol and Drug-Free Workplace	
5357	Family and Medical Leave	
5370	Communicable Diseases – Staff and Students (Cf. 8510)	
5410	Professional Staff Contracts (Cf. 2400)	
	Nature of Employment	
	Compensation and Benefits	
5430	Hiring (Cf. 5020)	
5520	Evaluation	
	Availability of Evaluation Documents	

5540	Suspension and/or Dismissal of Employees Teacher Convictions Reporting Crimes and Convictions
5560	Resignation of Professional Staff Resignation
5640	Non-Academy Employment/Outside Business Interests (Cf. 9170)
5645	Consulting
5685	Arrangement for Substitutes (Cf. 7840)
5695	Ethics (Cf. 5230) SN <u>An information category since ethics are usually determined by a profession and not imposed upon it.</u>
5710	Compensation Guides and Contracts – Non-Certified Staff Definition Pay Rates
5725	Qualifications and Duties-Non-Certified Staff SN <u>Job descriptions listed and coded job-by-job</u>
5730	Recruitment-Non-Certified Staff (Cf. 5020)
5740	Non-Certified Positions
5750	Part-Time and Substitute Non-Certified Staff
5770	Non-Certified Staff Orientation
5790	Supervision of Non-Certified Staff
5800	Evaluation of Non-Certified Staff
5830	Suspension and Dismissal of Non-Certified Staff At-Will Employees
5850	Resignation of Non-Certified Staff (Cf. 5560)
5860	Reduction of Non-Certified Staff
5930	Leaves and Absences-Non-Certified Staff
5935	Military Leave
<u>Appendix A</u>	Examples of Sexual or Sexual Orientation Harassment

Section 5000 – Personnel

5010 Goals and Objectives

5010

The goals of the personnel policies set forth in this policy and rule section are to create the best possible educational climate for the students of the Academy. To this end, these personnel policies are designed to prevent misunderstanding by Academy personnel about their duties and privileges. In order to develop, further, a climate of trust and understanding, the Board seeks the involvement of all personnel in the development of policies affecting their positions.

Approved:

Section 5000 – Personnel

5020 Equal Employment Opportunity

5020

The Board shall be an equal opportunity employer. The objective of the Board is to attract and retain individuals qualified and/or trainable for the positions in the system by virtue of job-related standards of education, training, experience, and personal qualifications.

The Director is responsible for ensuring compliance and continued implementation of this policy.

Approved:

LEGAL REF: 42 USCA 2000e-8, 2000e-12; 44 USCA 3501 *et seq.*; 42 USCA 12117 (The Equal Employment Opportunities Act); 29 USCA §§627, 630 (Age Discrimination in Employment Act); 42 USCA §1981 *et seq.* (Civil Rights Act); 28 FCR §4241; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §2000e, *et seq.* (Title VII of the Civil Rights Act); 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); MCL 37.1101-1607 (Person's with Disabilities Civil Rights Act); 37.2101-2804 (Elliott-Larsen Civil Rights Act); Michigan Constitution Article I, §2; Contract ¶ 11.

Section 5000 – Personnel

5025 Multiracial Understanding

5025

The Academy recognizes that racism is an institutional and societal problem and, therefore, shall strive to create and maintain an atmosphere of mutual understanding and respect among students, employees, and the public. This will be reflected through all programs and practices that will actively promote cultural awareness, inter-group relations, and the understanding of racial and ethnic groups within the Academy.

Approved:

Section 5000 – Personnel

5030 Non-Discrimination and Complaint Procedure (Cf. 2450, 8015)

5030

The Academy will not discriminate against any person based on sex, sexual orientation, race, color, national origin, religion, height, weight, marital status, handicap, age, or disability. The Board reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d. et seq.; and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; The Americans With Disabilities Act of 1990, 42 U.S.C. §§ 1210, et seq.; The Persons with Disabilities Civil Rights Act, MCL §§ 37.1101, et seq.; and The Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.

The Director of the Academy is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs and activities. The Director is appointed the Civil Rights Coordinator regarding discrimination complaints made by students (grades Pre-K through 12) and/or their parent(s)/guardian(s), and involving sex, sexual orientation, race, color, national origin, religion, height, weight, age, or marital status. The Director is appointed the Civil Rights Coordinator regarding all other complaints of discrimination. In the event the complaint is against the Director, the Vice-President of the Board of Education is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination based on disability/handicap should be directed to:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

Section 5000 – Personnel

5030 Non-Discrimination and Complaint Procedure (Cf. 5030, 8015)

5030-2

Inquiries or complaints made by students (grades Pre-K through 12) and/or their parent(s)/guardian(s) related to discrimination based on sex, sexual orientation, race, color, national origin, religion, height, weight, age, or marital status should be directed to:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

In the event a complaint is against the Director of the Academy, the complaint should be directed to:

The Vice-President of the Board of Education
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

All other inquiries related to discrimination should be directed to:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

The Civil Rights Coordinators, as specified herein, are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will then take the following action: First, cause an investigation of the complaint to be commenced. Second, arrange for a meeting to occur with the complainant, which may include Academy staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise that will assist in resolving the complaint.

Section 5000 – Personnel

5030 Non-Discrimination and Complaint Procedure (Cf. 5030, 8015)

5030-3

Third, complete the investigation of the complaint and provide, in writing, a reply to the complainant. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the Director. In the event the complaint is against the Director, a copy of the determination shall be delivered to the President of the Board of Education. The complainant may appeal the Civil Rights Coordinator's determination to the Director, or, in the case of a complaint against the Director, to the President of the Board, by so notifying the Director or Board President in writing within the (10) calendar days of the Civil Rights Coordinator's determination. The Director or Board President may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Board Vice-President or President may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Director.

The Director, or Board President in the case of a complaint against the Director, shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the Civil Rights Coordinator's proposed resolution or a modification thereof. The Director or Board President's decision shall be final.

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Approved:

LEGAL REF: Included in Text

Section 5000 – Personnel

5035 Discriminatory Harassment of Employees or Applicants

5035

Sexual or sexual orientation discriminatory harassment of Academy elected officials, employees, or applicants for Board of Education Members, Academy employees, vendors, contractors or others doing business with the Academy, students, parents, guardians, invitees, volunteers or guests will not be tolerated.

Discriminatory harassment means any harassment, intimidation, ridicule, disparagement, purposeful embarrassment, or chiding of any person because of their race, sex, sexual orientation, color, national origin, age, religion, height, weight, marital status, or handicap/disability. Sexual or sexual orientation harassment includes unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to an individuals' sex or sexual orientation.

Sexual or sexual orientation discriminatory harassment shall not be tolerated by this Academy when:

- Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, to obtain employment, or
- Submission to, or rejection of, such conduct or communication by an employee/applicant is used as a factor in decisions affecting such employee/applicant's employment, or
- Such conduct or communication has the purpose or effect of substantially interfering with an employee's employment, or creating an intimidating, hostile, or offensive employment environment, or otherwise adversely affects an employee's employment opportunities.

Any employee or applicant who believes that he or she has suffered any form of harassment for any reason shall immediately report the incident(s) to:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

Section 5000 – Personnel

5035 Discriminatory Harassment of Employees or Applicants

5035-2

The Academy guarantees that an employee or applicant for employment, reporting an incident of sexual or sexual orientation discriminatory harassment will not suffer any form of reprisal.

In determining whether the alleged conduct constitutes sexual or sexual orientation discriminatory harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incident(s) occurred will be investigated. The Director has the responsibility of investigating complaints of sexual or sexual orientation discriminatory harassment of employees or applicants. In cases where the alleged harassment involves a member of the Board of Trustees, the Academy will appoint outside legal counsel to investigate the complaint. The results of an investigation and any action taken thereon will be communicated to the complaining person.

In the event the complaint is against the Director, the Vice-President of the Board shall be automatically designated as the recipient and investigator for such complaints. The Vice-President of the Board may, at his/her sole discretion, elect to employ Academy legal counsel or other qualified, independent investigators to assist him/her in the investigation. Results of the Vice-President's investigation will be turned over to the President of the Board.

The Academy considers harassment on the basis of religion, race, color, national origin, age, sex, sexual orientation, height, weight, marital status, handicap or disability to be a major offense, which will result in disciplinary action of the offender. Disciplinary action against an Academy employee may include termination of employment. Disciplinary action against a student may include expulsion. Disciplinary action against a Board of Trustee's member may include Board of Trustee public censure or any other discipline permitted by the Contract, bylaws, and articles of incorporation or current law.

Section 5000 – Personnel

5035 Discriminatory Harassment of Employees or Applicants

5035-3

Notification

Notice of this policy will be periodically circulated to all departments within the Academy, and incorporated in teacher, student and parent/guardian handbooks. All new hires of the Academy will be required to review and sign off on this policy and its related complaint procedure.

Training sessions on this policy and on the prevention of sexual or sexual orientation discriminatory harassment shall be held periodically for all Board members, administrators, teachers, and employees of the Academy. In addition, students will have available as part of their curriculum and instructional program, sessions on this policy and the prevention of student-to-student discriminatory sexual or sexual orientation harassment.

See Appendix A of this section for specific examples of sexual or sexual orientation harassment.

Approved:

LEGAL REF: MCL 37.2101 *et seq.*, (Elliott-Larsen Civil Rights Act); 380.11a; 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); Contract, ¶ 11 (g)

Section 5000 – Personnel

5035-R Discriminatory Harassment of Employees or Applicants

5035-R

Sexual or Sexual Orientation Harassment and Intimidation

Any person who alleges sexual or sexual orientation harassment by a Board member, staff member or student in the Academy, may use the procedure in the faculty handbook or student handbook, or may complain directly to his/her immediate supervisor, the Director, school counselor, or Academy Title IX coordinator. Reporting sexual or sexual orientation harassment will not reflect upon the individual's status, nor will it affect future employment, grades, or work assignments.

The right to confidentiality, for both the accuser and the accused, will be respected consistent with the Academy's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

Grievance Procedure

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Any Board member, employee, or student in the Academy who believes that he/she has been subjected to discriminatory sexual or sexual orientation harassment shall report the incident(s) to the Director unless the complaint is against the Director in which case the report shall be made to the Vice-President of the Board. Should the Director be the subject of the immediate complaint or have an apparent conflict of interest in relation to it, he or she will not participate in any way in the investigation of or the decision regarding the complaint.

Section 5000 – Personnel

5035-R Discriminatory Harassment of Employees or Applicants

5035-R-2

Upon the filing of a complaint, the responsible official shall conduct a prompt and complete investigation. The official shall attempt to resolve the problem through the following steps:

1. Interview the complainant and document the interview.
 - a. Request that the complaint be put in writing, if possible.
 - b. Obtain the names of witnesses who can be contacted to substantiate the charges being made and secure permission of the complainant to interview them.
2. Interview the accused and document the interview.
 - a. Re-emphasize the Board's policy regarding insult, intimidation, and harassment without making judgments at this stage.
 - b. Keep the identity of the complainant confidential, if possible.
3. Interview all witnesses identified by the parties and document these interviews.
4. Review the personnel files or student records/files of the complainant and the accused for any history of problems.
5. Make a determination on the merits of the complaint.

■ **If the investigation shows that the complaint is without merit, the following action will be taken:**

1. The investigation will be closed.
2. The investigator's findings and reasons for them will be discussed with the complainant.
3. Consideration will be given to disseminating the results of the investigation to employees or students who have knowledge of it.
4. All references to the complaint will be removed from the accused party's personnel file.

Section 5000 – Personnel

5035-R Discriminatory Harassment of Employees or Applicants

5035-R-3

5. The Board's policy regarding discrimination and/or harassment and the mechanism for complaint resolution will be reiterated to all employees or students involved in the investigation.
6. All documentation regarding the complaint and the investigation will be maintained in a separate confidential file in the event that litigation is commenced or a charge is filed with the Equal Employment Opportunity Commission or the Michigan Department of Civil Rights.

■ **If the investigation shows that the complaint has merit, the following action will be taken:**

1. The investigation will be closed.
2. The Director will confer with the Board to determine what action is necessary to resolve the complaint and prevent recurrence. If the complaint is against the Director, the Vice-President of the Board shall consult with the President of the Board. This procedure must be adjusted accordingly should the complaint be against a member of the Board and that member should happen to hold the office of President or Vice-President.
 - a. The complainant should be made whole: in the case of an employee, for any lost earnings, employment opportunities, personnel records should be corrected; in the case of a student, lost educational opportunities, extracurricular opportunities, student records updated; in the case of a Board member; lost opportunities of public service, such as chair of special committees, appointments or professional development opportunities.
 - b. The potential for continuing problems should be alleviated by reassignment where possible.
3. The parties will be advised of the results of the investigation and the actions to be taken.

Section 5000 – Personnel

5035-R Discriminatory Harassment of Employees or Applicants

5035-R-4

4. Appropriate discipline will be imposed, as required by the strength of the evidence, the severity of the incident, and the position and prior record of the offender.
5. All actions will be documented and a record placed in the offender's permanent personnel file or student discipline records.
6. The Board's policy regarding discriminatory sexual or sexual orientation harassment and the mechanism for complaint resolution will be reiterated to all Board members, employees, or students involved in the investigation.
7. All documentation regarding the complaint and the investigation will be maintained in a separate confidential file in the event that litigation is commenced or a charge is filed with the Equal Employment Opportunity Commission or the Michigan Department of Civil Rights.

All complaints, interviews, and investigations will be treated with the strictest confidentiality and utmost discretion. Only those Board members, employees, or students whose participation in the investigation of a complaint is essential to its resolution will be informed of it.

The Board reserves the right to contact outside investigators for sensitive and/or extensive complaints of harassment.

Sanctions

- a. A substantiated charge against a staff member in the Academy shall subject that staff member to disciplinary action, up to and including discharge.
- b. A substantiated charge against a student in the Academy shall subject that student to disciplinary action, which may include suspension or expulsion, consistent with the student discipline code.
- c. A substantiated charge against a Board member in the Academy shall subject that Board member to any legal and disciplinary action that is consistent with the Contract, bylaws, and articles of incorporation, and is allowed under current law.

Section 5000 – Personnel

5040 Retaliation and Whistle-Blowing

5040

Employees are encouraged to report suspected illegal activity to appropriate Academy administrators, or the Board of Education. The Board of Education will not tolerate any form of reprisal, retaliation, or discrimination against:

- Any employee, or applicant for employment, because he/she opposed any practice that he/she reasonably believed to be made unlawful by federal or state laws prohibiting employment discrimination on the basis of sex, sexual orientation, race, color, national origin, age, religion, height, weight, marital status, handicap or disability,
- Any employee, or applicant for employment, because he/she filed a charge, testified, assisted or participated, in any manner, in an investigation, proceeding or hearing under federal or state laws prohibiting employment discrimination on the basis of sex, sexual orientation, race, color, national origin, age, religion, height, weight, marital status, handicap or disability or because he/she reported a suspected violation of such laws according to this policy, or
- Any employee or applicant because he/she reported, or was about to report, a suspected violation of any federal, state or local law or regulation to a public body (unless the employee knew that the report was false) or because he/she was requested by a public body to participate in an investigation, hearing or inquiry held by that public body or a court.

An employee or applicant for employment who believes that he/she has suffered reprisal, retaliation, or discrimination in violation of this policy shall report the **incident(s) to the Director**. The Board of Trustees guarantees that no employee or applicant for employment who makes such a report will suffer any form of reprisal, retaliation, or discrimination for making the report.

Section 5000 – Personnel

5040 Retaliation and Whistle-Blowing

5040-2

The Board of Trustees considers violations of this policy to be a major offense that will result in disciplinary action against the offender, regardless of the offender's position within the Academy.

Approved:

LEGAL REF: MCL 15.361 - 369, "The Whistleblowers' Protection Act."

Section 5000 – Personnel

5160 Qualifications and Duties

5160

A job description for each classification of employees shall be developed by the Director. Such job descriptions shall be on file in the central office and shall not be incorporated within the Board policy handbook.

Approved:

Section 5000 – Personnel

5170 Recruitment

5170

The Director shall have the authority to establish a procedure for the recruitment of well-qualified personnel to staff the Academy. The Director may request other staff members to assist in this effort.

Identity and Employment Status

All potential employees of the Academy shall verify their identity and employment status to the Director.

The Director shall maintain a file on all of the Academy's employees hired after November 6, 1986, proving that each employee has verified his or her identity, employment status, U.S. citizenship, or legal alien status to the Director's satisfaction. Evidence to be used to verify identity, employment status, U.S. citizenship, or legal alien status should include at least two of the following documents, one of which contains a current photo of the employee: U.S. birth certificate, Social security card, and a current driver's license; a state or military identification card; or one of the following: U.S. passport, certificate of U.S. citizenship, certificate of naturalization, unexpired foreign passport, or resident alien card.

Non-Discrimination

The Board shall not discriminate in its policies and practices with respect to compensation, terms or conditions of employment because of such individual's race, color, religion, sex, sexual orientation, national origin, height, weight, age, marital status, political belief, disability, or handicap which does not impair an individual's ability to perform adequately in that individual's particular position or activity.

The Director shall have in place all appropriate procedures relative to the Americans with Disabilities Act. This statement of non-discrimination shall be published

Section 5000 – Personnel

5170 Recruitment

5170-2

and disseminated to all students, parent(s)/guardian(s), employees, applicants and the public in a manner determined by the Director.

Approved:

LEGAL REF: 42 USCA §1981 *et seq.* (Civil Rights Act); 42 USCA 2000e-8, 2000e-12; 44 USCA 3501 *et seq.*; 42 USCA 12117 (The Equal Employment Opportunities Act); 42 USCA §2000e, *et seq.* (Title VII of the Civil Rights Act); 20 USCA §1681; 34 CFR § 106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 42 USCA 12116 (The Americans with Disabilities Act); MCL 37.1101-1607 (Person's with Disabilities Civil Rights Act); 37.2101-2804 (Elliott-Larsen Civil Rights Act); 20 USCA 6311(h)(6)(A) (No Child Left Behind Act)

Section 5000 – Personnel

5170-R Recruitment
R

5170-

The Director will ensure that all employee manuals or handbooks comply with federal law and include:

- The education and experience required of all new instructional employees,
- Any credentials that current instructional employees must acquire,
- A timetable for the satisfaction of any new requirements,
- The consequences for employees who fail to comply.

All employees are to be advised of the revisions of the handbooks or manuals and of any implications for existing personnel.

The Director will ensure that parent(s)/guardian(s) students are informed of their right to know the professional qualifications of their child's teacher and will describe where and how this information may be obtained. The Director will monitor instructional programs to ensure that parent(s)/guardian(s) of all students are notified when those students are taught for 4 or more consecutive weeks by a teacher who is not highly qualified as defined by law.

Section 5000 – Personnel

5175 Criminal History and Background Checks

5175

Criminal History Checks

Upon an offer of initial employment by the Board or upon learning that an individual has been assigned to regularly and continuously work under contract to the Academy, the individual shall have undergone both a criminal history and records check performed by the State Police and FBI. The results shall have been received before the individual is employed unless, under the guidelines in current law, the person may be employed prior to the results being received.

No later than July 1, 2008, the Board shall have requested both a criminal history and records check through the State Police and the FBI for all individuals, as of January 1, 2006, employed by the Academy or assigned to work under contract regularly and continuously) in the Academy.

Only those persons who have been offered a position or contract by the Board and/or Director must undergo a criminal history and records check, not all applicants.

No individual shall be employed, in any capacity, who has been convicted of a listed offense under the Michigan Sex Offenders Registration Act.⁷ An individual shall not be employed, in any capacity, who has been convicted of a felony, unless the

⁷ A listed offense includes any of the following:

- 1) Accosting or soliciting a child for immoral purposes (MCL 750.145a-c);
- 2) Sodomy if the victim is an individual less than 18 years of age (MCL 750.158);
- 3) A third or subsequent violation of any combination of the following:
 - a. Being engaged in indecent or obscene conduct in a public place (MCL 750.167(1)(f))
 - b. Indecent exposure (MCL 750.335a)
 - c. A local ordinance of a municipality substantially corresponding to the above;
- 4) Except for a juvenile disposition or adjudication, gross indecency between males, females, or between a male and female, if the victim was under 18 years of age (MCL 750.338-338b);
- 5) Kidnapping (MCL 750.349);
- 6) Kidnapping under age 14 (MCL 750.350);
- 7) Soliciting and accosting (MCL 750.448);
- 8) Pandering (MCL 750.455);
- 9) 1st, 2nd, 3rd and 4th degree criminal sexual assault, and second or subsequent offenses (MCL 520b-e);
- 10) Assault with intent to commit criminal sexual assault (MCL 750.520g);
- 11) Sexually delinquent persons (MCL 750.10a);
- 12) The attempt or conspiracy to commit any of the above offenses;
- 13) Any other violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age; and (Continued next page)
- 14) Any offense substantially similar to the above offenses under a law of the United States, any state, or any country or under tribal or military law.

Section 5000 – Personnel

5175 Criminal History and Background Checks

5175-2

Director and the Board specifically approve the work assignment in writing.

If the Academy obtains notice from an authoritative source that an individual has been convicted of a listed offense, the individual shall not be employed, in any capacity, or allowed to work under contract regularly and continuously in the Academy.

If the Academy is notified or learns that a teacher employed with the Academy has been convicted of a crime listed in MCL 380.1535a(1)-(2), the Director or Board President shall notify the State Superintendent of Public Instruction within 15 days after learning of the conviction.⁸

⁸ MCL 380.1535a(1) includes a conviction for *any felony* and any of the following misdemeanors: 1) criminal sexual conduct in the fourth degree or an attempt to commit criminal sexual conduct in the fourth degree; 2) child abuse in the third or fourth degree, or any attempt to commit child abuse in the third or fourth degree; 3) a misdemeanor involving cruelty, torture, or indecent exposure involving a child; 4) a misdemeanor violation of Section 7410 of the Public Health Code (concerning distribution of marijuana to minors near school property); 5) a violation of section 115, 141a, 145a, 335a, or 359 of the Michigan Penal Code (concerning breaking and entering; consumption or possession of alcohol by minors, or controlled substances at social gatherings; soliciting a child for immoral purposes; indecent exposure; and damage to vacant buildings); or a misdemeanor violation of section 81, 81a, or 145d of the Michigan Penal Code (including assault and battery; domestic assault; assault and infliction of serious injury; and using the Internet to commit a crime against a minor); 6) a misdemeanor violation of Section 701 of the Michigan Liquor Control Act (concerning the prohibition of liquor sales to minors); 7) any misdemeanor that is a listed offense; and 8) a violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States – as amended by 2005 PA 130.

MCL 380.1535a(2) includes the following offenses:

- a) Criminal sexual conduct in any degree, assault with the intent to commit criminal sexual conduct, or an attempt to commit criminal sexual conduct in any degree;
- b) Felonious assault on a child, child abuse in the first degree, or an attempt to commit child abuse in the first degree;
- c) Cruelty, torture, or indecent exposure involving a child;
- d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i), 7410, or 7416 of the Public Health Code (concerning unlawful manufacture, delivery, or possession of controlled substances or controlled substance analogues; distribution of marijuana to minors near school property; and recruiting or inducing a minor to commit a felony);
- e) A violation of section 83, 89, 91, 145a-c, 316-17, 350, 448, 455, or 529 of the Michigan Penal Code (concerning assault with intent to commit murder or to steal while armed; attempt to murder; consumption or possession of alcohol by minors, or controlled substances at social gatherings; first and second degree murder; armed robbery; and using the Internet when committing a crime against a minor);
- f) A violation of section 158 of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning crimes against nature or sodomy);
- g) Except for a juvenile disposition or adjudication, a violation of section 338, 338a, or 338b of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning gross indecency between males, females, and between males and females);
- h) A violation of section 349 of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning kidnapping);
- i) An offense committed by a person who was, at the time of the offense, a sexually delinquent person – any person whose sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of consequences or the recognized rights of others, or by the use of force upon another person in attempting sex relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against children under the age of 16;
- j) An attempt or conspiracy to commit an offense listed in (a) or (e-i);
- k) A violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States; Any crime listed in 1535(1), if the Director of public instruction determines

Section 5000 – Personnel

5175 Criminal History and Background Checks

5175-3

Criminal history and records checks shall be used for employment purposes only. No Board member or employee shall disclose the report or its content, except a felony conviction or a misdemeanor conviction involving sexual or physical abuse, to any person other than those directly involved in evaluating the applicant's qualifications for employment

Background Checks - Employment History - Unprofessional Conduct

Upon an offer of initial employment by the Board all persons shall have undergone an unprofessional conduct background check. A staff person may be hired prior to the results of the unprofessional conduct background check following the guidelines in current law.

The Director will promulgate appropriate administrative rules regarding the procedures to be followed in obtaining criminal history and background checks.

Approved:

LEGAL REF: MCL 380.1230; 380.1230a; 380.1230b; 380.1230c; 380.1535a(9);
Contract, ¶ 11.

the public health, safety or welfare requires emergency action based on the circumstances underlying the conviction.

Section 5000 – Personnel

5175-R Criminal History and Background Checks

5175-R

All applicants, employees, and individuals assigned to work under contract regularly and continuously in the Academy shall give written consent for the Academy to request a criminal history and records check from both the State Police and the FBI.

The Director shall make all requests for criminal records checks on a form and in a manner prescribed by the State Police.

If it is necessary to hire an individual during the school year or within 30 days before the beginning of that school year, the Academy may employ the individual without first receiving a criminal history or records check from the State Police if:

1. A criminal records check is requested before employing the individual conditionally; and
2. The individual signs a statement identifying all crimes for which he or she has been convicted, and agreeing that if the criminal history and records check is not consistent with the statement, the employment contract is voidable.

No later than July 1, 2008, the Director shall do both of the following for each individual who, as of January 1, 2006, is either a full or part-time employee of the Academy, or is assigned to work under contract regularly and continuously in the Academy:

1. Request a criminal history check on the individual from the State Police.
2. Request a criminal records check through the FBI.

An individual shall be required to submit his or her fingerprints to the State Police for purposes of obtaining these reports. The State Police may charge a fee for conducting the criminal records check. If an Academy applicant is a substitute teacher, a criminal records report received by another Academy, WISD, or nonpublic school or a report maintained by the Department of Education may be used. If no such report is available, a report shall be requested from the State Police.

Section 5000 – Personnel

If an Academy applicant is being considered for employment by more than one school District and the applicant agrees in writing to allow the Academy to share his or

5175-R Criminal History and Background Checks

5175-R-2

her criminal records report with another Academy, WISD, Public School Academy, or nonpublic school, the Academy may satisfy its requirement by obtaining a copy of the report from another institution. If no such report is available, one shall be requested from the State Police.

Section 5000 – Personnel

5180 Unauthorized Release of Information (Cf. 5185)

5180

Employees of the Academy may have ongoing opportunities to access confidential information or records that are only available to the public on a limited review basis. Much of the information processed by Academy employees is confidential, and law governs its release; for example, driver record and vehicle registration information, confidential student records, Social security Number information, criminal history background check information, information obtained pursuant to Department of Human Services intervention, and professional misconduct background checks.

It is the policy of the Board that employees are prohibited from divulging information contained in the records and files of the Academy, except to other, authorized employees who may need such information in connection with their duties and to authorized persons in accordance with law, Academy policies, and administrative rules.

If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information unless authorized by his/her supervisor or otherwise required to release the information under law or court order. In all cases, the employee's immediate supervisor shall be informed, immediately, of any requests.

Any employee who releases information inappropriately, or uses confidential information obtained in the course of his/her employment with the Academy for personal reasons or private gain, will be disciplined in accordance with Board policies, collective bargaining agreements, and Academy procedures. Disciplinary action may include severe penalties, up to, and including, discharge.

The Academy shall apply the requirements set forth in this policy, equally, to any data processing subcontractor employed. Data processing subcontractors shall, as a condition of their contractual agreement with the Academy, be required to adopt this, or a similar policy, regarding their own employees.

Section 5000 – Personnel

5180 Unauthorized Release of Information (Cf. 5185)

5180-2

The Director shall promulgate appropriate administrative rules to help assure the confidentiality of records and, particularly, those records obtained through electronic means.

Approved:

LEGAL REF: Federal Driver Privacy Protection Act of 1994 (18 USC 2721 et seq.);
MCL 257.208c - 208d; 257.903; 380.1230; Contract ¶ 11.

Section 5000 – Personnel

5180-R Unauthorized Release of Information

5180-R

Employee Competence

1. The Academy will take steps, through the interview, selection, assignment, and hiring process, to see that any employee, or data processing Subcontractor employee, if any, who is authorized to access driver, vehicle and related records, or who has access to information regarding criminal background checks or unprofessional conduct checks and related records will:
 - 1.) Be adequately trained to access such records,
 - 2.) Be competent to perform that task, and
 - 3.) Conduct each record inquiry in accordance with the standards of technical competency that are generally recognized in the data service industry.

Security of Data

The Academy will implement the following security requirements whenever and wherever records and/or information obtained through any means, electronic or otherwise, is accessed, stored or disseminated:

1. Use software and hardware that is technologically adequate to prevent unauthorized access to the information.
2. Establish operational programs to prohibit unauthorized inquiries from any terminal or other access site.
3. Institute operational programs to detect unauthorized attempts to penetrate the Academy's system of electronic records.
4. Provide for the physical security of the Academy's computer system, with procedures and devices designed to protect against the theft of records and information.

Section 5000 – Personnel

5180-R Unauthorized Release of Information

5180-R-2

5. Secure a signed and approved System Access Request form (or other equivalent form) from each employee (or Subcontractor employee) that grants authority and permission to access driver, vehicle, criminal, or related records directly.

Section 5000 – Personnel

5185 Social security Number Confidentiality (Cf. 5180)

5185

Pursuant to both state and federal law, it is the policy of the Academy to protect the confidentiality of social security numbers. No person shall knowingly disclose, transfer, or unlawfully use the social security number of any employee, student, or other individual.

The Director shall establish rules and regulations to implement this policy. The Director shall ensure that:

1. The confidentiality of social security numbers is maintained to the extent practicable;
2. The unlawful disclosure of social security numbers is prohibited;
3. Access to information or documents containing social security numbers is limited; and
4. Documents containing social security numbers are disposed of properly.

This policy and its rules shall be published in the appropriate handbooks, manuals, and other similar documents. The published document(s) may also be made available electronically.

Persons who violate this policy, or the rules that implement it, may be subject to disciplinary action up to and including suspension or expulsion for students and termination for employees.

Approved:

LEGAL REF: MCL 445.81 *et seq.*; 18 USC 1028; 5 USC 552a (The Privacy Act of 1974)

Section 5000 – Personnel

5185-R Social security Number Confidentiality
R

5185-

Public Records

Where a social security number is contained within a document subject to FOIA release, the social security number shall be redacted.

Information Collected

Social security numbers should only be collected where required by federal or state law. If a unique personal identifier is needed, then a substitute for the social security number shall be used such as an Academy-created student identification number not using the social security number.

Whenever the Academy collects a social security number, the Academy shall inform the individual of the purpose for the collection, the intended use, whether the law requires the number to be provided, and the consequences of not providing the number.

Public Display

Social security numbers shall not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, or any other materials or documents seen by others widely.

Documents, materials, or computer screens that display social security numbers or other sensitive information shall be kept out of public view at all times.

Social security numbers shall not be required for an Academy employee, student, or staff member to gain access to the Internet or network.

Mailed or Transmitted Documents

Documents containing social security numbers shall only be sent where permitted by state law.⁹

⁹ A social security number may be included in a mailed document where: 1) It is sent as part of an application or enrollment process initiated by the individual. 2) It is sent to establish, confirm the status of, service, amend, or terminate an account, contract, employee, or health insurance benefit - or to confirm the accuracy of a social security number of an individual who has a account, contract, policy, or employee or health insurance benefit. 3) It is contained in a public record and is mailed in compliance with the freedom of information act. 4) It is a copy of a vital record, which was recorded according to law, and is mailed to a person entitled to receive that record. 5) It is mailed by, or at the request of, an individual whose social security number appears in the document or information or his or her parent or legal guardian.

Section 5000 – Personnel

5185-R Social security Number Confidentiality

5185-R-2

Documents containing social security numbers that are sent through the mail shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package.

Social security numbers shall not be sent through email unless the connection is secure or the number is encrypted.

No individual shall be required to send his or her social security number through email unless the connection is secure or the number is encrypted.

Telephonic Communications

Academy employees shall not disclose any social security number over the telephone or leave a voice mail message disclosing any social security number. If a social security number must be faxed, the Fax message shall be accompanied by a transmittal sheet, which includes the Academy's name, a “Confidential Notice” stating that the information included is intended to be privileged and confidential, and that it is only intended for the use of the individual or entity named on the transmittal sheet.¹⁰

Access to Social security Numbers

Only those persons authorized by the Director shall have access to social security numbers or other sensitive information. Under no circumstances will any student have access to social security number information for either students or staff.

Storage and Disposal

All documents or files that contain social security numbers or other sensitive material shall be stored in a physically secure manner.

Social security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.

5185-R Social security Number Confidentiality

5185-R-3

¹⁰ Cf. 4260

Section 5000 – Personnel

Documents or other materials that contain social security numbers or other sensitive information shall not be thrown away in the trash; they shall be discarded or destroyed only in a manner that protects their confidentiality, such as shredding.

When erasing social security numbers or sensitive information from computers, it shall be ensured that the information is erased completely.

The Director shall establish regular intervals when unneeded sensitive information is disposed of properly.

Improper Disclosures

Any individual who suspects that an improper disclosure of a social security number has been made shall inform the Director.

If the Director suspects that an improper disclosure has been made, he/she shall contact the appropriate authorities.

Policy Availability

All current and future Academy employees shall be given a copy of the above rules. The Academy Privacy Policy shall be published in an employee handbook, procedural manual, or another similar document, that may be made available electronically.

Accountability

Any person who fails to comply with the Academy's Privacy Policy shall be subject to appropriate discipline as determined by the Director.

Section 5000 – Personnel

5190 Staff Development Opportunities

5190

The Board supports the concept of professional development for the staff and to this end, may authorize funding for various activities in its budget.

In-Service Education

The Director, in consultation with various groups of the Academy's staff, shall develop programs of in-service education that will promote the continuous development and improvement of on-the-job performance of its personnel.

Approved:

LEGAL REF: MCL 380.1254; 380.1525; 380.1526

Section 5000 – Personnel

5200 Staff Conduct

5200

All staff members have the responsibility to become familiar with, and abide by, federal laws and the laws of the state of Michigan as they affect their work, the policies of the Board, and the administrative regulations designed to implement them. All staff members shall be expected to carry out their assigned duties, support and enforce Board policies and administrative regulations, submit required reports, protect Academy property, oversee students, abide by reasonable and legal directives of their supervisors, and contribute to the education and development of the Academy's students. Any employee who fails in these responsibilities will be subject to disciplinary action as determined by the Director.

The Director shall assume the major responsibility for interpreting and enforcing this policy.

Federal Compliance

All employees will be provided with an explanation of both their responsibilities and their rights under law in terms of the actions they may take to maintain order, discipline, and an appropriate educational environment. Training will be provided that defines approved actions, and informs employees that they may be liable for harm when they engage in criminal, grossly negligent or reckless conduct, or act with flagrant indifference to the rights and safety of another person who suffers harm as a result. The Director will develop rules that prescribe the circumstances under which the Academy administration and/or parent(s)/guardian(s) are to be notified of actions taken, any written documentation of actions taken that is necessary, and other appropriate procedures including staff training.

Approved:
LEGAL REF: NCLB

(Academy Note: Use for handbook)

Section 5000 – Personnel

5203 Use of Academy Equipment, Supplies, Property, and Materials (Cf. 9250)

5203

Permission must be gained from the Director before any Academy equipment, supplies or materials may be removed from Academy grounds.

The Director may authorize staff members to utilize Academy-owned equipment, supplies, office/classroom space, and materials to develop software and associated documents outside of their work assignment, provided the development of the software is in the best interests of the Academy. Staff using Academy equipment, supplies, materials, and software shall comply with all copyright laws. Staff members authorized to use Academy equipment assigned to them for use off Academy grounds (such as, but not limited to, laptop computers, cellular telephones, printers or the like) shall assume responsibility for said equipment. Unless specifically authorized otherwise, all such equipment issued to teachers or administrators shall be returned to the Academy at the end of their annual work year.

In no case shall employees be authorized to borrow, remove, or utilize Academy equipment, materials, office/classroom space, or supplies in connection with any outside employment or any other personal interest. Violations of this policy will result in disciplinary action up to and including discharge and/or the filing of criminal charges.¹¹

Approved:

LEGAL REF: MCL 19.141; MCL 750.362

¹¹ MCL 19.141 Care, preservation, and protection of state buildings and property. The Department of Education, among others named in the act, may prescribe rules and regulations for the care, preservation, and protection of buildings and property dedicated and appropriated to the public use and the control and conduct of those coming upon the property. The act authorizes those having control over property and buildings to file a misdemeanor complaint against those who misuse the property. MCL 750.362 - Larceny by conversion. Any person to whom any money, goods or other property, which may be the subject of larceny, shall have been delivered, who shall embezzle or fraudulently convert to his own use, or shall secrete with the intent to embezzle, or fraudulently use such goods, money or other property, or any part thereof, shall be deemed by so doing to have committed the crime of larceny and shall be punished as provided under the Michigan Penal Code. (Underlining added.)

Section 5000 – Personnel

5205 Possessing, Transporting or Transmitting Dangerous Weapons (Cf. 8300) 5205

No person shall possess, transport or transmit a dangerous weapon on Academy property, property used by the Academy for an Academy-related purpose, or in a motor vehicle used for an Academy-related purpose unless: (a) Prior permission has been granted by the Director, (b) The person is an on-duty law enforcement officer or, if off duty, the officer is otherwise required by the law enforcement agency to carry a weapon; or (c) as otherwise allowed by law.¹²

A dangerous weapon, within the meaning of this policy, shall include, by way of description, such things as a firearm, knife, black jack, baton, iron bar, brass knuckles, martial arts devices, and incendiary and/or explosive devices. Pursuant to federal law, the term firearm includes, but is not limited to, any weapon designed to expel a projectile by the action of an explosive, the frame, or receiver of any such weapon, a muffler or silencer for such a weapon, or destructive device.¹³ Any person, including a student, who violates this policy, will be reported to law enforcement authorities. Employees who violate this policy will be severely disciplined, up to and including discharge.

The administrative rules prohibiting students from possessing dangerous weapons are contained in the Student Code of Conduct. The Academy, pursuant to state law, shall expel students who violate the weapons laws and rules unless one of the statutory exceptions is established.¹⁴ To comply with federal law, any such exception shall be reduced to writing.

¹² **28.425o. added Premises on which carrying concealed weapon prohibited; violation.** Sec. 5o. (1) An individual licensed under this act to carry a concealed pistol, or who is exempt from licensure under section 12a(f), shall not carry a concealed pistol on the premises of any of the following: (a) A school or school property except that a parent or legal guardian of a student of the school is not precluded from carrying a concealed pistol while in a vehicle on school property, if he or she is dropping the student off at the school or picking up the child from the school. As used in this section, “school” and “school property” mean those terms as defined in section 237a of the Michigan penal code, [1931 PA 328](#), MCL [750.237a](#).

¹³ Pursuant to federal law, the term destructive device means: any explosive, incendiary, or poison gas: bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or device similar to any or the devices described in the preceding clauses.

¹⁴ To establish a statutory exception, state law requires clear and convincing evidence that: 1) The object or instrument possessed by the pupil was not possessed by the pupil for use as a weapon, or for direct or indirect delivery to another person for use as a weapon, or 2) the weapon was not knowingly possessed by the pupil, or 3) the pupil did not know or have reason to know that the object or instrument possessed by the pupil constituted a dangerous weapon, or 4) the weapon was possessed by the pupil at the suggestion, request, or direction of, or with the express permission of, school or police authorities.

Section 5000 – Personnel

5205 Possessing, Transporting or Transmitting Dangerous Weapons (Cf. 8300) 5205-2

Facsimile Weapons

The Board will not tolerate employee possession of any facsimile or “look alike” weapon on Academy property at any time. It shall be a violation of this policy for any employee or other person to carry, display, or brandish any facsimile of a dangerous weapon with the intent to scare, terrify, alarm, threaten, or intimidate any other person.

Any employee in possession of a replica or facsimile of a dangerous weapon, in violation of this policy will be placed under immediate suspension, pending an investigation of the incident by the appropriate Academy or legal authorities. In accordance with applicable law and collective bargaining agreements, the Director is authorized to discipline any employee who violates this policy.

Approved:

LEGAL REF: MCL 380.1311; 750.237a; 18 USCA 921; 20 USCA 7151 (No Child Left Behind Act)

Section 5000 – Personnel

5210 Staff Complaints (Cf. 5030, 5040)

5210

The Board recognizes the need to provide for the orderly resolution of disagreements or complaints arising out of alleged misapplication of a Board policy. Such disagreements or complaints should be resolved at the lowest possible administrative level. The Director shall assure the procedures may be utilized without fear of reprisal.

Approved:

Section 5000 – Personnel

5220 Staff-Student Relations

5220

All Academy employees are expected to maintain relationships with members of the student body that are nothing but positive in their intent, conducive to an effective educational environment, do not violate appropriate staff/student interactions under law, or the policies of the Board, and do not create possible liabilities to the employee or the Academy. Employees are reminded that a “friendly” approach to students must be tempered by the fact that employees are, and should remain, authority figures in the eyes of students. All Academy employees are responsible for the regulation of student conduct.

Threats to Students

Any Academy employee who threatens to inflict, inflicts, or causes to be inflicted, deliberate physical pain by any means to any student, may be disciplined.

Employees found to be in violation of this policy by the Board may be subject to: a letter of reprimand, suspension – either with or without pay as allowable by law, and/or termination of employment.

Approved:

LEGAL REF: MCL 380.1312

Section 5000 – Personnel

5230 Conflict of Interest (Cf. 4005, 5695)

5230

Academy employees are prohibited from engaging in activities which may be construed as a conflict of interest and detract from the effective performance of their duties. No employee shall attempt, during the school day or on Academy property, to sell or endeavor to influence any student to buy any product, article, instrument, service, or other such item, which would benefit said Academy employee directly or indirectly. (See policy 4005-R Conflict of Interest Disclosure Form).

Any Academy employee shall report alleged violations of the conflict of interest policy to the Director. The Director shall make an initial investigation to determine whether said policy has been violated.

Approved:

LEGAL REF: MCL 15.321 – 323

Section 5000 – Personnel

5230-R Conflict of Interest

5230-R

Annually, the Director and any other Academy employee, deemed by the Director to be in a position to influence the purchase of any goods or services, shall sign and file the "Conflict of Interest Disclosure Form" as found in 4005-R.

Section 5000 – Personnel

5250 Employee Use of Electronic Communications Devices

5250

The Board recognizes that employees may carry electronic communications devices either Academy-issued or personally owned and hereby adopts this policy.

Academy-Issued Communications Devices

The Academy may elect to issue certain communications devices to employees in order to increase the efficiency of Academy operations. Issuance and use of Academy equipment shall be subject to rules promulgated by the Director.

Personally Owned Communications Devices

Employees may carry and use personally owned cellular telephones or pagers/beepers on Academy property subject to rules and regulations promulgated by the Director.

Approved:

LEGAL REF: MCL 380.1303 (PA 132 of 2003)

Section 5000 – Personnel

5250-R Employee Use of Electronic Communications Devices R

5250-

While employees are allowed to possess and carry electronic communications devices on Academy property, such possession and use are subject to the following administrative rules:

Academy-Issued Communications Devices

Communication devices issued by the Academy may include, for example, cellular telephones, walkie-talkies, personal digital assistants (PDA's) or laptop computers with "beaming capabilities," citizens band radios, either installed in vehicles or hand-held, and pagers/beepers.

Employees in receipt of Academy-issued equipment shall be held responsible for the safekeeping of the equipment and exercise reasonable efforts to see that the equipment is not lost, stolen, or damaged. Reckless or irresponsible use of Academy equipment, resulting in loss or damage may result in the employee having to reimburse the Academy for any associated costs of replacement or repair.

Academy-issued equipment shall be used in a manner that does not disrupt instruction and should not be used during Academy-sponsored programs, meetings, in-services, or other events where there exists a reasonable expectation of quiet attentiveness unless there is a reason of personal health or safety involved.

Any Academy-issued equipment is to be surrendered back to the Academy immediately upon request.

Personally Owned Electronic Communications Devices

Employees may possess and carry cellular telephones, pagers/beepers, and PDA's or laptops with "beaming capabilities" during the school day on Academy property.

Personally owned hand-held citizens band radios, portable police scanners, and long or short-range walkie-talkies should not be used or carried by employees on Academy property during the school day unless by specific permission of their immediate supervisor based on a personal health or safety need.

Section 5000 – Personnel

5250-R Employee Use of Electronic Communications Devices

5250-R-2

Cellular telephones and pagers/beepers should not be used during the employee's normal duty times to send or receive messages of a personal nature, but such use is allowable during normal break times, lunch times, and preparation times. Use of cellular telephones or audible pagers/beepers should be curtailed during instructional time or at Academy-sponsored programs, meetings, in-services, parent(s)/guardian(s) conferences, or any other time when there would be a reasonable expectation of quiet attentiveness.

Employees operating any vehicle for Academy purposes, are prohibited from operating the vehicle while using a cellular telephone, whether personally owned or Academy issued, except: (1) during an emergency situation, (2) to call for assistance, after stopping the vehicle, if there is a mechanical breakdown or other mechanical problem, (3) when the vehicle is stopped and where a cellular telephone is owned by the Academy and used as a digital two-way radio, and (4) when the vehicle is parked. Any employee violating the above rules may be subject to disciplinary action.

Section 5000 – Personnel

5300 Personnel Records

5300

One, official personnel file shall be maintained by the Academy for each employee. Personnel files kept by the Academy concerning employees shall be kept in a secured location and under the custodianship of the Director. Complete personnel files of employees who have left the Academy shall be similarly kept, but in an inactive file, for not less than seven years. A permanent record of the employee's years of work, assignments, and salary/wage paid shall be kept in perpetuity.

Approved:

LEGAL REF: MCL 15.231 *et seq.*; 423.501-512

Section 5000 – Personnel

5300-R Personnel Records

5300-R

Employee files shall include, but not be limited to: Application, recommendations, college or educational credentials, transcripts, correspondence, anecdotal notes, and evaluation reports.

The Board may have access to personnel files of employees when such access is deemed necessary by the Board in the employee-employer relationship. Individual Board members shall not have access to personnel files or records except as may be allowed by law and accorded to any other citizen.

The Director, in the course of conducting his/her duties, shall have access to the personnel files of employees.

Permanent records of an employee's years of work; assignments and salary/wages paid may be retained on microfilm, computer disk, CD-ROM or the like at the discretion of the administration.

Section 5000 – Personnel

5330 Travel Expenses (Cf. 1168, 3600)

5330

The Board may provide reimbursement for expenses incurred in travel related to the performance and duties of the Academy's employees when approved in advance by the Director.

Approved:

Section 5000 – Personnel

5330-R Travel Expenses (Cf. 1168, 3600)

5330-R

Authorization for reimbursed travel expenses may be considered by the Director. Mode of travel shall be based on the availability of transportation, distance, and number of persons traveling together. In air travel, a first class fare will be reimbursed only when coach space was not available.

Receipts for transportation, parking, hotels or motels, meals and such other expenses for which receipts are ordinarily available shall be attached to expense vouchers. For the authorized use of a personal car, staff members shall be reimbursed at a mileage rate established by the director.

Section 5000 – Personnel

5335 Health Records - HIPAA

5335

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) grants individuals the right to receive notice of the uses and disclosures of their protected health information (PHI) that may be made by the Academy, and sets forth the individual's right's and the Academy's legal obligations with respect to PHI. The Academy declares itself a hybrid entity under the law.

The Academy will maintain all PHI in accordance with law. Protected health information does not include information contained in student education records covered by the Family Educational Rights and Privacy Act (FERPA) or employment records held by the Academy in its role as an employer.

Protected health information will only be available to designated employees who need to have access to those records in their employment capacity with the Academy and with other authorized entities. Employees will not disclose or use PHI unless an appropriate written consent/authorization exists, an actual emergency exists, or unless otherwise authorized by law. The Academy will train all employees who may have contact with protected health information on the law and the Academy's policies and procedures as necessary and appropriate for the employee's position. Any employee failing to comply with Academy policies, procedure, or law may be disciplined or terminated.

The Academy will not intimidate, threaten, coerce, discriminate against or take other retaliatory action against any individual for exercising his or her rights; participating in any process; filing a complaint; testifying, assisting or participating in an investigation, compliance review, proceeding or hearing; or in good faith opposing any act or practice the individual believes is unlawful, in accordance with law. The Academy's privacy official is:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406, Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

The Academy privacy official's duties include but are not limited to:

Section 5000 – Personnel

5335 Health Records - HIPAA

5335-2

- Developing and implementing the Academy's policies and procedures regarding protected health information,
- Receiving and evaluating requests for amendments of protected health information,
- Answering questions regarding privacy issues,
- Providing training to Academy employees, and
- Reviewing and deciding appeals concerning complaints initially decided by the contact person.

The Academy's contact person and security official is:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406, Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

The Academy contact person/security official's duties include, but are not limited to:

- Receiving and reviewing complaints,
- Determining whether a violation of policy or procedure has occurred, determining the potential harmful effects, and deciding upon an action to minimize the harm,
- Referring violators to appropriate administrators for possible discipline,
- Providing information about matters covered in the Academy's privacy notices,
- Insuring that notices of privacy practices are distributed as required by law,
- Developing and implementing the Academy's security policies and procedures, and
- Performing tests and assessments of technology safeguards at the direction of the Director.

Approved:

LEGAL REF: 20 U.S.C. § 1232g (FERPA); Health Insurance Portability and Accountability Act (HIPAA), 42 USCA § 210 *et seq.* (P.L. 104-191 of 1996); 45 C.F.R. §§ 160.101 *et seq.*; 164.102 *et seq.*

Academy Question: What is a hybrid entity?

MASB Response: You are a "hybrid entity" if you administer your health insurance program and/or are self insured and actually "run" a health insurance program. If you simply "bid" out your health coverage and have nothing to do directly with processing claims, etc., you do not need this policy. As we suggested, you need to ask your Board attorney for an opinion if you are not certain! MASB cannot make the determination.

Section 5000 – Personnel

5340 Staff Health and Safety (Cf. 5370)

5340

The Board shall attempt to ensure staff health, safety, and protection during working hours.

The Board shall comply with the provisions of the federal and Michigan Occupational Safety and Health Act as they apply regarding the employee's right to know of hazardous conditions or materials. The Director shall develop appropriate procedures for informing staff.

Approved:

LEGAL REF: Michigan Constitution Article VIII, §3; MCL 408.1001-1094 (Michigan Occupational Safety and Health Act); Contract ¶ 11

Section 5000 – Personnel

5340-R Staff Health and Safety (Cf. 5370)

5340-R

Staff Protection

An employee who has suffered assault in connection with employment shall immediately report the incident, in writing, to the Director, and shall make such supplemental written reports as needed.

The Board, upon recommendation of the Director, shall reimburse an employee when the employee's personal property, except for automobile, is soiled, damaged, or destroyed by students or non-students through acts of personal physical assault and when such losses occur during the employee's performance of the employee's Academy duties. Such reimbursement shall be considered only after the employee has first been reimbursed through his/her insurance carrier and shall be limited to \$100. All such losses must be reported in writing to the Director within 10 days.

Section 5000 – Personnel

5345 Staff Smoking and Tobacco Products

5345

Academy employees shall not, at any time, smoke or use tobacco products in any Academy building, Academy owned or leased vehicle, at any Academy-sponsored event, nor on Academy grounds.

Academy employees shall not smoke or use tobacco products when they are involved with students or when supervising student activities whether on or off Academy property.

Approved:

LEGAL REF: MCL 750.473

Section 5000 – Personnel

5350 Alcohol and Drug-Free Workplace

5350

The possession, use, distribution, dispensation and/or manufacturing of controlled substances, as defined by state and federal law, or alcoholic or “look-alike” alcoholic beverages, by Academy employees on Academy grounds, in the Academy building and/or in connection with any Academy activity or function, is prohibited.

Any Academy employee who violates the above policy may be subject to disciplinary action, up to and including termination of employment. In addition, the employee may be required to participate, satisfactorily, in an alcohol or drug assistance rehabilitation program approved by the Board in order to continue employment with the Academy.

Any Academy employee who has been found guilty of violating a criminal drug statute in the workplace shall notify the Director within five days after a conviction relating to the drug offense.

The Director shall notify the appropriate federal, state, or local law enforcement agency within ten days after receiving notice of a workplace related drug conviction on the part of the employee.

This policy shall be published annually in the Academy's faculty and staff handbooks.

Approved:

LEGAL REF: 49 CFR 382.601 (Anti-Substance Abuse Act)

Section 5000 – Personnel

5357 Family and Medical Leave

5357

The Board shall comply with the 1993 Family and Medical Leave Act.

Employees with at least 1 full year of service and at least 1,250 hours of work in the last 12 months are entitled to unpaid leave of up to 12 weeks in any one-year period for the birth/adoption of a child or for serious personal or family health reasons.

Leaves may be continuous or intermittent with the agreement of the employee and the Director. Benefits shall continue during the leave upon payment of appropriate contributions.

An FMLA leave is limited to 12 weeks in any 12-month period. The 12-month period will be measured on a "rolling" 12-month basis, from the employee's last use of FMLA leave.

Upon conclusion of the leave, the employee shall be returned to the same position or an equivalent position. If the employee does not return as scheduled, termination from the position may result.

The Director reserves all rights to require proper documentation of all leaves under the Act and this policy.

Approved:

LEGAL REF: 29 CFR 825.200 (Family and Medical Leave Act of 1993); Contract ¶ 11

Section 5000 – Personnel

5357-R Family and Medical Leaves
R

5357-

Honey Creek Community School

Family and Medical Leave Act Administrative Procedures

The following sets forth the procedures in effect for leaves of absence under the Family Medical Leave Act of 1993 (FMLA). Employees shall be granted up to 12 weeks of unpaid leave per year for any of the following reasons:

1. To care for the employee's child after birth, or placement for adoption or foster care.
2. To care for the employee's spouse, child or parent who has a serious health condition.
3. For a serious health condition that makes the employee unable to perform essential functions of the employee's job.

An FMLA leave is limited to 12 weeks in any 12-month period. The 12-month period will be measured on a "rolling" 12-month basis, from the employee's last use of FMLA leave. Each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the twelve weeks that has not been used during the immediately preceding twelve months. For example, if an employee has taken eight weeks of leave during the past twelve months, an additional four weeks of leave could be taken.

An FMLA leave taken for the birth or placement of a child may not be taken more than 12 months after the child's birth or placement. Subject to any applicable exceptions contained in the Family and Medical Leave Act, you will be restored to your original position or an equivalent position with equivalent pay, benefits and other employment terms. The use of FMLA leave will not result in the loss of any employment benefits that you accrued prior to the start of an FMLA leave.

Section 5000 – Personnel

5357-R Family and Medical Leaves

5357-R-2

TAKE A GOOD LOOK AT THIS, we need to all agree.

MASB Note: “Agree” on what? The eligibility language below is drawn from the law directly.

Eligibility

You are eligible for FMLA leave if you have worked for the Academy for at least one year, and for 1250 hours over the past 12 month period. If you are a "key employee", defined as a salaried employee who is among the highest paid 10% of the employees employed within 75 miles of the your work site, you may not be eligible for FMLA leave if restoring you to your position would result in substantial and grievous injury to the Academy's operation.

Notice and Certification

You are required to provide advance leave notice and medical certification as set forth below:

1. You must provide 30 days advance notice of the leave when the leave is "foreseeable." If 30 days notice of a foreseeable leave is not provided, the Academy may delay the leave until 30 days after the notice is provided.
2. The Academy reserves the right to require medical certification to support a request for an FMLA leave because of your serious health condition or the serious health condition of your family member. Such certification must be provided within 15 days of the leave request. If such certification is not provided, the Academy may delay the leave until such certification is received.
3. When a leave is due to your serious health condition or that of your family member, the Academy reserves the right to require re-certification of the serious health condition at least every 30 days, and as otherwise permitted by the FMLA. Also, the Academy will require you to provide periodic updates of status and intent to return to work.
4. The Academy reserves the right to require second and/or third opinions by a health care provider (at the Academy's expense) as provided in the FMLA.

Section 5000 – Personnel

5357-R Family and Medical Leaves

5357-R-3

5. If an FMLA leave is due to your serious health condition, you will be expected to provide certification from a "health care provider" of your fitness to return to work prior to the expiration of the FMLA leave.

Benefits

Medical benefits will continue during your FMLA leave on the same basis as during regular employment. Any co-payments usually required for medical benefits will be required during an FMLA leave. Failure to begin co-payments within 30 days of the start of the leave or failure to continue co-payments during the leave may lead to termination of the medical benefits.

If you fail to return to work after your FMLA leave entitlement has expired, the Academy may recover premiums that were paid for maintaining group health plan coverage during any period of unpaid FMLA leave. If the reason that you do not return to work is due to (a) continuation, recurrence, or onset of a serious health condition that would entitle you to FMLA leave or (b) "other circumstances beyond the control of the employee" as defined in the FMLA, the Academy will not recover the premiums paid during your unpaid FMLA leave.

Paid Leave Time and FMLA Leaves

The Academy requires that an employee taking FMLA leave for any qualifying purpose use all available accrued paid time as part of the FMLA leave, including accrued sick leave, personal business leave, and vacation. For example, an employee with five (5) days accrued sick leave and five (5) days accrued vacation who takes a 12-week FMLA leave will be required to take two weeks paid leave (using sick leave and vacation days) and ten weeks unpaid FMLA leave.

"Serious Health Condition" Defined

Regulations define "serious health condition as an illness, injury, impairment, or physical or mental condition that involves:

Section 5000 – Personnel

5357-R Family and Medical Leaves

5357-R-4

1. Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
2. Any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider;
3. "Continuing treatment," as defined in the FMLA, by (or under the supervision of) a "health care provider" (as defined in the FMLA) for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days; or
4. "Continuing treatment" by a "health care provider" for prenatal care.
A serious health condition does not include absences for less than three days for short-term conditions for which treatment and recovery are brief. Similarly, voluntary or cosmetic treatments are not a serious health condition unless they require inpatient care.

Intermittent Leaves

You may take FMLA leave on an intermittent basis, with appropriate medical justification, for your serious health condition or the serious health condition of your spouse, child or parent. Intermittent leave is not available for the care of a child after birth or placement. Where intermittent leave is "foreseeable," the Academy expects that you will try to schedule your leave to avoid undue disruption of operations. The Academy reserves the right to place an employee seeking intermittent leave in an alternative position that better accommodates the employee's intermittent leave schedule.

5357-R Family and Medical Leaves

5357-R-5

Section 5000 – Personnel

Alternate Employment during an FMLA Leave

You may not engage in employment, other than employment with the Academy during an FMLA leave. Employees who are found to have engaged in such alternate employment will subject to termination.

Instructional Employees

Employees who are employed principally in an instructional capacity (for example, teachers, coaches and driving instructors) are subject to the following limitations with respect to FMLA leave.

1. Intermittent leave or leave on a reduced schedule

An instructional employee who applies for a foreseeable FMLA leave which would result in the employee being on leave for more than 20% of the remaining working days in the period during which the leave would extend may be required to elect between either:

- a. Taking a leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
- b. Transfer temporarily to an available alternative position offered by the Academy for which the employee is qualified, which has equivalent pay and benefits, and which better accommodates the recurring periods of leave than the employee's regular position.
- c. The election described above only applies if the employee provides at least 30 days advance notice of the foreseeable leave.

2. Periods near the conclusion of an academic term

An instructional employee who begins a leave more than five weeks before the end of a semester may be required to continue on leave until the end of the semester if the leave will last at least three weeks, and the return to work would occur within the last three weeks of the term.

Section 5000 – Personnel

An instructional employee who begins a leave for a purpose other than his/her own serious health condition during the five week period before the end of a semester may be required to continue on leave until the end of the semester if the leave will last more than two weeks, and the return to work would occur within the last two weeks of the semester.

An instructional employee who begins a leave for a purpose other than his/her own serious health condition during the three week period before the end of the semester and the duration of the leave is more than five working days may be required to continue on leave until the end of the semester.

Responsibility

The Director will be responsible for implementing FMLA procedures. FMLA requests shall be made in writing to the Director.

Section 5000 – Personnel

5357-R Family and Medical Leaves

5357-R-7

Honey Creek Community School Employer Response to FMLA Request

TO: _____ DATE: _____
(Employee Name)

FROM: _____
(Name of appropriate employee representative)

SUBJECT: Request for Leave under the Family and Medical Leave Act (FMLA)

On _____ you notified us of your need to take family/medical leave due to:
(Date)

The birth of your child, or the placement of a child with you for adoption or foster care; or a serious health condition that makes you unable to perform the essential functions of your job; or a serious health condition affecting your spouse, child, parent, for which you are needed to provide care.

You notified us that you need this leave beginning on _____ and that you
(Date)
expect leave to continue until on or about _____.
(Date)

Except as explained below, you have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period for the reasons listed above. Also, your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work and you must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from leave. If you do not return to work following FMLA leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; or (2) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave. In addition, if you do not return to work following expiration of your leave without receiving prior permission in writing from the Academy to extend your leave, you will be considered to have abandoned your job, and your employment with the Academy will end. See the Honey Creek Community School FMLA Administrative Procedures for more detailed information concerning FMLA leave.

This is to inform you that: *(check here appropriate; explain where indicated)*

1. _____ You are eligible not eligible for leave under the FMLA.
2. _____ The requested leave will not be counted against your annual FMLA leave entitlement.

Section 5000 – Personnel

5357-R Family and Medical Leaves

5357-R-8

3. You ____ will ____ will not be required to furnish medical certification of a serious health condition. If required, you must furnish certification by *(Insert date)* (Must be at least 15 days after you are notified of this requirement) or we may delay the commencement of your leave until the certification is submitted.
4. ____ You are required to use all available accrued time as part of your FMLA leave. If paid leave is used, the provisions of any applicable collective bargaining agreement will apply, and/or the following conditions will apply: (Explain)
5. You ____ will ____ will not be required to present a fitness-for-duty certificate prior to being restored to employment. If such certification is required but not received, your return to work may be delayed until the certification is provided.
6. While on leave, you ____ will ____ will not be required to furnish us with periodic reports every *(indicate interval of periodic reports, as appropriate for the particular leave situation)* of your status and intent to return to work *(see §825.309 of the FMLA regulations)*. If the circumstances of your leave change and you are able to return to work earlier than the date indicated on the reverse side of this form, you will be required to notify us at least two work days prior to the date you intend to report for work.
7. You ____ will ____ will not be required to furnish re-certification relating to a serious health condition. *(Explain below, if necessary, including the interval between certifications as prescribed in §825.308 of the FMLA regulations.)*
8. The following applies only if you normally pay a portion of your health insurance premium:
 - (a). If you normally pay a portion of the premiums for your health insurance, these payments will continue during the period of FMLA leave. Arrangements for payment have been discussed with you and it is agreed that you will make premium payments as follows: *(Set forth dates, e.g., the 10th of each month, or pay periods, etc, that specifically cover the agreement with the employee.)*

Section 5000 – Personnel

5357-R Family and Medical Leaves

5357-R-9

(b). You have a minimum 30-day grace period in which to make premium payments. If payment is not made in a timely manner, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work. We will not pay your share of health insurance premiums while you are on leave.

(c). We ___ will ___ will not do the same with other benefits (e.g., life insurance, disability insurance, etc.) while you are on FMLA leave. If we do pay your premiums for other benefits, when you return from leave you - will - will not be expected to reimburse us for the payments made on your behalf.

9. The following applies only if you are a "key employee" under the FMLA:

(a). You ___ are ___ are not a "key employee" as described in §825.218 of the FMLA regulations. If you are a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us.

(b). We ___ have ___ have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us. *(Explain (a) and/or (b) below. See §825.219 of the FMLA regulations.)*

Section 5000 – Personnel

5370 Communicable Diseases - Staff and Students (Cf. 8510)

5370

In order to minimize the spread of contagious diseases among students and staff, the Academy will cooperate, fully, with the Washtenaw County Health Department to enforce adherence to the Michigan Health Code for the prevention, control, and containment of communicable diseases.

A decision to close the Academy due to communicable disease outbreaks shall be made by the Director, or designee, in consultation with the Washtenaw County Health Department medical staff and/or for review to the review team.

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the Academy's policies.¹

Approved:

LEGAL REF: MCL 333.5111; 333.5131; Family Educational Rights and Privacy Act of 1974, MDE Bulletin, September 23, 1999

¹ A student with a contagious disease is probably a "handicapped individual" under Section 504 of the Rehabilitation Act (29 U.S.C. § 794(a)). See *Thomas v Atascadero Unified School District*, 662 F. Supp.376 (C.D. Cal 1986) (a child with Aids was a "handicapped person" under Section 504).

Students with contagious diseases may also qualify for special education under the Individuals with Disabilities Education Act (20. U.S.C. § 1400 *et seq.*)

Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. *Community High School District 155 v Denz*, 463 N.E.2nd 998 (2nd Dist. 1984).

Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, legal counsel should be consulted.

Section 5000 – Personnel

5370-R Communicable Diseases - Students and Staff (Cf. 8510)

5370-R

- A. The Director will not permit a student to enter the Academy who is out of compliance with the required immunization schedule. Academy personnel shall assist as necessary in completing and coordinating all immunization dates, waivers, and exclusions, including the necessary Immunization Assessment Program forms, to provide for preventable communicable disease control.
- B. All reportable communicable diseases will be referred to the Washtenaw County Health Department in accordance with Michigan statutory and administrative guidelines.
- C. The decision to close the Academy due to communicable disease outbreaks is at the discretion of the Academy's administration. Consultation on such decisions is available from the Washtenaw County Health Department.
- D. Mandatory screening for any of the following listed communicable diseases (see paragraph E) of all students/employees as a condition of attending work/school or as a condition for employment shall not be required.
- E. Communicable diseases considered a serious concern to the community and/or the afflicted individual will be addressed by the Washtenaw County Health Department.)

Section 5000 – Personnel

5410 Professional Staff Contracts (Cf. 2400)

5410

Nature of Employment

Employment with the Academy is entered into voluntarily, and the employee is free to resign at will any time, with or without cause. Similarly, the Academy may terminate the employment relationship at will any time, with or without notice or cause, so long as there is no violation of applicable federal or state law or the policies of the Board. Notice of this provision shall be included in each individual contract.

Policies set forth in this manual are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Academy and any of its employees.

The employment of teachers shall be secured through written contracts.

The Director is authorized to sign teacher contracts on behalf of the Board. All provisions of individual contracts shall comply with the policies of the Board.

The Director may enact rules to implement this policy further.

Approved:

LEGAL REF: MCL 380.1224; 380.1231

Section 5000 – Personnel

5410-R Professional Staff Contracts (Cf. 2400)

5410-R

Personal Time Bank/Accrual for Ten-Month, Full-Time Teachers

Full-time, permanent employees have a sick bank of ten (10) days per contract year beginning in September. Full-time, permanent employees beginning after September 1st, have a sick bank calculated on a proportionate basis. No sick time can be transferred from contract year to contract year (i.e., from June 30th to September 1st).

Unused sick time remaining at the end of the contract year (June 30th) is forfeited. If an employee does not complete their contract year, sick time shall be considered to accrue at the rate of one (1) day per month as follows:

Effective Date	Start of Employment Return from Leave	End of Employment Start of Leave
1-10	100%	0
11-20	50%	50%
21-month end	0	100%

If an employee does not complete his/her contract year, any sick time used beyond the above accrual rate will be deducted from the employee's paycheck at a daily rate equal to the employee's yearly salary/12 months per year.

Use

If an employee uses all his/her sick time, the Director may require a leave of absence to be taken after ten (10) consecutive unpaid leave days (see Leaves of Absence). All sick time must be taken before unpaid leave may be taken.

Each employee must schedule a substitute teacher and then notify the assistant Director or his/her designee as soon as possible when he/she is sick. Reasons for the absence must be given. A written statement from a licensed physician declaring the nature of the illness and expected recovery time shall be required after the employee is absent for more than three (3) consecutive days due to illness. Requests for days used for personal reasons must be presented seven (7) days in advance.

Sick time may be used in half or whole day segments only.

Section 5000 – Personnel

5410-R Professional Staff Contracts (Cf. 2400)

5410-R-2

No more than two (2) days of accumulated sick leave may be used for the purpose of observing recognized religious holidays of the employee's personal faith. If the staff member has no leave time beyond that allowed by this section to use for this purpose, then he/she will be asked to take a day without pay. When sick time is used for this purpose, the employee will provide notification during the first two (2) weeks of the school year to their immediate supervisor. Final approval for the use of sick time for this purpose will remain with the assistant Director after consultation with the executive Director.

The Board may require that an employee submit to physical or medical tests and examination by an Academy appointed doctor when such tests and examination are considered to be of value to the Academy in maintaining a capable work force, employee health and safety, etc., provided however, that the Academy will pay the cost of such tests and examinations. All rules and regulations of the HIPAA will be followed strictly.

Section 5000 – Personnel

5430 Hiring (Cf. 5020)

5430

The Board has the legal responsibility of approving the staffing levels for all categories of Academy personnel. In addition, they are responsible for the formal approval of all teacher and administrative employment. Once the Board through the budget adoption process has approved staffing levels, the Board delegates to the Director the authority to recruit, screen, select, and recommend the employment of all staff members to fill the positions approved in the budget, and to approve employment understandings on the Board's behalf. In carrying out this responsibility, the Director shall involve appropriate administrative and/or non-certified staff members as needed and use special criteria developed by the Board and/or staff.

Before the employment any new teacher or administrator, the Director shall bring his/her recommendations to the Board for approval.

Approved:

LEGAL REF: MCL 380.601(a) (1) (d), MCL 380.1229 and MCL 380.1231; Contract ¶

Section 5000 – Personnel

5430-R Hiring (Cf. 5020)

5430-R

To aid in obtaining the best available staff members for the Academy, the Academy shall use the following general criteria in the selection process for initial employment:

- Teaching candidates, if selected, will be assigned to teach primarily their major field and/or major subject area, with elementary education defined as a major field, and
- Staff enhances the highest quality of instruction when they have a wide variation in educational preparation, background, and previous experience. Therefore, candidates recommended for employment shall reflect the best efforts of the administration to recognize this fact, subject to the available pool of candidates.

The employment of any staff member is not final or official until an actual offer is tendered by the Director and agreed to by the candidate.¹⁵

The employment sequence shall be as follows:

- The offer of employment to the candidate,
- Verification by the candidate of receipt of the offer to employ,
- Director's recommendation to the Board that the candidate be employed,
- Board approval of the employment,
- Notifications of selection sent to WISD,
- Issuance of the actual employment understanding to the candidate and candidate's acceptance within two weeks. The Director, in unusual circumstances, can extend the two-week deadline.

¹⁵ In some instances, it may be required that employment appointments be submitted to the WISD for final approval.

Section 5000 – Personnel

5520 Evaluation

5520

Staff evaluations shall be performed annually unless otherwise determined by the Director.

The evaluation form governing evaluation of the teaching staff is on file in the administration office and shall be published in the employee handbooks.

Availability of Evaluation Documents

The evaluation instrument shall be available to the Director, evaluating administrator, or supervisor under whose direct supervision the employee will work and others authorized by law.

Approved:

LEGAL REF: MCL 38.71 *et seq.*; 15.268

Section 5000 – Personnel

5540 Suspension and/or Dismissal of Employees

5540

The Board may discipline, or proceed with charges to dismiss or demote, any teacher or other employee upon recommendation by the Director.

Any action for non-renewal of the Director's contract or the contract of any other administrator should there be any others than the Director shall be under the provisions of law. (MCL 380.1229)

The Director is authorized by the Board to suspend from active duty, either with or without pay, any teacher or other employee against whom formal charges are anticipated being filed or have already been filed, until a decision is rendered or unless the Board acts to reinstate said teacher.

Teacher Convictions

If a teacher is suspended, the teacher's salary may continue during the suspension.

However, if a teacher is suspended and

- The teacher is convicted of a felony that is not a listed offense or a misdemeanor that is a listed offense, upon the Board's discretion, the teacher's salary may be discontinued upon the date of conviction.¹⁶
- The teacher is convicted of a felony that is a listed offense; the Board shall discontinue the teacher's salary upon the date of conviction.
-

¹⁶ A listed offense includes any of the following:

- 1) Accosting or soliciting a child for immoral purposes (MCL 750.145a-c);
- 2) Sodomy if the victim is an individual less than 18 years of age (MCL 750.158);
- 3) A third or subsequent violation of any combination of the following:
 - a. Being engaged in indecent or obscene conduct in a public place (MCL 750.167(1)(f))
 - b. Indecent exposure (MCL 750.335a)
 - c. A local ordinance of a municipality substantially corresponding to the above;
- 4) Except for a juvenile disposition or adjudication, gross indecency between males, females, or between a male and female, if the victim was under 18 years of age (MCL 750.338-338b);
- 5) Kidnapping (MCL 750.349);
- 6) Kidnapping under age 14 (MCL 750.350);
- 7) Soliciting and accosting (MCL 750.448);
- 8) Pandering (MCL 750.455);
- 9) 1st, 2nd, 3rd and 4th degree criminal sexual assault, and second or subsequent offenses (MCL 520b-e);
- 10) Assault with intent to commit criminal sexual assault (MCL 750.520g);
- 11) Sexually delinquent persons (MCL 750.10a);
- 12) The attempt or conspiracy to commit any of the above offenses;
- 13) Any other violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age; and (Continued next page)
- 14) Any offense substantially similar to the above offenses under a law of the United States, any state, or any country or under tribal or military law.

Section 5000 – Personnel

5540 Suspension and/or Dismissal of Employees

5540-2

- The teacher pleads guilty, no contest, or is convicted of a crime listed in MCL 380.1535a(2), the Board shall discontinue the teacher's salary.¹⁷

Under such circumstances, all discontinued wages shall be held in an escrow account until the State Superintendent of Public Instruction makes a final determination of whether or not to suspend or revoke the individual's teaching certificate. If the individual's teaching certificate is suspended or revoked, all wages will be forfeited. If the individual's teaching certificate is not suspended or revoked, the individual shall be paid all withheld wages without interest. Should a person's conviction be reversed on appeal, that person shall be treated in a manner consistent with applicable law.

5540 Suspension and/or Dismissal of Employees

5540-3

¹⁷ MCL 380.1535a(2) includes the following offenses:

- a) Criminal sexual conduct in any degree, assault with the intent to commit criminal sexual conduct, or an attempt to commit criminal sexual conduct in any degree;
- b) Felonious assault on a child, child abuse in the first degree, or an attempt to commit child abuse in the first degree;
- c) Cruelty, torture, or indecent exposure involving a child;
- d) A violation of section 7401(2)(a)(i), 7403(2)(a)(i), 7410, or 7416 of the Public Health Code (concerning unlawful manufacture, delivery, or possession of controlled substances or controlled substance analogues; distribution of marijuana to minors near school property; and recruiting or inducing a minor to commit a felony);
- e) A violation of section 83, 89, 91, 145a-c, 316-17, 350, 448, 455, or 529 of the Michigan Penal Code (concerning assault with intent to commit murder or to steal while armed; attempt to murder; consumption or possession of alcohol by minors, or controlled substances at social gatherings; first and second degree murder; armed robbery; and using the Internet when committing a crime against a minor);
- f) A violation of section 158 of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning crimes against nature or sodomy);
- g) Except for a juvenile disposition or adjudication, a violation of section 338, 338a, or 338b of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning gross indecency between males, females, and between males and females);
- h) A violation of section 349 of the Michigan Penal Code if the victim was an individual less than 18 years of age (concerning kidnapping);
- i) An offense committed by a person who was, at the time of the offense, a sexually delinquent person – any person whose sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of consequences or the recognized rights of others, or by the use of force upon another person in attempting sex relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against children under the age of 16;
- j) An attempt or conspiracy to commit an offense listed in (a) or (e-i);
- k) A violation of a substantially similar law of another state, of a political subdivision of this state or another state, or of the United States; Any crime listed in 1535(1), if the Director of public instruction determines the public health, safety or welfare requires emergency action based on the circumstances underlying the conviction.

Section 5000 – Personnel

Reporting Crimes and Convictions

All Academy employees shall disclose criminal charges or convictions to the Director as prescribed by law.

Failure to report being charged or convicted of a crime may result in dismissal.

The Director will promulgate appropriate administrative rules regarding the procedures to be followed in the event of any complaints or criminal charges being filed against members of the professional staff.

Approved:

LEGAL REF: MCL 38.71-121; 380.1229; 380.1230d; 380.1535a; 380.1539b

Section 5000 – Personnel

5560 Resignation of Professional Staff

5560

Resignation

Professional staff members may resign by giving written notice to the Director of the Academy. A minimum of two week's notice would be appreciated. The Director may accept the resignation in writing immediately.

Once a resignation is tendered to the Director, and has been accepted, in writing, by the Director, that resignation shall be considered final.

The Director may develop procedures for an "exit interview" of all employees who will not be returning to the Academy.

Approved:

LEGAL REF: MCL 38.71-121

Section 5000 – Personnel

5560-R Resignation of Professional Staff

5560-R

Exit Interview Form

Completing this form is optional, and neither this form nor any information contained herein shall be placed in your personnel file. The information you provide will help the Academy monitor its recruiting, training, and retaining of employees. Return completed form to your immediate supervisor or to the Central Office designee.

EMPLOYEE'S NAME _____
Last Name First Name Middle Initial

JOB TITLE _____ Last Assignment _____

DATES OF

EMPLOYMENT _____
Beginning Date Ending Date

WHY ARE YOU LEAVING THE ACADEMY? *Check the box that best describes your reason for leaving.*

☐ Retirement ☐ Resignation/New employment ☐ Termination/Dismissal

If "new employment," please check the boxes that best describe your new position.

☐ Promotion ☐ Better salary ☐ Better benefits ☐ More convenient location

YOUR EVALUATION OF THE ACADEMY *Check the boxes that best describe your employment with the Academy.*

Categories to Rank	Very Satisfied	Satisfied	Dissatisfied*	Very Dissatisfied*
Nature of job	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utilization of skills/training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performance appraisals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training/development programs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Opportunities for advancement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Salary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immediate supervisor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Academy management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Academy policies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work load	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall, as a place to work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*If you marked any of the categories as "Dissatisfied" or "Very Dissatisfied," please write your explanation on a separate sheet of paper and attach it to this form.

5560-R Resignation of Professional Staff

5560-R-2

WHAT DID YOU LIKE LEAST ABOUT YOUR JOB?

WHAT DID YOU LIKE BEST ABOUT YOUR JOB?

Honey Creek Community School

Section 5000 – Personnel

IN WHAT AREAS COULD THE ACADEMY IMPROVE TO RETAIN QUALIFIED PERSONNEL?

WOULD YOU RECOMMEND THE ACADEMY AS A PLACE TO WORK?

☐ Yes ☐ No

If “no,” why not?

REMINDER: *Please return keys and/or other Academy-provided materials before you leave.*

Employee’s Signature

Date

Section 5000 – Personnel

5640 Non-Academy Employment/Outside Business Interests (Cf. 9170) 5640

Employees shall not be permitted to engage in any outside employment, job, business, or business venture involving profit or payment to the employee, or that provides the employee any personal gain whatsoever that, by its nature or duration, will impair the effectiveness of their service to the Academy.

In addition, such employment, business, business venture, job, or other outside interest or responsibility shall not reflect on the Academy detrimentally, raise a question of conflict of interest, establish or imply any Academy sponsorship or responsibility, or require, or imply the use of the name of the Academy, Academy logos or insignia, or any Academy facilities, property, or equipment.

Approved:

LEGAL REF: MCL 15.401

Section 5000 – Personnel

5640-R Non-Academy Employment/Business Interests

5640-R

Employees are prohibited from soliciting Academy students during school hours or by using Academy personnel, facilities, equipment, records, or supplies, to promote or advertise non-Academy sponsored camps, travel trips, special schools, tutoring services, or other activities through which the employee will realize financial gain or advantage. If students of the Academy are solicited through advertising outside the Academy and off Academy premises, but it is obvious that the activity or event is aimed at students of the Academy primarily, the employee will provide a written “Disclaimer Statement” to any Academy student and their parent(s)/guardian(s). The “Disclaimer Statement” shall state clearly that the Academy is not sponsoring, approving, endorsing or otherwise participating in any way with the student activity.

Section 5000 – Personnel

5640-R Non-Academy Employment/Business Interests

5640-R-2

(Sample “Disclaimer Statement”)

Date:

Dear Parent/Guardian:

The Honey Creek Community School is aware that (name of teacher, coach, or other employee) has organized a trip or activity independently for members of the Honey Creek Community School (name of team, club, or student group) to travel to (destination) over the (spring, winter, summer) break period from (date) to (date) to attend the (statement of purpose.) Mr. /Mrs. / Ms Doe and other adult chaperones will be paid a stipend by the _____ Travel Agency for their participation in the trip.

In addition, please be advised that the trip to the (description of trip or activity) is, in no way, an Academy-sponsored or Academy-related event. The Academy disclaims, expressly, any responsibility for any injuries or harm of any kind to any person or damages to any property that may occur because of or during the (trip or activity) organized by (name of teacher, coach, or other employee.)

The Academy urges you to take the travel arrangements, including mode of transportation and supervision, into consideration before allowing your child to participate in the (trip or activity.)

If you have any questions after your review of this letter, please contact me at _____. Please return a signed and dated copy of this letter to me at least 5 days prior to the trip.

Very truly yours,

(Name)

Director of the Academy

cc: (Name of teacher, coach, or other employee)

I have read and I understand this letter: _____
Signature of Parent/Guardian Date

Section 5000 – Personnel

5645 Consulting

5645

Employees may receive permission from the Director to perform technical or instructional services as consultants to other Academies, government agencies or private industry.

Approved:

Section 5000 – Personnel

5645-R Consulting

5645-R

Requests for approval to serve as a consultant shall be submitted in writing to the Director.

(Academy Note: “Define and expand”)

Section 5000 – Personnel

5685 Arrangement for Substitutes (Cf. 7840)

5685

Substitute teachers shall be obtained to provide for a level of instruction commensurate with the regular teacher's performance as nearly as practicable. All substitutes shall be duly certified as provided for under current State Department of Education rules. The Board shall establish, as needed, a daily compensation rate for substitute personnel.

Approved:

LEGAL REF: MCL 380.1236; 421.42; 421.50; OAG, 1985-1986, No 6360, p 283 (May 13, 1986)

Section 5000 – Personnel

5685-R Arrangement for Substitutes (Cf. 7840-R)

5685-R

The Director shall make suitable arrangements for securing necessary substitutes in the building.

Whenever a teacher is to be absent from teaching duties, such teacher shall arrange for a substitute and notify the Assistant Director as early as possible or shall arrange to have some other responsible person notify the Assistant Director as early as possible of the teacher's inability to report for work. The length of the teacher's absence shall be predetermined, if possible. In any event, upon returning to duty, the teacher shall notify the assistant director in time to discontinue the service of the substitute.

Section 5000 – Personnel

5695 Ethics (Cf. 5230)

5695

A teacher, in the performance of his/her duties, shall:

- Recognize basic dignities of all individuals with whom he/she interacts in the performance of his/her duties,
- Exercise due care to protect the mental and physical safety of students, colleagues and subordinates for whom he/she is responsible,
- Be accountable for maintaining his/her integrity and shall avoid accepting anything of substantial value offered by another which is known to be or which may appear to be for the purpose of influencing his/her judgment or performance of his/her duties,
- Accurately represent his/her qualifications,
- Be responsible to present any subject matter in a fair and accurate manner.

Approved:

Section 5000 – Personnel

5710 Compensation Guides - Non-Certified Staff

5710

Definition

“Non-certified staff” shall be defined as all employees who are not required or expected to hold teacher certification or other professional licensure, nor required to complete the renewal hour requirements of state law for teachers or administrators. This classification shall include, by example, but shall not be limited to : Teacher aides/assistants, secretarial and clerical staff, paraprofessionals, and information technology staff. Non-certified staff members are “at-will” employees.

Pay Rates

Non-certified staff shall be paid according to pay rates established by the Board.

No public funds will be spent by the Board in the form of wages or salary for any Academy employee to sponsor any religious activity. No public funds will be spent by the Board to pay any expenses of any student or Academy employee to attend any religious activity or conference.

Approved:

Section 5000 – Personnel

5725 Qualifications and Duties - Non-Certified Staff

5725

A job description for each classification of non-certified employees shall be developed by the Director. The Director may involve the non-certified employees in the development of job descriptions. Job descriptions shall not be included in these policies/rules but will be filed and published in the appropriate handbook.

Approved:

Section 5000 – Personnel

5730 Recruitment - Non-Certified Staff (Cf. 5020)
5730

The Director will recruit non-certified personnel to fill existing or proposed vacancies and recommend that the Academy hire the best-qualified person available.

Approved:

Section 5000 – Personnel

5750 Part-Time and Substitute Non-Certified Staff

5750

The Director is authorized to employ part-time and/or substitute non-certified personnel as needed.

The Director shall be responsible to establish procedures for arranging substitutes in case of non-certified staff absences.

Pay rates for non-certified substitutes shall be according to rates established as needed by the Board upon recommendation of the Director.

Approved:

Section 5000 – Personnel

5770 Non-Certified Staff Orientation

5770

The Director and staff may provide for the orientation of non-certified employees.

Approved:

Section 5000 – Personnel

5770-R Non-Certified Staff Orientation

5770-R

Orientation of new, non-certified staff should not only include the specific job assignment, but also a general orientation to the Academy, its function, the importance of the individual and his/her job to the total Academy operation, and the basic premise that all employees, regardless of their positions, contribute to the education of students, and that his/her contribution is the justification for their employment.

Other topics, such as training in Blood borne pathogens, basic first aid, handling of emergencies, etc. may be included at the discretion of the administration.

Section 5000 – Personnel

5790 Supervision of Non-Certified Staff

5790

The Director has the responsibility to arrange for the supervision of all non-certified employees.

Approved:

Section 5000 – Personnel

5800 Evaluation of Non-Certified Staff

5800

Evaluation shall be based on the achievement of results specified in the employee's position description and on specific goals and objectives.

The process of evaluation shall be developed by the Director who may solicit recommendations and suggestions for the evaluation process from the support staff.

Approved:

LEGAL REF: MCL 15.268; 380.1250

Section 5000 – Personnel

5830 Suspension and Dismissal of Non-Certified Staff

5830

The Director may suspend, discipline, or dismiss non-certified staff.

The Director is authorized to suspend non-certified staff with or without pay.

Approved:

Section 5000 – Personnel

5850 Resignation of Non-Certified Staff (Cf. 5560)

5850

Non-certified staff members may resign by giving written notice to the Director of the Academy. A minimum of two week's notice would be appreciated. The Director may accept the resignation in writing immediately.

Once a resignation is tendered to the Director, and has been accepted, in writing, by the Director, that resignation shall be considered final.

The Director, at his/her option, may develop procedures for an "exit interview" of all employees who will not be returning to the Academy.

Approved:

Section 5000 – Personnel

5860 Reduction of Non-Certified Staff

5860

When reduction in staff is necessary for employees the administration shall make recommendations, which in its judgment will be beneficial to the Academy. Though length of service may be considered as one criterion for making such recommendations, it shall not be the sole determining factor considered.

Approved:

5930 Leaves and Absences – Non-Certified Staff

5930

Leaves and absences for non-certified personnel may include provisions for: Sick leave, disability leave, personal leave, military leave, business leave, jury duty, and others as provided by the Board and current law.

Approved:

LEGAL REF: 29 USCA §2619; 29 CFR §825.300; 29 CFR 825.301, 29 CFR §825.209
(Family Medical Leave Act)

Section 5000 – Personnel

5935 Military Leave

5935

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), the Director shall grant military leave to employees for voluntary or involuntary service in the uniformed services of the United States, upon receipt of the required notice. Benefits shall be maintained for these employees if required by law. A service member who returns to the Academy for work following a period of active military duty must be reinstated to the same or similar position and at the same rate of pay unless otherwise provided by law.

Time spent in active military service shall be counted in the same manner as regular employment for purposes of seniority or Academy service.

The Academy will not discriminate in hiring, reemployment, promotion or benefits based upon membership or service in the uniformed services. The Director may enact rules to implement this policy.¹

Approved:

LEGAL REF: 38 U.S.C. §§ 4301-4333 (The Uniformed Services Employment and Reemployment Act of 1994); MCL 35.351 *et. seq.*; *Borseth v City of Lansing*, 338 Mich. 53, 61 N.W.2d 132 (1953); *Wrigglesworth v Brumbaugh*, 21 F. Supp. 2d 1126 (W.D. Mich. 2000).

¹ For further guidance under USERRA, please see the Department of Defense's USERRA regulations at <http://www.dol.gov/vets>.

Section 5000 – Personnel

APPENDIX TO SECTION 5000

APPENDIX A

EXAMPLES OF SEXUAL OR SEXUAL ORIENTATION HARASSMENT

Sexual or sexual orientation harassment, may include, but is not limited to, the following:

- Verbal harassment or abuse,
- Pressure for sexual activity,
- Repeated remarks with sexual or demeaning implications,
- Unwelcome touching,
- Sexual jokes, posters, cartoons, etc., and/or
- Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

In addition, any form of retaliation against the complainant or witness is in itself a form of sexual or sexual orientation harassment.

Section 5000 – Personnel

(MASB Note: These rules are to go in the Administrative Handbook)

Fair Labor Standards Act Compliance

As an Academy, we will lend every effort to comply with the FLSA² through attention to the following administrative rules and regulations.³

Any employee found to be knowingly and willfully negligent in his/her attention to these rules will be subject to appropriate disciplinary action up to and including discharge.

Employee Overtime

No employee eligible under the FLSA shall be allowed to claim “overtime” pay unless that pay has been authorized, in advance and in writing, by the employee’s supervisor of record.

Supervisors are not to authorize “overtime pay” for any employee in excess of two (2) hours in any given pay period without prior approval of the Director. “Overtime” should be considered a very unusual circumstance prompted only by emergencies or catastrophes and shall never be considered to be a regular employment practice of the Academy unless otherwise directed by the Board.

General Business Practices

It shall be the responsibility of Academy staff to see that the following business practices are followed:

² Under the Fair Labor Standards Act (FLSA), the federal government has required that covered employers pay one and one half times an employee's hourly wage for all hours worked in excess of 40 in one week.

The consequences of violating the Fair Labor Standards Act can be severe involving civil or even criminal actions against those who violate the Act.

The Department of Labor has the authority to assess a \$1,000 civil monetary penalty per employee for each repeated or willful violation of the law. The statute of limitations on FLSA claims are generally two years; however the limitations period is three years for "willful" violations. Establishing a "willful" violation is relatively easy, as the standard is whether the employer "knew" or had a "reckless disregard" for knowing whether its conduct violated its overtime obligations under the law. Allowing covered employees to work beyond 40 hours per week without added compensation or mutual agreement for compensatory time could mean, in addition, that the District is accruing liability for payment to the Michigan Public School Employees Retirement System.

Apart from civil penalties, the Department of Labor may also pursue criminal penalties for willful violations. An employer may be fined \$10,000 for a first willful offense of the Act. A second conviction may result in incarceration for up to six months. Finally, individual supervisors may be held liable under the Act subject to the penalties above.

³ The information to develop these administrative rules was provided by Mr. John Gierak, J.D. of Clark Hill, PLC, Attorneys at Law. MASB thanks Mr. Gierak and Clark Hill, PLC for giving MASB permission to use their materials in the development of these administrative rules relative to policy 5715.

Section 5000 – Personnel

1. Job descriptions are to be kept up-to-date to reflect the actual duties of employees.
2. All Academy policies or practices regarding compensation or overtime are to be in writing. There are to be no “informal” understandings.
3. If there are employees who work more than one job, the two jobs are not considered separately for FLSA purposes even if there are two contracts with different terms and compensation.
4. The Academy is to keep accurate FLSA records.
5. Compensatory time – Any agreement for compensatory time must be reached in advance of the work being done, and must be reached with the employees' collective bargaining representative, if they are so represented. Under any compensatory time rule or collective bargaining agreement, the employee may only accrue up to 160 overtime hours (or 240 comp time hours), thereafter any overtime hours worked must be paid. Employees must be permitted to use comp time, if allowed at all, within a "reasonable period" after the request is made so long as using it does not "unduly disrupt" the normal operations of the Academy. In addition, if an employee quits or is terminated all unpaid comp time must be paid to the employee.
6. Overtime will accrue for non-exempt employees who serve as volunteer coaches on a regular basis or schedule.

Supervisors are to be aware of the possibility of FLSA overtime rules for such employees.

7. Bus Drivers whose routes may take longer than the hours the driver is scheduled to work are to be paid for actual hours worked. Possible violations of overtime rules are to be scrutinized by supervisors.

Section 5000 – Personnel

8. Non-exempt employees who have a 30-minute or more lunch but are expected to eat with students shall be considered to be “on duty” and must be paid accordingly. The lunch must be duty free or the employee must be compensated for the time.
9. FLSA time records are to be retained for at least 3 years.
10. No matter what the working relationship might be between the employee and the supervisor, there are to be no “routine exceptions” granted to formal FLSA policies.
11. It is permissible for Academy employees to volunteer their services to assist with “occasional and sporadic” Academy programs or functions without accruing overtime.
12. Employees are not to be allowed to keep their own time records without supervisory oversight.
13. Academy employees working functions held at school, but sponsored by others may be accruing “overtime.” Such employment shall be carefully supervised and monitored to avoid possible FLSA violations.
14. Lunches must be 30 minutes or more and must be duty free. Employees should not “work through lunch” and/or “eat at their desk” even if doing so on a supposedly “voluntarily” basis.
15. Employees that stay after scheduled hours because they have to take tickets at an athletic event, have “too much work to do, etc.” are working overtime for purposes of FLSA and such overtime must be approved in advance, in writing, by the supervisor.
16. All non-exempt employees are to be required to sign their time records.

Section 5000 – Personnel

17. Non-exempt employees expected or required to attend training sessions during the summer or on weekends during the school year, are probably accruing overtime and must be paid or mutual arrangements must be made for compensatory time.
18. Employees are to be directed to report for work at their scheduled time and leave at their scheduled time. The practices of “coming to work early and/or staying late” in order to get more work done must be discouraged.
19. Non-exempt employees are not to “take work home” nor be expected to work, or even volunteer, on a regular basis at early morning breakfast programs, or regularly participate in opening/closing school; or in setting up and cleaning up after functions/events.

Responsibilities of Administrators/Supervisors

1. The information in these administrative rules is to be included in employee handbooks with a clear explanation of FLSA laws.
2. Make sure the FLSA posters are in places where non-exempt employees can readily see the posters. The FLSA requires the posters to be in "conspicuous places."
3. Attend training when offered and read information distributed about how records should be completed and how records should be maintained (note: all time records should be maintained for at least three years).
4. Make sure the Academy keeps accurate time records signed by all employees. Record keeping is the first key to FLSA compliance. It is important to understand that the records must reflect actual time worked. Recording scheduled hours for each workday wherein the employee simply initials is not sufficient time-keeping records. Make

Section 5000 – Personnel

sure that all employees are notified that the time-keeping records must reflect actual time worked. Wherever possible, electronic time clocks shall be used to record time worked.

5. Review time records carefully to minimize employment for more than 40 hours per workweek by support personnel. Review should occur at least quarterly.
6. Require written approval before overtime is authorized and require employees to sign time logs or records.
7. Impose appropriate discipline, if an employee works overtime without prior written approval from a supervisor.
8. Examine the structure of Academy-operated after-school daycare programs and avoid employment of any personnel for a total or more than 40 hours a week in all jobs worked because in most instances, a program at school is going to be considered Academy employment even if the program is federally or privately funded outside of the Academy's budget.
9. Pay for all overtime at the end of the pay period in which it is worked, or give compensatory time whether the overtime was properly approved or not.
10. Minimize (or, if possible, eliminate) dual assignments where the normal combined number of hours to be worked exceeds 40 per workweek. Adopt a system-wide policy regarding dual employment.
11. Use certified employees in coaching positions and as bus drivers when possible (band trips, athletic events, etc.).
12. In certain limited instances, request Department of Labor audit. This decision should always be made with the approval of the Director and with assistance of counsel.
13. Be careful with hours worked by non-exempt personnel who assist with after-school athletic or Academy organization programs.

Section 5000 – Personnel

Internal Employment Audit

At the discretion and direction of the Director, the Academy shall conduct an “Internal Employment Audit” regarding FLSA compliance on occasion. Such audits can detect and correct illegal or costly employment practices before the Academy is sued or audited by an external agency. A basic audit will consist of the following:

1. A general review of all Academy employment policies and employee handbooks (FLSA and other wage and hour policies, anti-discrimination and anti-harassment policies, policies pertaining to leave of absence, discipline and discharge, workers' compensation, workplace violence, etc.).
2. Spot checks to ensure appropriate employment postings are actually posted.
3. A spot review of employment records and retention to ensure compliance with federal and state law, as well as accuracy.
4. A brief review of the employment forms used by the Academy.
5. An overall review of whether, at the building or departmental level, written policies, and administrative rules are being properly followed and implemented.
6. A review of the Academy's job descriptions.
7. A review of the Academy's hiring procedures.

Results of any internal audit will be made known to the Board of Education for their information and review.

7000—INSTRUCTIONAL PROGRAM

7050	Curriculum Development (Cf. 5140) Technology Resources Distance Learning Personnel (Cf. 2560, 1220) Materials Financial (Cf. 3200) Planning Research Pilot Projects Pilot Project Evaluation Federal Compliance Curriculum Adoption
7052	Multicultural Education
7053	Environmental Education
7054	Academic Service-Learning
7055	Comprehensive School Health Education
7057	Quality Character Education
7060	Curriculum Objectives
7110	Core Curriculum Program Mission and Purpose of Our School Belief Statements SN <u>Includes the full range of programs designed to meet the individual needs of the great majority of students and beginning with pre-primary areas of instruction and extending beyond education, conservation education, occupational education, home economics, and the standard academic areas of instruction are regarded here as component elements of the Basic Program.</u> Co-curricular Activities Approval Evaluation Student Funds
7120	Curriculum Alignment
7160	Special Programs
7165	At-Risk Students
7170	Federal Program Administration Title I Programs

Section 7000 – Instructional Program

TC-7000-2

- 7175 Parent(s)/Guardian(s) Involvement Policy
 - State of Michigan Parent/Guardian Involvement Initiative
 - Title I Programs
 - Written Plan/Policies
 - Migrant Education Program (MEP) Parent(s)/Guardian(s) Involvement
 - Limited English Proficiency (LEP) Parent(s)/Guardian(s) Involvement
- 7200 Partnerships (Cf. 9720)
- 7210 Interscholastic Athletics
 - Full Participation - No Cut
- 7215 Performance-Enhancing Substances (Cf. 8220) (Two Options)
- 7350 Instructional Resources
 - Instructional Services
 - Teacher Instructional Assistants
 - Resource Teachers
 - Textbook Selection and Adoption
 - Use of Textbooks
 - Deposit on Textbooks
 - Technology
- 7380 Instructional Program Prohibitions
- 7400 Instructional Materials and Media Centers
 - Objectives
 - Criteria for the Development of Media Center Materials
 - Collection Development
 - Selection Criteria
 - Staff Libraries
 - Review Committee for Patron Complaints Concerning Instructional Materials
 - Technology
- 7420 Inspection by Parent(s)/Guardian(s) of Instructional Material
- 7460 Instructional Television (Cf. 7200)
 - Distance Learning
- 7463 Use of Commercially Produced Video Recordings
- 7475 Computer Assisted Instruction
- 7480 Resource Speakers (Cf. 7760)
- 7485 Community Resources
 - Use of Community Resource Persons
 - Academy Volunteers (Cf. 9230)
- 7490 Field Trips and Excursions
- 7500 Guidance Program
 - Educational Guidance
 - Personal Guidance
 - Vocational Guidance

7560	Reporting System
7580	Homework
7600	Level and Class Room Assignments
7610	Make-up Work Opportunities (Cf. 8350)
7640	Transfer of Credit
	Transfer from Home Schooling or Other Institutions
7650	Testing Program (Cf. 8940 <i>et seq.</i>)
	Test Selection and Adoption (Cf. 8940 <i>et seq.</i>)
	Test Administration (Cf. 8940 <i>et seq.</i>)
	Use and Dissemination of Test Results (Cf. 8940 <i>et seq.</i>)
	Student Assessment
7700	Evaluation of Instructional Program (Cf. 7650)
7760	Controversial Issues
7770	Teaching about Religion
7800	Academy Ceremonies and Observances (Cf. 7770)
	Opening Exercises
	Recognition of Religious Beliefs and Customs
	Federal Requirements
7840	Guest Teacher (Cf. 5685)
7880	Flag Displays
7900	School Improvement
	School Improvement Committees
	Data Collection/Assessment
	Meetings
	Review

Section 7000 – Instructional Program

7050 Curriculum Development (Cf. 5140)

7050

The administration, with the cooperation of the certified staff, shall develop a comprehensive curriculum which is based on valid educational research and which encompasses a philosophy of education compatible with the needs of the student, the resources of the Academy, and the State of Michigan.

The administration shall evaluate the curriculum of the Academy in view of the Board's goals and objectives on a periodic basis. The findings, conclusions, and recommendations of the staff shall be transmitted to the Board.

Technology

The Board supports the use of computers and related technology to enhance classroom instruction. The use of computers and related technology should significantly increase the opportunity for the expansion of student reasoning and thinking ability, the improvement of the management and delivery of instruction to all students and other uses in support of the Board approved curriculum.

Resources

The administration is encouraged to utilize any available resource in the development of a comprehensive curriculum.

Distance Learning

The administration is encouraged to explore the possibilities of various "distance learning" instructional tools to enhance the curricular offerings of the Academy including, but not limited to: Teleconferencing, web based instruction, satellite transmissions, and interactive CD-ROM's. Any such distance learning efforts will be appropriately piloted before being incorporated into the curriculum on a regular basis.

Personnel (Cf. 2560, 1220)

The Board encourages the use of Academy personnel as well as resource personnel from outside the Academy in the development of comprehensive curriculum and related materials.

Section 7000 – Instructional Program

7050 Curriculum Development (Cf. 5140)

7050-2

Materials

The Board recommends that the administration utilize and develop materials, which will aid in the development of curriculum to be approved by the Board for use in the Academy.

Financial (Cf. 3200)

The Board encourages the Director to investigate, continuously, the availability of other-than-Academy funds to defray expenses incurred in the development of an Academy-wide curriculum.

Planning

The Board advocates a policy of continuous curriculum study. The Director is encouraged to utilize resource personnel in a manner consistent with Board policies. The Director is also encouraged to use Academy patrons and students in a manner consistent with these policies.

The Director may organize the certified staff in appropriate committees to plan, study, modify, change, or develop an Academy-wide curriculum.

Research

The administration shall provide the Board with data to be used in the development of curriculum areas. The use of research findings of other agencies, departments, colleges, and universities is encouraged by the Board.

Federal Compliance

To comply with the provisions of the No Child Left Behind Act, the Director will, in writing, inform the professional staff of the federal requirements concerning sex education and the prohibitions and restrictions concerning distribution of contraceptives or materials that encourage sexual activities. The Academy will comply with federal guidelines concerning age appropriate sex education.

Section 7000 – Instructional Program

7050 Curriculum Development (Cf. 5140)

7050-3

Curriculum Adoption

No course of study shall be eliminated or new course added without approval of the Board, nor shall any basic alteration or reduction of a course of study be made without such approval.

Approved:

LEGAL REF: 20 USCA 7906 (NCLB); MCL 380.1282

Section 7000 – Instructional Program

7050-R Curriculum Development

7050-R

The administration shall have the responsibility to seek out available resources for use by the certified staff in the development of Academy-wide curriculum.

Personnel (Cf. 2560, 1220)

The Director shall submit to the Board the proper budget requests for payment of fees and honorariums for the use of resource personnel at a reasonable time before the services of such personnel are utilized by the Academy.

Research

The Director may budget for educational research and evaluation programs, accelerate implementation of such programs, encourage evaluation of technological advances in education, support the use of tools or techniques to enhance the teacher's effectiveness or productivity, and develop a reasonably detailed budgeting system that includes periodic reviews designed to assist the Board in policy planning and general oversight of the operation of the curriculum in the Academy.

Pilot Projects

The Director is encouraged to investigate the availability of outside funds to be used in financing any pilot project in the Academy.

Where feasible, and prior to the full-scale adoption of such programs, innovative instructional programs may undergo pilot testing so that it may be understood how they may function fully. Programs approved for pilot testing by the Board may:

1. Be planned to extend over a specific period of time, after which the extension or continuation of the program shall take positive Board action;
2. Include a detailed description of the evaluative procedures to be used in order to determine the effectiveness and/or success of the program;
3. Provide for an updating procedure to keep the Board informed of its progress; and
4. Provide for a plan of public information in order that the public may be aware of the program, its purpose, and its progress.

Section 7000 – Instructional Program

7050-R Curriculum Development

7050-R-2

Pilot Project Evaluation

The administration will develop evaluation instruments to be used in any pilot project. Such instruments may include, but shall not be limited to, the following areas: type and form of data to be gathered; personnel to be used in the project; anticipated costs of the project; anticipated input in terms of hardware and software; anticipated outcomes in terms of student productivity, student achievement, teacher utilization and productivity, building use, non-certified staff use; and standard tests to be administered, if any.

Curriculum Adoption

The administration shall submit plans for changes in the curriculum to the Board for action.

Section 7000 – Instructional Program

7052 Multicultural Education

7052

The Academy's learning environment shall reflect diverse cultural traditions and contributions so that students may develop a broader knowledge base and have a sense of respect for and tolerance of culturally diverse peoples, their customs, and historic legacy.

The Director may:

- (a) Develop a process to include a multicultural perspective into standard curriculum development for all subject areas;
- (b) Develop procedures and guidelines for textbook selection that include multicultural evaluation criteria;
- (c) Whenever possible, develop supplementary and/or text material when commercially available material fails to meet Academy guidelines for comprehensive and accurate instructional material;
- (d) Provide training and in-service to expand the knowledge and background of administrative and teaching staff in the use of materials which contain a multicultural perspective;
- (e) Determine the impact of curricular materials with a multicultural perspective on student knowledge, appreciation, and respect for their own and others' cultures; and
- (f) Provide administrative guidelines to direct the development of a multicultural perspective, monitor student and staff involvement in the process, and assess the results in terms of in-service and materials developed and selected.

Approved:

Section 7000 – Instructional Program

7052-R Multicultural Education

7052-R

The prime responsibility for ensuring multicultural experiences within the Academy rests with the Director who will set the tone for acceptance of diverse populations as well as monitor the presentations of teachers and their classroom settings as they relate to multicultural issues. The Director will further serve as a contact for providing resource persons and materials to the teaching staff.

Multicultural activities should be taught in an interdisciplinary manner, incorporating the activities into existing curricular activities. Classroom activities and displays of instructional materials should represent groups that exist in the classroom as well as groups not represented within the class.

Section 7000 – Instructional Program

7053 Environmental Education

7053

Environmental and ecological principles will be taught as an integral part of the course of studies. Instruction should be aimed at the development of knowledge of the human interrelationships with the environment.

Approved:

Section 7000 – Instructional Program

7053-R Environmental Education

7053-R

Environmental Education Guidelines:

1. Students should be given the opportunity to observe directly the interaction of organisms in their environment both in and around the Academy and on field trips,
2. Classroom teachers should provide specific instruction in practical ecology in areas such as littering with papers, lunchroom debris, etc,
3. Instructional materials should demonstrate a concern for environmental quality,
4. Instruction should be based on fact and encompass all disciplines, with emphasis upon science, social science, and the humanities, and
5. Appropriate audio-visual materials, print and non-print, should be provided to enhance the instructional effort.

Academic Service-Learning is a method by which students improve academic learning and develop personal skills through structured service projects that meet community needs and are directly connected to State curriculum standards. Academic Service-learning builds upon students' service activities by providing them with opportunities to learn by preparing, leading, and reflecting upon their experiences.

The Honey Creek Community School Board of Trustees endorses Academic Service-Learning as an integral part of the curriculum of the Academy and as a tool to achieve School Improvement goals. The Board encourages all teachers to provide at least one Academic Service-Learning experience for each student each year.

The Board also endorses the appointment of an Academic Service-Learning Coordinator and the creation of an administrative advisory committee to work in conjunction with the School Improvement Team. The coordinator and the committee will help secure resources for staff and students; develop partnerships with community organizations and parents; coordinate with other Academy initiatives; and work collaboratively with the staff to provide training and to insure that core and non-core academic standards are integrated into Academic Service-Learning activities.

Approved:

Section 7000 – Instructional Program

7055 Comprehensive School Health Education

7055

The Board understands that a comprehensive Academy health education is a priority of the state and a critical component of a coordinated school health program. As recommended by The State Board of Education, the Board hereby adopts this policy.⁴

The administration, with the cooperation of the certified staff, shall develop a Comprehensive School Health Education Program based on the nationally recognized Michigan Model for Comprehensive School Health Education and the Michigan Board of Education, “Policy on Comprehensive School Health Education” as adopted June 8, 2004.

Approved:

LEGAL REF: Michigan State Board of Education, *Policy on Comprehensive School Health Education*, June 8, 2004.

⁴ Michigan State Board of Education Policy on Comprehensive School Health Education, “The Board recommends that each school district adopt, implement, and evaluate a research-based, theory-driven comprehensive health education program, such as the nationally recognized *Michigan Model for Comprehensive School Health Education*.”

Section 7000 – Instructional Program

7057 Quality Character Education

7057

The Board understands that a quality character education is a priority of the state and a critical component of the coordinated school health program. The Board hereby adopts this policy.

The administration, with the cooperation of the certified staff, shall develop a Quality Character Education Program that follows such programs as the Michigan Model for Comprehensive School Health Education.

In addition, the Quality Character Education Program of the Academy shall include and embrace the principles set forth in the Michigan State Board of Education Policy on Quality Character Education as adopted and recommended June 8, 2004.

Approved:

LEGAL REF: Michigan State Board of Education, *Policy on Quality Character Education*, June 8, 2004.

Section 7000 – Instructional Program

7060 Curriculum Objectives

7060

The Board approves the curriculum, which is designed to accomplish the mission and goals of the Academy. The Academy shall have written curriculum objectives based upon the mission and goals.

Approved:

LEGAL REF: MCL 380.1282

Section 7000 – Instructional Program

7060-R Curriculum Objectives

7060-R

Curriculum objectives shall be based on the following criteria:

1. A challenging academic program shall be provided for all students,
2. Curriculum shall be articulated from kindergarten through eighth grade,
3. Minimum objectives shall be identified in a continuum,
4. Teachers shall outline yearly instructional units and objectives in line with the Academy Mission,
5. Enrichment and supplemental objectives appropriate for all students shall be identified, and
6. Procedures and materials for evaluating the attainment of learning objectives shall be provided.

The administration shall monitor the use and effectiveness of the Academy's curriculum and recommend to the Board necessary revisions and modifications.

Section 7000 – Instructional Program

7110 Core Curriculum

7110

The Board shall establish and periodically reconsider the core curriculum or basic program for the Academy.

Program

The Academy's grades are established as grades K-8.

Mission and Purpose of Our School

Honey Creek Community School is a public educational institution for children from five years old to thirteen years old. The goals of Honey Creek Community School are to nurture the child's positive self-image, to foster a keen enthusiasm for learning through meaningful community – and experience-based projects, and to develop a genuine appreciation and respect for the diversity in others and all life.

Honey Creek Community School's mission is to provide an education of the whole child, to integrate the different aspects of children's learning and lives to make them fuller and more meaningful. Honey Creek Community School offers an integrated, theme and project-based curriculum which draws on experiences at home, in the school, and in the larger community, and which encourages parents/guardians and other community members to participate in the school and share their expertise. The interaction among students, teachers, family members, and community members is designed to allow students to view their learning from a variety of different perspectives and, in the process, to learn to develop their own views while simultaneously developing an understanding of their local and global communities and ecosystems, and learning to participate more meaningfully in them.

Belief Statements

- People learn and grow best when the various aspects of their education and experience are integrated and interactive.
- Students are most effectively guided by "Expert Models" who participate in co-operative apprenticeships.

Section 7000 – Instructional Program

7110 Core Curriculum

7110-2

- Complex, situated learning environments and experiences enable all individuals to progress as successful, life-long learners.
- The development of cooperative learning strategies and the ability to work successfully as a team member are essential life skills.
- Understanding and appreciating differences and diversity are integral to becoming successful adults in our changing democracy.
- It is essential for children to understand themselves as active participants in their school and in their larger community.

Core Curriculum

The core curriculum in the Academy is comprised of the following subject areas:

Language Arts, Mathematics, Science, and Social Studies.

Supplemental Curriculum

The Board shall supplement the core curriculum by providing instruction in supplemental areas as the financial resources of the Academy permit.

Co-curricular Activities

Co-curricular activities should be used as a means of developing a wholesome attitude and good human relations, as well as knowledge and skills. The Board supports such co-curricular activities and may attempt to make them available on a voluntary basis to all students. The purpose of such activities shall be compatible with the Board's curriculum goals, Academy and school mission and suited to the needs of the student.

Parent(s)/Guardian(s), students and faculty should be utilized in determining the type and range of activities to be offered.

Participation in co-curricular activities is considered a privilege, carrying with it the responsibility of good behavior in school. Failure on the part of any student to meet this responsibility renders him/her liable to suspension from representing the school, participating in the activity, and/or holding class organizational office.

Section 7000 – Instructional Program

7110 Core Curriculum

7110-3

The Director shall be responsible for the organization of all student activities and shall provide adequate supervision, administer student finances, and approve all student activities with the assistance of delegated members of the faculty.

In planning the program of activities, the Director and staff shall take into consideration the breadth of activities offered through other community organizations.

Approval

All new co-curricular activities and organizations shall be approved by the Director. Activities, which may require the expenditure of general Academy funds, shall require Board approval.

Evaluation

Each activity shall be evaluated at least annually to determine if its purposes are being fulfilled and if it is meeting the needs of the students.

Student Funds

Funds remaining in accounts of student organizations, which have been inactive for one year, or in accounts of classes that have been gone for one year, shall be transferred by the Board to accounts of other co-curricular organizations or to the Academy's general fund upon recommendation of the Director.

Approved:

LEGAL REF: MCL 257.811; 380.1151-1153; 380.1155; 380.1157; 380.1166; 380.1169-1170; 380.1278; 380.1282; 380.1289; 380.1316; 380.1502; 380.1506; 380.1507; 388.1709; 388.1761; 380.1804; 380.1806; 380.1813 (Homebound and Hospitalized); R 325.1-52; 325.898; 325.1491 and 388.301-399; OAG, 1977-1978, No 5291, p 420 (April 12, 1978); OAG, 1979-1980, No 5659, p 648 (February 28, 1980), Michigan Department of Education Pupil Accounting Manual Revised 08/05 5D – 1 – Homebound and Hospitalized Students

Section 7000 – Instructional Program

7110-R Core Curriculum

7110-R

Co-curricular and Extracurricular Activities

The Director shall coordinate the extracurricular program or designate a staff member to assume this responsibility.

All new extracurricular activities shall be approved by the Director. All recommendations to the Director shall include a statement of purpose of the activity, potential membership to be served, and potential financial obligations, which the Board might have to assume from general school funds.

Membership and participation in all activities shall be voluntary. Students shall have the right to participate in all extracurricular activities without discrimination.

Activities sponsored by outside agents shall be carefully reviewed and approved by the Director for participation if they are co-sponsored by the school.

Every effort should be made to keep extracurricular activities from unduly interfering with the regularly scheduled school day and to provide a balanced program of appropriate academic studies and activities for each student.

The administration shall develop rules and regulations covering extracurricular activities. Such rules shall list responsibilities of students and advisors or chaperones. All activities sponsored by school groups must be adequately supervised and all Board policies and administrative regulations regarding student and teacher conduct, use of facilities, use of transportation, and all other applicable policies and regulations shall be followed.

Homebound Instruction

Parent(s)/Guardian(s) shall request homebound instruction from the Director. An application form will be forwarded to the family physician for his/her recommendation and signature.

The application is then returned to the Director and the Director obtains a teacher for the student.

Section 7000 – Instructional Program

7110-R Core Curriculum

7110-R-2

The Director then notifies the student's teacher and supplies the teacher with the student's status and the name of the homebound teacher.

The re-entering of the student to regular classes discontinues the homebound instruction.

Section 7000 – Instructional Program

7120 Curriculum Alignment

7120

The Board recognizes the need to have its approved curriculum aligned with instructional materials, media, textbooks and technology in order to positively affect student learning and to verify locally identified assessment standards and objectives.

Student instructional strategies shall take into consideration each student's potential, learning style and special needs.

Approved:

Section 7000 – Instructional Program

7160 Special Programs

7160

Exceptional students shall be educated in regular classrooms, insofar as practicable, and shall be assigned to special education classes or facilities only when the nature of the student's exceptionality makes inclusion of the student in the regular classroom impractical or when the student is unable to profit from the regular classroom.

When appropriate programs, services, or facilities are not possible within the Academy's schools, the Board shall make every effort to provide these students with access to schools where such instruction and accommodations are available.

Administrative responsibility for special education programs in the Academy shall be the responsibility of the Director who shall work closely with the WISD in providing special education services. All diagnostic, evaluation, and placement procedures established shall be in accordance with state and federal guidelines.

Approved:

LEGAL REF: 20 USCA §1400 (Individuals with Disabilities Education Act [IDEA]); 29 USCA §794, *et seq.* (Rehabilitation Act of 1973); 42 USCA §12115 (Americans with Disabilities Act); 29 CFR §1601.30; MCL 380.4(2), 380.6(7); 380.1311; 380.1702; 380.1703; 380.1711; 380.1751; 380.1766; R 340.1701-1873

Section 7000 – Instructional Program

7165 At-Risk Students

7165

The Director shall investigate and recommend programs that will address the needs of at-risk students. At-risk students include, but are not limited to, those students who exhibit academic delay, abuse drugs or alcohol, are suicidal, drop out of school, are abused children, or are pregnant minors.

Program planning should examine, but is not limited to, the following: classroom learning experiences; primary prevention programs; staff development requirements, Academy liability; community resources; crisis response/intervention teams; peer counseling; parent(s)/guardian(s) education; student study teams; attendance policy and procedures; and student discipline.

Approved:

LEGAL REF: MCL 388.1631a

Section 7000 – Instructional Program

7170 Federal Program Administration (Cf. 7175)

7170

Federally funded programs are a vital and necessary adjunct to the educational program of the Academy.

Title I Programs

The Board shall ensure that the Academy's Title I programs operate in accordance with federal laws and conditions. The Director is responsible for administering the Academy's Title I programs; assessing the educational needs of all students, particularly the needs of educationally deprived children, developing appropriate communication channels between all parties, developing in-service training for parent(s)/guardian(s) and staff, and developing appropriate evaluation procedures. The requirements of the No Child Left Behind Act shall be followed, and rules and regulations promulgated to ensure that the Academy is in compliance.

Approved:

LEGAL REF: 20 USCA 6316, 20 USCA 6318 (No Child Left Behind Act)

Section 7000 – Instructional Program

7170-R Federal Program Administration

7170-R

In order to meet the federal guidelines established for Title I programs fully, the administration shall: Provide timely notification to parent(s)/guardian(s) about their child's Title I selection, instructional objectives, progress reports, achievement levels on state academic assessments as soon as possible after the test is taken; establish dates and sites for parent/guardian-teacher conferences; help promote parent(s)/guardian(s) participation in school activities; consult with parent(s)/guardian(s) about how the Academy can work with parent(s)/guardian(s) to achieve Title I program objectives; and solicit parent(s)/guardian(s) suggestions in the planning, development, and operation of the program.

The Academy Title I program shall schedule an annual meeting at a convenient time to provide parent(s)/guardian(s) of Title I students an opportunity to participate in the design and implementation of the Title I program and to provide information concerning the right of parent(s)/guardian(s) to be involved. All parent(s)/guardian(s) of Title I students shall be invited to this meeting.

Section 7000 – Instructional Program

7175 Parent(s)/Guardian(s) Involvement Policy (Cf. 7170)

7175

State of Michigan Parent/Guardian Involvement Initiative

The Board strongly encourages and welcomes the involvement of parent(s)/guardian(s) in all of the Academy's educational programs. It is recognized and appreciated that parents/guardians are the "first teachers" of their children, and that their interest and involvement in the education of their children should not diminish once their child enters the Academy. Accordingly, the Board directs, by the adoption of this policy, that the administration shall design a program/plan that will encourage parent(s)/guardian(s) participation that may include, but not be limited to: The development and review of instructional materials; input on the ways that the Academy may better provide parent(s)/guardian(s) with information concerning current laws, regulations, and instructional programs; and Academy offerings of training programs to instruct parent(s)/guardian(s) how to become more involved in their child's educational programs.

Pursuant to state law, the Director shall provide a copy of the Academy's Parental Involvement plan to all parent(s)/guardian(s).⁵

Academy Plan

In accordance with the requirement of the No Child Left Behind Act, the Honey Creek Community School Board of Trustees encourages parent(s)/guardian(s) participation in all school programs. Parent(s)/Guardian(s) shall be offered substantial and meaningful opportunities to participate in the education of their children by this policy.

7175 Parent(s)/Guardian(s) Involvement Policy (Cf. 7170)

7175-2

⁵ MCL 380.1294 (1) No later than January 1, 2005, the board of a school district or intermediate school district, or the board of directors of a public school academy shall adopt and implement a parent involvement plan designed to encourage parental participation. (2) The board or board of directors shall provide a copy of the parent involvement plan to the parent or legal guardian of each pupil. The board of directors may provide the copy of the policy by including the policy in its student handbook or a similar publication that is distributed to all pupils and parents. (3) The board or board of directors shall provide a copy of the parent involvement plan to the department upon request by the department.

Section 7000 – Instructional Program

The Board directs that the following actions be implemented by the administration to insure compliance with state and federal law and to invite parent(s)/guardian(s) to become involved highly in the education of their children:

- The involvement of parent(s)/guardian(s) in the planning, implementation, evaluation, and improvement of Academy programs/services through participation on the School Improvement Team;
- Invitations to parent(s)/guardian(s) to attend at least one annual meeting , with additional meeting opportunities being available as needed, designed to provide information about programs and services, and to solicit parent(s)/guardian(s) suggestions on program development, planning, evaluation and operation;
- Assistance to parent(s)/guardian(s) in understanding Title I and other Academy programs including the provision of information in a language understandable to the parent(s)/ guardian(s) if practicable;
- Parent(s)/Guardian(s) notification of Title I student selection and criteria for selection if applicable;
- Information regarding child's achievement and progress;
- A provision for input by staff at regularly scheduled parent/guardian-teacher conferences and any additional communication as requested by the staff or parent(s)/guardian(s);
- Opportunities to enhance parent(s)/guardian(s) capacity to work with children in the home on school learning;
- Professional development opportunities for teachers and staff to enhance their understanding of effective parent(s)/guardian(s) involvement strategies;
- Ongoing communication between the Academy and parent(s)/guardian(s); and
- Other appropriate activities (i.e. Family Math Nights, parent(s)/guardian(s) sessions, science, theatre, etc.)

Section 7000 – Instructional Program

Written Plans/Policies

The Honey Creek Community School, as a recipient of Title I funds, hereby adopts the following policy statement regarding the development of an Academy-wide plan for parent(s)/guardian(s) involvement in the development of a Title I plan. The Board directs the administration to:

- Involve parent(s)/guardian(s) in the development of the plan;
- Develop a plan that provides for the involvement of parent(s)/guardian(s) in the Title I activities of the Academy;
- Provide the necessary technical, research, staff and administrative support in the planning and implementing of effective parent(s)/guardian(s) involvement activities to improve student academic achievement and Academy performance;
- Integrate and coordinate the plans/policies for parent(s)/guardian(s) involvement in Title I programs with parent(s)/guardian(s) involvement in other programs,
- Review and evaluate the Academy's plan annually and to share the results of that review and evaluation with the Board;
- To assure that the policy/plan contains a compact that outlines how parent(s)/guardian(s), the Academy staff and students will share the responsibility of improved student achievement; and
- Distribute the Academy plan to parent(s)/guardian(s) of participating children and to the local community.

Migrant Education Program (MEP) Parent(s)/Guardian(s) Involvement

Parent(s)/Guardian(s) of students in the MEP will be involved in, and regularly consulted, about the development, implementation, operation, and evaluation of the program.

Section 7000 – Instructional Program

Limited English Proficiency (LEP) Parent(s)/Guardian(s) Involvement

In accordance with federal law, parent(s)/guardian(s) of LEP students will be provided notice regarding their child's placement in and information about the Academy's LEP program. Parent(s)/Guardian(s) will be notified about their rights regarding program content and participation including the right to choose among programs if alternatives are available. The notice must also include an explanation of the value of the program in terms of academic development, mastery of English, and the achievement of promotion and graduation standards. The notice will also include an explanation of the right to remove the child from an LEP program and to place the child in the regular program. The notice must be in a format that families can comprehend and, if possible, in a language that is understood by the family.

Approved:

LEGAL REF: 20 USCA 6318 (No Child Left Behind Act); MCL 380.1294 (PA 107 of 2004); 380.1295; MDE Recommended Parent/Guardian Involvement Policy, June 2004.

Section 7000 – Instructional Program

7200 Partnerships (Cf. 9720)

7200

The Board may enter into partnership programs between the Academy and business and/or educational institutions for the mutual benefit of the students, professional staff and the outside organization. Such partnerships may include, but are not limited to adopt-a-classroom programs, cooperative vocational education agreements, or the lending of equipment. Partnership agreements should ensure an awareness of the use of technology in the workplace.

Approved:

Section 7000 – Instructional Program

7200-R Partnerships

7200-R

Initial partnerships will be created for one year. After the initial year, a partnership may continue as long as there is mutual benefit to those involved.

Section 7000 – Instructional Program

7210 Interscholastic Athletics

7210

The Board is committed to providing equal opportunity to compete in interscholastic athletics for both boys and girls and directs its Director and those responsible for athletic programs to recommend programs which will meet this goal.

Full Participation - No Cut

Each student shall be offered an equal opportunity to be a member of an Academy interscholastic athletic team. Consequently, the Board endorses a “no cut” philosophy for the Academy's elementary or middle school athletic teams. The Director shall develop written procedures for implementation of this policy.

Approved:

LEGAL REF: MCL 380.1289; OAG, 1977-1978, No 4795, p 190 (August 11, 1977); OAG, 1985-1986, No 6352, p 252 (April 8, 1986); and rules and regulations as published by the Michigan High School Athletic Association

Section 7000 – Instructional Program

7210-R Interscholastic Athletics

7210-R

The Board, with support from its administrative staff, recognizes that competing in athletics is not a right but a privilege, and expects athletes to assume their responsibilities in adhering to the Interscholastic Athletics policy, 7210, as recommended by the Director and approved by the Board. Policy 7210 and these rules shall be published. Students who are members of athletic teams represent themselves, the Academy community, parent(s)/guardian(s) and team. Conduct at all times, both on and off the athletic field, will be of the highest standard.

The Board supports a code of conduct for coaches and that their ability as coaches should be measured by not only games won and lost, but also their effect upon the development of the character of the athlete and attitude toward the Academy, the team and teammates.

League Membership

Membership of the Academy in an interscholastic athletic conference or league shall be subject to Board approval upon recommendation of the Director. The Board shall review the constitution and bylaws of such organization and its rules and regulations before giving its approval. The designated voting delegate to the conference governing body is a representative of the Academy. Therefore, before voting on changes in bylaws, rules or regulations that will affect in any way the Academy's athletic teams, said representative shall advise the Board of the proposed change and follow its direction in voting if such direction is given.

Coaches

It shall be the Academy's practice to employ qualified coaches and, to the extent possible, secure them from the school's teaching faculty. If it is necessary to secure persons from outside the staff, the Director shall recommend only those persons who are

Section 7000 – Instructional Program

7210-R Interscholastic Athletics

7210-R-2

qualified to coach the sport, work with young people, and who have knowledge of first aid and the physical needs and limitations of students who are participating in the sport. In-service training shall be provided to acquaint the outside coach with the Academy, Board and administrative policies and rules governing interscholastic athletics, and basic instruction in first aid. The Director is delegated the authority to appoint teaching staff members or outside coaching personnel to coaching staff positions and shall so inform the Board. If outside coaching personnel are employed, the Director shall inform the Board, in advance, of that necessity and his/her reasons therefore.

Budgets

Budgets for athletics shall be presented to and approved by the Director, who shall in turn inform the Board. If the budget requires additional expenditures, other than coach's salaries, from the Board's general fund, it shall require Board approval.

Physicals

No student may practice for any athletic team until he/she has been examined and approved by a medical doctor for competition and until written consent to participate in the specific sport has been obtained from the parent(s)/guardian(s). Students shall also comply with the Academy's requirement relative to insurance before participating. A student who is under a doctor's care for illness or injury shall not be allowed to participate in an athletic practice or contest until he/she has written permission from the physician to do so.

Section 7000 – Instructional Program

7215 Performance-Enhancing Substances (Cf. 8220)

7215

Pursuant to state law, use of a performance-enhancing substance⁶ by a student who seeks to, and/or actively does, participate in interscholastic athletics shall result in the loss of eligibility for any participation in interscholastic athletics. The Board directs the Director to promulgate rules/regulations that describe the length of time for a loss of eligibility for a first, second, and third offense. The Director shall establish an appeal process within the administration for any decision that imposes a loss of eligibility pursuant to this policy. The decision of the administration shall be final and there shall be no appeal to the Board.

Any loss of eligibility imposed pursuant to this policy shall be in addition to any other discipline that may be appropriate to the situation pursuant to the Code of Conduct.

Approved:

LEGAL REF: MCL 380.1318

⁶ The Department of Community Health, pursuant to law, will publish a list of performance-enhancing substances that is based upon the list developed by the National Collegiate Athlete Association.

Section 7000 – Instructional Program

7350 Instructional Resources

7350

Instructional Services

The Board encourages the use of instructional services available to the Academy.

Teacher Instructional Assistants

The Board recommends the use of instructional assistants where practicable.

Resource Teachers

The Board encourages the utilization of resource persons who are available in the community.

Textbook Selection and Adoption

In accordance with Michigan School Laws, textbooks and workbooks used in the Academy shall be adopted by the Board. Once adopted, textbooks shall not be changed without Board approval.

The Director shall be responsible, with the advice of the professional staff, to recommend to the Board textbooks and other educational materials for adoption. The Board shall make every effort to implement those recommendations.

Textbooks should be continuous and sequential in nature when possible.

Insofar as possible, all textbooks should present balanced views concerning the international, national and local issues and problems of our times.

Textbooks should:

- Provide materials to stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards,
- Provide materials that will help students develop abilities in critical thinking and reading,
- Provide materials that will develop and foster an appreciation of American cultural diversity and development,
- Provide an effective basic education for all students, and

Section 7000 – Instructional Program

7350 Instructional Resources

7350-2

- Allow sufficient flexibility for meeting the special needs of individuals and groups.

The Director shall develop administrative rules outlining a procedure to select textbooks that meet the above criteria. This process shall include a review of available material by instructional staff members. The recommendations resulting from each review will be given thorough consideration.

Any community member who objects to the final selection made by the Board should follow the procedures outlined in the Academy's procedure on public complaints about the curriculum or instructional materials. (Cf. 7400-R)

Use of Textbooks

The use of textbooks as a sole resource tool in the classroom is discouraged. The teachers are encouraged to develop, use and maintain a relevant and up-to-date core of resource materials in the classroom.

Deposit on Textbooks

The Board annually shall determine a refundable deposit fee for the use of the Academy's textbooks and establish a procedure for the free use of textbooks.

Technology

The Director shall develop a plan that coordinates the purchase of technological equipment for the Academy. Such plan shall provide for equipment or hardware, software compatibility, and future applications.

The Director shall provide for appropriate staff in-service training on the utilization of technological equipment and uses of equipment and software relative to the instructional program and administrative applications.

Approved:

LEGAL REF: MCL 380.1421-1422

Section 7000 – Instructional Program

7350-R Instructional Resources

7350-R

Classroom Materials

The instructional materials budget shall be compiled by the Director from requests submitted by each teacher.

Instructional Assistants

The Board endorses the use of paid adult instructional assistants, as resources allow, assisting teachers in working with students. Instructional assistants may be employed by the Board with general funds or by means of federal or state funds. Their positions may be dual assignments (i.e. Title I, recess, and library) with salaries provided by appropriate funding.

Selection

All Instructional Assistants are to be screened by the Director. Criteria for selection should include:

1. An interest in and a liking for children,
2. Ability to work with teachers and administrators,
3. Willingness to carry out Academy policies,
4. A professional attitude toward the Academy and its students,
5. Ability to work with small groups and in one-to-one instruction under direction of a teacher,
6. Desire to work with all students regardless of race or socio-economic background, and
7. Emotional stability to withstand the daily challenges of group interaction.

Duties

Instructional Assistants may perform non-instructional duties such as:

1. Maintenance and disciplinary activities in lunchroom and on playgrounds and in other school settings, and

Section 7000 – Instructional Program

7350-R Instructional Resources

7350-R-2

2. They may also assist in instruction related activities such as:
 - a. Complementing instruction (i.e., assisting the teacher during the lesson by helping students who may be having difficulty in understanding or in keeping up with the class,
 - b. Supplementing instruction (i.e., assisting the teacher by working with individuals or small groups of students on follow-up activities specified by the teacher), and
 - c. Reinforcing instruction (i.e., assisting the teacher by administering, under supervision and direction, remedial or drill activities for individuals or small groups).

Supervision

Paid teacher Instructional Assistants engaged in non-instructional duties shall be under the direction and supervision of the Director.

Paid teacher Instructional Assistants engaged in instruction related duties shall be under the direction of a certified teacher and supervised by the Director.

Textbook Selection and Adoption

Selection of textbooks for use in the Academy shall be a cooperative effort of the teacher(s) who will use the textbook and administration.

The Academy-level curriculum committees may include these members: the Director who will serve as chairperson and one representative from the teaching staff of the Academy whose subject matter specialty corresponds to the subject matter area up for adoption.

The Director shall arrange for the purchase and delivery of the textbooks adopted by the Board.

Lost, Damaged or Destroyed Student Textbooks

The cost to the student for a lost or destroyed text will depend on the number of years the text has been used.

Section 7000 – Instructional Program

7350-R Instructional Resources

7350-R-3

Outdated and Old Textbooks

If old texts are still in good condition, they will be kept as reference books. Worn out and defaced books will be destroyed or disposed of as determined by the Board.

Student Purchase of Textbooks

Any or all texts may be purchased from the Academy at the full purchase price or at a prorated price because of condition or age.

Book Deposit Requirements and Administration

A book usage record will be kept for all students. The Academy name will be stamped in all books, and the books will be numbered. A record shall be kept showing the number of each book issued to each student. An inventory shall be kept of all rental books or sets of books.

Section 7000 – Instructional Program

7380 Instructional Program Prohibitions

7380

A student shall not be required to take part in any instructional survey, analysis, or evaluation that discloses information that is protected under federal law, unless the Academy receives prior consent from a student over 18 years of age, or prior written consent from the parent(s)/guardian(s) of a student less than 18 years of age.

The Academy shall give students notice of their rights under this policy.

Approved:

LEGAL REF: 20 USCA §1232h (Family Educational Rights & Privacy Act of 1974
[FERPA])

Section 7000 – Instructional Program

7400 Instructional Materials and Media Centers

7400

The primary functions of the media center are to process and circulate materials and equipment through an orderly procedure and to provide reference and other services to students and faculty.

Efforts are made so that the collection reflects the broad interests represented in the curriculum, complemented by enrichment materials in a variety of forms. To meet recommended standards, the administration and Board support the development of a collection adequate to meet curricular needs of the students. Such collection shall be large enough so that materials can be placed in classrooms for extended periods, should be designed to provide for personal growth, and should be adequate for those engaged in independent study.

Objectives

The objectives for the person in charge of the Academy's media center are as follows:

- To participate effectively in the Academy program that will endeavor to meet the needs of students, teachers and patrons of the Academy,
- To stimulate and guide students in their reading, viewing and listening so that they will become skillful and discriminating users of various types of media,
- To provide an opportunity through media center experiences so that students will be able to develop helpful interests, to make satisfactory personal adjustment and to acquire desirable social attitudes,
- To work with teachers in the selection and use of media that will contribute to the teaching program,
- To make available consultant services that will provide for the improvement of learning, instruction and the use of media resources and equipment,

Section 7000 – Instructional Program

7400 Instructional Materials and Media Centers

7400-2

- To provide adequate equipment so that students and teachers will be able to make efficient use of media, and
- To cooperate with teachers and administrators in programs that will promote the professional growth of the Academy staff.

Criteria for the Development of Media Center Materials

Collection Development

The media collection should be developed systematically so that it is well balanced in coverage of subjects, types of materials and variety of content.

Selection Criteria

Materials will be chosen to support and supplement the curriculum, to promote wise use of leisure time, to develop literary discrimination and appreciation and to encourage students to become productive citizens.

Materials will be chosen on various reading levels presenting different points of view concerning the problems and issues of the times.

Books and other instructional materials will be evaluated before purchase, either through direct examination or by consulting reputable, unbiased, professionally prepared selection tools approved by the Director.

Accuracy, artistic quality, format, and authoritativeness will all be considered before making purchases of materials.

Staff Libraries

A professional library may be maintained by the Academy.

The Director will ascertain the titles of professional magazines, books, pamphlets and other such literature to be placed in the professional library of the Academy. A budget for professional libraries may be included in the instructional resource budget each year.

Section 7000 – Instructional Program

7400 Instructional Materials and Media Centers

7400-3

Review Committee for Patron Complaints Concerning Instructional Materials

The Board shall establish a review procedure to handle complaints from patrons concerning instructional materials. (Cf. 9450) Patron complaints shall first proceed to the media specialist, if unresolved to the Director, and if further resolution needed, to the Board.

Technology

The Board encourages Academy employees to develop computer software and support materials for instructional and administrative use by the Academy. The Board encourages partnerships with private enterprises in marketing software that has general application in a particular field.

The media center shall develop a computer software library, catalog software, and disseminate software information to Academy staff, students, parent(s)/guardian(s) and the public.

Approved:

LEGAL REF: MCL 380.1274; 380.1422; 15.231-246; 397.601-605

Section 7000 – Instructional Program

7400-R Instructional Materials and Media Centers

7400-R

Purchase Procedures

All orders for instructional materials other than textbooks, expendable materials, and film rentals will be channeled through the person in charge of the media center to the purchasing officer of the Academy. Such materials would include all items to be cataloged and circulated, e.g., books, filmstrips, loop films, records, CD's, DVD's, videotapes, audiotapes, computer software, slides, maps, posters, etc.

All purchases will be made in accordance with Board policies.

At the beginning of each fiscal year, the person in charge of the media center will be informed of the amount of the media center budget and will operate within that budget.

The person in charge of the media center will assess the needs of the collection with the help and advice of teachers and with due consideration given to needs of the students. Final decisions as to the areas of emphasis in any given year will rest with the person in charge of the media center.

Recommendations

Recommendations received from the certified staff, students and patrons will be placed in a consideration file and will be reviewed to ascertain whether they meet selection criteria as set forth by the Board.

Teachers' professional advice will be solicited in making selections of materials. The person in charge of the media center may order for that level or department from standard selection tools.

Evaluation

The collection will be evaluated, from time to time, in relation to changing curriculum, new instructional methods, and current needs of teachers and students.

Section 7000 – Instructional Program

7400-R Instructional Materials and Media Centers

7400-R-2

Service

Materials will be purchased throughout the school year as needed. Areas of emphasis will be determined by the needs of each media center as judged by the person in charge of the media center within budgetary limits.

Authority

The Board authorizes the Academy's trained personnel to select for the media center subject to Board policies and rules.

Gifts (Cf. 9350)

All gift materials must meet qualitative standards of selection as stated above. Gift materials will be acknowledged and credit given in the media center records.

Procedures for Evaluating Challenged Materials (Cf. 7770, 7800, 9450)

The parent(s)/guardian(s) of any student in the Academy shall have the right to register a complaint about controversial reading materials or media. Supplemental material shall be substituted for completing the requirements of the course for that student.

The parent(s)/guardian(s) may notify the teacher in writing using the request for reconsideration form attached to these rules and schedule a meeting with the teacher and/or Director to set forth the part or parts of the assigned material, which the parent(s)/guardian(s) finds to be objectionable.

Should the parent(s)/guardian(s) exercise the above right, the student shall not be penalized in any way in academic endeavors because of the complaint.

In the case of a complaint, the person receiving the complaint shall present the complainant with “the request for reconsideration form,” invite the complainant to file objections in writing and notify the Director that a complaint has been registered.

Section 7000 – Instructional Program

7400-R Instructional Materials and Media Centers

7400-R-3

When the form has been completed and returned, the review committee composed of the Director, media specialist, two (2) subject area specialists and two (2) community members will be asked to evaluate the material in question. Challenged materials shall not be removed from the classroom during the evaluation periods.

The following guidelines shall apply to the evaluation process:

- To examine and evaluate the material as a whole, not based on passages pulled out of context,
- To check appropriate selection aids for evaluation of the material,
- To weigh strengths and weaknesses and form opinions based upon the selection criteria, the appropriateness of material to the reading ability and maturity level of the student, the nature of its use in the educational program, relevance to the curriculum and educational goals of the Academy, (Cf. 7800)
- To meet to discuss the material and prepare a written report containing conclusions and recommendations within 30 days,
- To direct the written report to the Board, and
- To send the complainant a copy of the written report.

If the complainant is dissatisfied with the decisions of the media review committee, an appeal of the decision may be made through the Director to the Board for a hearing and final decision. The report shall be discussed with the Board by the members of media review committee.

Section 7000 – Instructional Program

7400-R Instructional Materials and Media Centers

7400-R-4

COMMUNITY MEMBER'S REQUEST FOR RECONSIDERATION OF CURRICULUM MATERIAL

Book or other material _____

Author (if known) _____

Publisher (if known) _____

Telephone _____ Address _____

City _____ State _____ Zip Code _____

Complainant represents him/herself _____, Organization _____

(Identify other group) _____

1. To what in the material do you object: (Please be specific; cite pages or items) _____

2. What do you feel might be the result of using this material? _____

3. For what age group would you recommend this material? _____

4. Is there anything good about this material? _____

5. Did you read or view the entire material? _____ What parts? _____

6. Are you aware of the judgment of this material by literary critics? _____

7. What do you believe is the theme of this material? _____

8. What would you like the Academy to do about this material?

_____ Do not assign it to my child.

_____ Withdraw it from all students as well as my child.

_____ Send it back to the curriculum committee for re-evaluation.

9. In its place, what material of equal literary quality would you recommend that would convey as valuable a picture and perspective of our civilization? _____

Signature of Complainant _____ Date _____

Section 7000 – Instructional Program

7420 Inspection by Parent(s)/Guardian(s) of Instructional Material

7420

The parent(s)/guardian(s) shall be permitted to inspect all instructional materials used by the Academy in evaluating, surveying, or analyzing students in furtherance of an instructional program. Instructional materials shall include teacher's manuals, films, tapes, or other supplementary materials.

The Academy shall give parent(s)/guardian(s) notice of their rights under this policy.

Approved:

LEGAL REF: 20 USCA § 1232g (Family Educational Rights & Privacy Act of 1974
[FERPA])

Section 7000 – Instructional Program

7460 Instructional Television (Cf. 7200)

7460

The Board may support telecommunication systems that support instruction, learning, and are applicable to instructional progress.

The Board encourages partnerships between the Academy and community entities where it can be demonstrated that such partnerships shall have a positive impact upon student learning.

The Board also encourages national and international linkage through satellite communication, fiber optics and other transmission mechanisms in support of distance learning activities for students.

Distance Learning

The Board shall budget resources needed to acquire and maintain the hardware and programming necessary to utilize the capabilities of this use of technology.

Approved:

Section 7000 – Instructional Program

7460-R Instructional Television

7460-R

Distance Learning

Academy staff shall be provided in-service training in the use of the hardware and programming associated with distance learning programs. A staff member may be assigned the duties of coordinating distance-learning activities.

The Board shall receive periodic updates from the Director regarding student enrollment in courses, staff development activities, and community utilization of the Academy's distance learning equipment.

The Director and staff will develop and implement a plan and procedures in order that the Academy's distance learning equipment may be used to it fullest potential, i.e. with students, staff, Board and community.

Section 7000 – Instructional Program

7463 Use of Commercially Produced Video Recordings

7463

Videotapes, DVD's, or other media will be selected and assigned to give support directly to instructional learning objectives contained within the Board approved curriculum.

Videotapes, DVD's, or other media when used, shall be selected for their direct relevance to the instructional program. General selection criteria should include quality of the overall work and its individual parts, fair and accurate representation of the facts, the reputation, and significance of the writer, Director, and/or performer.

Videotapes, DVD's or other media shall not be used for recreation or entertainment, or for other than planned instructional purposes.

Approved:

LEGAL REF: 17 USCA §§ 106, 107, 110 (Exclusive rights in copyrighted works)

Section 7000 – Instructional Program

7463-R Use of Commercially Produced Video Recordings

7463-R

The use of films, DVD's and videotapes in class are subject to the following regulations:

1. All films, DVD's and videotapes must be carefully previewed and evaluated by the teacher and be determined to meet identified learning objectives and exit outcomes before they are used with students.
2. In general, copyright guidelines permit in-classroom use of copyrighted video tape/ DVD when it is used for instructional purposes in a teaching situation, as is a lawfully made copy.*
 - a. The classroom setting has been defined as a "semi-public performance." Therefore, public performance rights are reserved for the copyright owner or those given permission.
 - b. Videotapes or DVD's marketed for "home use" do not have the rights granted for public performance. Rented films that include a notice that the film is intended for "home use only" or "private use only" shall not be shown to a class for entertainment purposes.
3. Non-profit education institutions generally may use videotapes or DVD's in the course of "face-to-face" teaching activities, without the need to obtain consent from the copyright owner if the following permissible guidelines are met:
 - a. The video or DVD is a legally obtained lawful copy.
 - b. The video or DVD must be used in the course of "face-to-face" teaching activities.
 - c. The video or DVD activity must be carried out by an instructor or student.
 - d. The video or DVD activity must be carried out in a classroom or similar place devoted to instruction.
 - e. All video or DVD programming obtained from commercial sources outside the Academy's purchasing procedure through rental; lease or purchase must be approved for classroom use by the Director.

Section 7000 – Instructional Program

7463-R Use of Commercially Produced Video Recordings

7463-R-2

4. Parent(s)/Guardian(s) shall receive one weeks advanced written notice when teachers plan to use commercial video recording or DVD's that are rated PG with elementary students, or PG-13 or higher with middle school students. Such notice shall include an accurate description of the contents of the video or DVD recording and where it may be obtained for parent(s)/guardian(s) review.
 5. Other media such as CD-ROM, laser disc and audiotapes, while not a part of the video rating system, should be selected and used applying the same criteria as videotapes.
 6. Video tapes or DVD's may not be used for recreation, entertainment or for other instructional purposes not previously planned.
- *e.g. "Grapes of Wrath" may be presented, but "Star-Wars" which if being shown for entertainment, would not be permitted unless copyright clearance has been obtained.

Section 7000 – Instructional Program

7463-R Use of Commercially Produced Video Recordings

7463-R-3

HONEY CREEK COMMUNITY SCHOOL

PARENT(S)/GUARDIAN(S) NOTIFICATION FORM

Date: _____

Dear Parent(s)/Guardian(s):

I am planning to show _____ to my _____ grade
_____ *film/video/DVD* _____ class. This film/video is rated _____

The rating is due to these factors: _____

The purpose of seeing this film/video/DVD is to: _____

_____ The film/video/DVD will be shown in its entirety.

_____ Only the following portions of the film/video/DVD will be shown:

If you wish to preview the film/video/DVD, it may be borrowed or rented from:

Signature of Teacher

*

Please sign below and return this form with your child or mail it to the address indicated.
Please return this form on or before: _____.

Film/video/DVD: _____

_____ My child has my approval to view this film/video/DVD.

_____ I do not want my child to view this film/video/DVD. Please substitute a
meaningful, related, alternative activity.

Student: _____

Signature of Parent(s)/Guardian(s)

Section 7000 – Instructional Program

7475 Computer Assisted Instruction

7475

The Board supports computer assisted instruction for the Academy's students in order that the students may accomplish their educational goals efficiently and completely and become computer literate.

Approved:

Section 7000 – Instructional Program

7480 Resource Speakers (Cf. 7760)

7480

No overall standard can be established which will automatically separate and exclude a person whose views or manner of presentation may actually obstruct the educational process or jeopardize the health and safety of students or staff. However, in an effort to uphold the students' freedom to learn while also recognizing obligations, which the exercise of this freedom entails, the Board does establish guidelines, found in 7480-R, that govern the selection of resource speakers to be used in any attendance center in the Academy.

Approved:

Section 7000 – Instructional Program

7480-R Resource Speakers

7480-R

The teacher/sponsor and Director are expected to exercise judgment and to investigate fully those who are being considered as resource speakers in the Academy.

Teachers/Sponsors should encourage the use of resource persons representing various points of view in order to help students gain a more comprehensive understanding of any topic.

The ideas presented and the resource person invited to present them shall have a demonstrable relation to the curricular or extracurricular activity in which the participating students are involved.

Prior to appearance or participation, the resource speaker shall be given a copy of this policy and rules, and each speaker shall agree to abide by these regulations:

- Profanity, vulgarity and lewd comments are prohibited,
- Any language that calls for a student strike, may incite a riot or may otherwise influence students to behave in an unlawful manner is prohibited, and
- Smoking is not permitted while speaking or consulting with students.

The teacher/sponsor responsible for inviting the resource speaker(s) has the right and duty to interrupt or suspend any proceedings if the resource speaker(s) by his/her/their conduct is/are judged to have disregarded the agreement to abide by these regulations.

Section 7000 – Instructional Program

7485 Community Resources

7485

The Board encourages the utilization of community resources in the instructional program of the Academy.

Use of Community Resource Persons

The use of community resource personnel is encouraged where a legitimate educational objective may be advanced.

Academy Volunteers (Cf. 9230)

The use of Academy volunteers is encouraged whenever a legitimate educational objective may be advanced.

Approved:

LEGAL REF: MCL 691.1505

Section 7000 – Instructional Program

7485-R Community Resources

7485-R

The administrative and certified staff shall maintain and keep up-to-date a list of available resource people. The certified staff shall also maintain and keep up-to-date a list of suitable community resources, which may be utilized for field trips and other such excursions.

Use of Community Resource Persons

Under certain circumstances, community resource personnel may be paid a reasonable honorarium if approved through the budget approval process by the Board as a legitimate budget expenditure.

Section 7000 – Instructional Program

7490 Field Trips and Excursions

7490

Field trips and excursions are encouraged when a reasonable educational objective can be established. All trips to foreign countries and overnight trips are to be approved in advance by the Board. The Director shall provide the Board with a recommendation concerning any overnight or foreign trip. The recommendation shall take into account any foreign travel warnings or cautions of the U. S. Department of State. In addition, before making any recommendation, the Director shall seek advice concerning overnight or foreign travel from the Academy's legal counsel and insurance carrier. The Director shall develop rules and regulations regarding educational field trips and excursions.

Approved:

LEGAL REF: MCL 380.1321-1332; R 340.241-243

Section 7000 – Instructional Program

7490-R Field Trips and Excursions

7490-R

The teacher shall notify the Director of each trip planned and of the resources needed in advance of the trip. The Director shall develop appropriate forms to notify parent(s)/guardian(s) of forthcoming field trips and excursions. Said form shall include the nature of the trip, departure time, expected return time, names of sponsors, mode of travel, anticipated costs to the student, if any, and a space where the parent(s)/guardian(s) may ask that his/her child be excused, said parent(s)/guardian(s) to state the reasons for the requested exemption.

Chaperones

The Director may direct that appropriate screening processes be implemented to assure that adult chaperones for field trips or excursions are free of criminal convictions for any offenses involving children. Such processes may include the requirement for a criminal background check, application forms that require disclosure of any criminal convictions for crimes involving children, gathering of personal references, and other methods to assure that adult chaperones are suitable and acceptable for accompanying children on field trips or excursions.

When serving as a chaperone for Academy field trips, the parent(s)/guardian(s), or other adult volunteers, including employees of the Academy, assigned to chaperone, shall not use tobacco products in the presence of students, nor shall they consume any alcoholic beverages nor use any illicit drug during the duration of their assignment as a chaperone, including during the hours following the end of the day's activities for students. Chaperones shall be given a copy of these rules, and sign a letter of understanding verifying they are aware of, and agree to, these Academy rules before being allowed to accompany students on any field trip or excursion.

Any chaperone found to have violated these rules shall not be used again as a chaperone for any Academy sponsored field trips or excursions and may be excluded from using Academy sponsored transportation for the remainder of the field trip or

Section 7000 – Instructional Program

7490-R Field Trips and Excursions

7490-R-2

excursion and be responsible for their own transportation back home. Employees found to have violated these rules may be subject to disciplinary action.

Modes of Transportation

Whenever possible and feasible, Academy vehicles operated by Academy transportation employees will be used to transport students on Academy sponsored field trips or excursions. If the use of Academy vehicles and transportation employees is not possible, such as for overnight trips outside of the Academy where the rental of commercial buses is indicated, the administrator responsible for student transportation will oversee and coordinate the rental of commercially operated vehicles. In no case shall a teacher or any other employee be authorized to contract for the rental of commercial vehicles for use with field trips or excursions without the prior review and approval of the Director.

If the use of privately owned vehicles for a field trip or excursion is contemplated, all requirements set forth in policy 4350 shall be followed.

Full details of field trips rules/regulations or procedures shall be published in the appropriate faculty, staff, parent/guardian, and student handbooks.

Section 7000 – Instructional Program

7500 Student Guidance

7500

Guidance goals are organized and implemented through the curriculum and the relationships between students and staff.

Student guidance shall be organized to meet the needs, interests, and abilities of all individual students with their own particular capabilities, their aptitudes and their personalities. It is a goal of the Academy that each student be an active participant in the learning process and not simply a passive absorber of knowledge.

The implementation of these goals by the Academy shall be available to any student and shall not discriminate against any student based on sex, sexual orientation, race, age, color, national origin, or disability.

Educational Guidance

The educational guidance program shall relate to the educational objectives and needs of the students.

Personal Guidance

The guidance program shall provide for the individual needs of the students.

Vocational Guidance

The Academy shall assist students in formulating vocational goals and objectives. Cooperative vocational education, job placement, apprenticeship training is offered without regard to race, age, color, sex, sexual orientation, national origin, or disability.

Approved:

LEGAL REF: MCL 380.1233; 20 USCA §1232 (Family Educational Rights and Privacy Act); 28 CFR §42.410; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §1981 *et seq.* (Civil Rights Act); 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 29 USCA §794, *et seq.* (Rehabilitation Act of 1973)

Section 7000 – Instructional Program

7500-R Guidance Program

7500-R

Guidance and counseling on a personal basis shall assist each student to understand him/herself, his/her capabilities, and limitations; to identify alternate courses of action; and to make appropriate personal decisions. The counselor shall refer any student's personal problem to the parent(s)/guardian(s), after consultation with the Director, whenever such problem is beyond the scope of training and experience for the counselor.

The Director, in cooperation with teachers and other agencies, will conduct periodic studies to assess the results of the educational programs of the Academy. Follow-up information will be assembled to give continued assistance to former students, to facilitate curriculum evaluation and to reinforce the guidance program for students.

Section 7000 – Instructional Program

7560 Reporting System

7560

The Board directs that the Director develop a reporting system that details student academic and personal development for use in the Honey Creek Community School.

Full details of the Academy's reporting system shall be published in the appropriate faculty and student handbooks.

Approved:

LEGAL REF: MCL 380.1282; OAG, 1981-1982, No 5879, p 124 (April 17, 1981)

Section 7000 – Instructional Program

7580 Homework

7580

The use of homework as a means to discipline students is prohibited. Homework shall be assigned on an as needed basis, and shall never exceed a students' capability to complete within a reasonable time. The Director may develop rules and regulations for the assignment of homework for students K-8.

Approved:

LEGAL REF: *Owasso Independent School Dist. No. 1-011 v. Falvo*, 122 S.Ct. 934 (2002).

Section 7000 – Instructional Program

7600 Level and Class Room Assignments

7600

Level and classroom assignments, including promotion and retention, shall be the responsibility of the Director and shall be made in the best interests of the individual student subject to parent(s)/guardian(s) involvement in accordance with law.

Students will normally progress annually from level to level. However, exceptions may be recommended when, in the judgment of the professional staff, and after consultation with parent(s)/guardian(s), such exceptions are in the best interests of the individual student involved and continuing or changing level is indicated.

Approved:

LEGAL REF: MCL 380.10⁷

⁷ **380.10 Rights of parents and legal guardians; duties of public schools.** Sec. 10.

It is the natural, fundamental right of parents and legal guardians to determine and direct the care, teaching, and education of their children. The public schools of this state serve the needs of the pupils by cooperating with the pupil's parents and legal guardians to develop the pupil's intellectual capabilities and vocational skills in a safe and positive environment. **History:** Add. 1995, Act 289, Eff. July 1, 1996. **Popular Name:** Act 451

Section 7000 – Instructional Program

7600-R Promotion and Retention

7600-R

The administrative rules for policy 7600 are established as follows:

Elementary Level

1. Recommendations for level placement shall be the responsibility of the Director in consultation with teachers when in his/her judgment borderline cases might create controversy between parent(s)/guardian(s) and the Academy,
2. Level placement in the elementary program shall be based on the following criteria:
 - a. Academic achievement and ability as indicated by standardized test scores,
 - b. Academic achievement and ability as observed by the classroom teacher(s) involved,
 - c. Chronological age of student,
 - d. Size and physical development of the student,
 - e. Social maturity of the student,
 - f. Emotional maturity of the student, and
 - g. Attitudes and reaction of parent(s)/guardian(s) and student.
3. Notification should be given to parent(s)/guardian(s) as soon as the teacher feels that continuation in level may be recommended, and a conference held with the parent(s)/guardian(s) in order to prepare them for the possibility of retention and enlist their help in preparing the student. Nothing should be said at the conferences that would indicate to the parent(s)/guardian(s) that any decision regarding a recommendation for continuation in level has already been made.
4. The final recommendation of the best placement for the student to learn shall be made to the Director at least six weeks before the end of the school year. At that time, a conference should be scheduled with the

Section 7000 – Instructional Program

7600-R Promotion and Retention

7600-R-2

Director, teacher or teachers, and parent(s)/guardian(s) in attendance.

5. After the conference, the Director, in consultation with the teacher, shall make the decision as to whether or not a final recommendation should be made to the parent(s)/guardian(s) about placement.
6. A written statement of parent(s)/guardian(s) approval of the placement should be obtained if possible, and included in the student's permanent record file. If the parent(s)/guardian(s) do not agree with the placement, a statement signed by the parent(s)/ guardian(s) so indicating the parent(s)/guardian(s) rejection of the Academy's recommendation for placement should be placed in the student's file.
7. It is recommended that adjustments in a student's placement be made as early as possible.

Section 7000 – Instructional Program

7610 Make-up Work Opportunities (Cf. 8350)

7610

All teachers shall supply make-up work assignments when requested by the student or parent(s)/guardian(s) unless the absence from class is due to a long-term suspension (more than 10 days) or permanent expulsion as mandated by law.

The administration shall reserve the right to determine whether credit will be granted for make-up work resulting from unexcused absences or absences due to short-term suspension (10 days or less). After consultation with the appropriate teachers, the Director shall make such a determination.

Approved:

Section 7000 – Instructional Program

7640 Placement of Transfer Students

7640

In core academic disciplines, particularly disciplines like mathematics which are sequential in nature, the Academy administration may make use of transcripts, grades, previous teacher recommendations, textbook used, course descriptions, standardized tests, and/or a placement or proficiency test to recommend or determine course placement for a transferring student.

Transfer from Home Schooling or Other Institutions

Decisions regarding placement of students transferring shall be made by the Director in consultation with parent/guardian as well as an interview with the student.

Approved:

Section 7000 – Instructional Program

7650 Testing Program (Cf. 8940 *et seq.*)

7650

There will be a basic testing program designed to evaluate the outcomes of the educational program and to provide information needed in working with individuals. The basic testing program shall be supplemented by such individual tests as the need of the educational program and the Academy would seem to indicate. This program shall be coordinated by the Director in order to provide continuity in the total program.

Test Selection and Adoption (Cf. 8940 *et seq.*)

Psychological and guidance oriented tests may be selected for use in the Academy upon recommendation of the guidance counselor and Director and approved by the Board. The guidance staff is encouraged to develop such tests that measure local norms based on characteristics of students in the Academy. Personality-measuring tests will be administered with great discretion and restraint.

Test Administration (Cf. 8940 *et seq.*)

The staff shall schedule individual and group testing at times which will not disrupt the educational decorum of the Academy.

Use and Dissemination of Test Results (Cf. 8940 *et seq.*)

Under no circumstances will the results of any individual or group test as defined in these policies be given to unauthorized people. When interpreting individual or group test results, staff members shall use great care so as not to identify any individual.

Generalized results of mass testing may be given to parent(s)/guardian(s) and other authorized persons in the form of a report if adequate interpretation of said results accompanies the report. No report shall be given to any person without prior approval of the Director. Procedure in such matters is defined in these policies, generally.

All test results must be filed in a secure place not available to unauthorized individuals.

Section 7000 – Instructional Program

7650 Testing Program (Cf. 8940 *et seq.*)

7650-2

Student Assessment

The Academy's school improvement plan shall provide for student assessment methods that use a variety of criteria-based strategies, including at least: Written examinations, oral examinations, alternative questions, demonstrations, writing exercises, individual projects, group projects, performances, student portfolios, and samples of student's best works.

Approved:

LEGAL REF: MCL 380.1172; 380.1204a; 380.1278; 380.1279; 380.1279b; 380.1279c;
R 340.1101-1107; OAG, 1983-1984, No 6148, p 107 (April 15, 1983)

Section 7000 – Instructional Program

7650-R Testing Program (Cf. 8940 *et seq.*)

7650-R

Testing Selection and Adoption

The staff may use tests other than those purchased and approved for use in the Academy if requested by individual students. Costs of administering such tests are to be borne by the student.

Use and Dissemination of Test Results (Cf. 8940 *et seq.*)

The custodian of student records is responsible for safekeeping all test results.

Standardized Tests

The staff shall analyze all standardized tests used in the Academy relative to:

- a. The population represented by the norms or comparison groups,
- b. The specific use or uses of such tests and how these standards compare to the Academy's goals, and
- c. Available alternatives to such tests.

Section 7000 – Instructional Program

7700 Evaluation of Instructional Program (Cf. 7650)

7700

The evaluation of the curriculum and related services of the Academy is an on-going process. The Director shall develop guidelines by which the instructional staff will evaluate the instructional program or parts thereof on an annual basis.

Approved:

LEGAL REF: MCL 380.1282

Section 7000 – Instructional Program

7700-R Evaluation of Instructional Program (Cf. 7650)

7700-R

The Director may establish, on an ad hoc basis, special curriculum committees to study the Academy's instructional program or any part thereof. The Director may request a report from such committee, which shall include the committee's recommendations for any proposed changes, modifications or elimination of any part of the instructional program. The Director will submit the report together with his/her recommendation to the Board for approval, modification or disapproval at a regular or special meeting of the Board. The use of personnel other than the Academy's instructional staff to evaluate the curriculum is authorized as outlined elsewhere in these policies and rules.

Any costs incurred by curriculum committees that are approved by the Director in advance shall be borne by the Academy.

Section 7000 – Instructional Program

7760 Controversial Issues

7760

Good teaching techniques provide that adequate preparation on the part of student and teacher take place before controversial issues are explored. Every controversy has two or more sides; it is therefore imperative that teachers ensure that all issues, facets, and questions of any controversial subject are thoroughly studied. Teachers should be aware that controversy may spring from the most innocuous beginnings and be prepared for it to the best of their ability.

Approved:

LEGAL REF: MCL 380.1507

Section 7000 – Instructional Program

7770 Teaching about Religion

7770

If incorporated in the approved curriculum, teachers may teach about religion, religious literature, and history, but are prohibited from teaching, expounding, criticizing, or ridiculing a particular religion. Religious texts may be used to teach about religion, but the use of religious texts is prohibited if used to teach a particular religious doctrine or in any other way except as outlined above.

Approved:

LEGAL REF: MCL 380.1217

Section 7000 – Instructional Program

7800 Academy Ceremonies and Observances (Cf. 7770)

7800

Recognition of Religious Beliefs and Customs

Employees of the Academy shall neither promote nor disparage any religious belief or non-belief. The Board encourages all students and staff members to appreciate and to be tolerant of each other's religious views. The Board shall utilize its authority to foster understanding and mutual respect among students and parent(s)/guardian(s), whether it involves race, culture, economic background, or religious belief. Students and staff members may be excused from participating in practices that are contrary to their religious beliefs unless there are clear issues and overriding concerns that would prevent it.

The Board, through its instructional program, shall attempt to advance all students' knowledge and appreciation of the role that religious heritage has played in the social, cultural and historical development of civilization.

Federal Requirements

As required by the No Child Left Behind Act, by October 1 of each year, the Director will certify in writing to the state that students of the Academy are not prevented by policy or rule from participating in constitutionally protected prayer. The Director will ensure that the staff, parent(s)/guardian(s), and students are made aware of the parameters of acceptable religious speech and actions.

The Director will distribute guidelines concerning religion in the Academy, after the guidelines/regulations have been approved by the Board attorney and reviewed by the Board.

In accordance with federal law⁸, the Academy shall offer an educational program(s) each year on Constitution Day to commemorate the September 17, 1787 signing of the United States Constitution.⁹ The Director shall establish administrative guidelines ensuring that the Academy observes Constitution Day properly and in a

7800 Academy Ceremonies and Observances (Cf. 7770)

7800-2

⁸ Section 111 of Division J of Public Law 108-447

⁹ Constitution Day shall be held on September 17th of each year. However, if September 17th falls on a Saturday, Sunday, or holiday, then Constitution Day shall be held during the preceding or following week.

Section 7000 – Instructional Program

manner befitting the importance of the event to the history of the United States of America.

Approved:

LEGAL REF: MCL 380.1175; 380.1217; *Lee v. Weisman*, 112 S. Ct. 2649 (1992);
NCLB; Section 111 of Division J of Public Law 108-447 (2004).

Section 7000 – Instructional Program

7800-R Academy Ceremonies and Observances (Cf. 7770)

7800-R

Through special ceremonies or through the instructional program, the Director may arrange for proper commemoration of the following special days in the school:

Constitution Day (September 17); Columbus Day (Second Monday in October); Veteran's Day (November 11); Martin Luther King's Birthday (3rd Monday in January); Lincoln's Birthday (February 12); and Washington's Birthday (3rd Monday in February).

In following with the Academy's mission, student and staff participation in the following national days of service, whether during instructional or extra-curricular time, shall be encouraged: Make a Difference Day (4th Saturday in October); Family Volunteer Day (Saturday before Thanksgiving); Cesar Chavez Day (March 31st); Earth Day (April 22nd); Arbor Day (Last Friday in April); Join Hands Day (1st Saturday in May).

Observance of Constitution Day

The Academy shall offer a Constitution Day program(s) each September 17 to commemorate the signing of the United States Constitution.¹⁰ The following are examples of acceptable Constitution Day programs:

- An assembly for all grades in the school featuring a speaker from local, state, or federal government to discuss the importance of the signing of the U.S. Constitution,
- An art or essay contest centering on the signing of the U.S. Constitution,
- A special program focusing on the signing of the U.S. Constitution broadcasted over an educational T.V. channel Academy-wide,
- Hallway bulletin board displays stressing the observance of the signing of the U.S. Constitution, or
- Classroom skits or mini-plays featuring students who represent the original signers of the Constitution and who give a brief biography of the person whom they represent.

7800-R Academy Ceremonies and Observances (Cf. 7770)

7800-R-2

¹⁰ Constitution Day shall be held on September 17th of each year. However, if September 17th falls on a Saturday, Sunday, or holiday, then Constitution Day shall be held during the preceding or following week.

Section 7000 – Instructional Program

The Director authorizes the formulation of a Constitution Day Planning Committee to assist the Director in choosing an appropriate Constitution Day program for the Academy.

Observance of Religious Holidays

The practice of the Academy shall be as follows:

The several holidays throughout the year that have a religious and secular basis may be observed in the school.

The historical and contemporary values and the origin of religious holidays may be explained in an unbiased and objective manner without sectarian indoctrination.

Music, art, literature and drama having a religious theme or basis are permitted as part of the curriculum for Academy-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.

The use of religious symbols such as a cross, Menorah, crescent, Star of David, crèche, symbol of Native America or other symbols that are a part of a religious holiday is permitted as a teaching aid or resource provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature. Among these holidays are Christmas, Easter, Passover, Hanukkah, and St. Valentine's Day, St. Patrick's Day, Thanksgiving, and Halloween.

The Academy's calendar may be prepared to minimize conflicts with religious holidays of all faiths.

Religion in the Curriculum

It is essential that teaching about, and not of, religion be conducted in a factual, objective, and respectful manner. Therefore, the practice of the Academy shall be as follows:

Section 7000 – Instructional Program

The Board supports the inclusion of religious literature, music, drama and the arts in the curriculum and in Academy activities if it is intrinsic to the learning experience in the various fields of study and is presented objectively.

The emphasis on religious themes in the arts, literature, and history should be only as extensive as necessary for a balanced thorough study of these areas. Such studies should never foster any particular religious tenets or demean any religious beliefs.

Student-initiated expressions to questions or assignments, which reflect their beliefs or non-beliefs about a religious theme, shall be accommodated. Students are free to express religious belief or non-belief in composition, art forms, music, and speech.

Dissemination of Religious Materials

Materials that have a religious content may be made available to students during non-instructional time. The Academy shall impose content neutral, time, place, and manner restrictions on the dissemination of religious materials to ensure that students are aware that the materials are not being endorsed or sponsored by the Academy.

Dedications and Commencement

Traditions are a cherished part of the community life and the Academy expresses an interest in maintaining those traditions, which have had significance to the community. While recognizing the significance of traditions, the Board recognizes that its dedication ceremonies and commencement exercises must be secular in nature. Inspirational addresses, which do not promote religion, may be permitted at such ceremonies.

Because the baccalaureate service is traditionally religious in nature, it, if held, shall be sponsored by agencies separate from the Academy. Academy initiated invocations and benediction, inherent in commencement (graduation) ceremonies, are not allowed under current law.

Federally Required Guidelines

Students have the following rights pursuant to federal law:

Section 7000 – Instructional Program

- To engage in private, non-disruptive activity such as prayer or bible reading while at school,
- To participate in before or after school events that have a religious content,
- To study about religion when appropriate to the curriculum,
- To produce written expressions of religious beliefs in home work, art work, and other assignments,
- To distribute in a non disruptive manner, subject to reasonable restrictions as to time, place, and manner, religious literature,
- To be excused for religious reasons from participation in Academy programs or activities,
- To be granted release time to attend religious events,
- To wear clothing that includes a non disruptive religious theme or message,
- To be given access to Academy media to announce religious events in the same manner as other organizations, and/or
- To be granted access to Academy facilities for religious activities in the same manner as other organizations.

Section 7000 – Instructional Program

7840 Guest Teacher (Cf. 5685)

7840

The Board encourages the administrative staff to secure qualified guest teachers for use in the Academy.

The candidates will receive a guest teacher's handbook, an explanation of the substitute program, application forms, and necessary records to be completed (tax forms).

The Board shall establish the rate of pay for guest teachers as necessary upon the recommendation of the Director.

Approved:

LEGAL REF: OAG, 1985-1986, No 6360, p 283 (May 13, 1986)

Section 7000 – Instructional Program

7880 Flag Displays

7880

The United States flag shall be flown outside of the building according to accepted display procedures.

Approved:

LEGAL REF: MCL 380.1347

Section 7000 – Instructional Program

7880-R Flag Displays

7880-R

The Director shall assume the responsibility for raising and taking down the flag at the Academy. Such responsibility may be assigned to the custodian, an Academy organization such as the student council, or organizations such as boy or girl scouts. If assigned to student organizations, either within or outside the Academy, the Director or person designated by him/her shall assume the responsibility to see that the flag is cared for regularly and properly.

Section 7000 – Instructional Program

7900 Academy School Improvement

7900

The Board supports school improvement processes and projects for attaining higher educational achievement levels for the Academy's students.

Academy School Improvement Committee

The Board authorizes the formation of a school improvement committee.

The school improvement committee shall be comprised of a number of persons as the committee determines but should include at least one Board member, appointed by the Board, an administrator, at least one teacher representative and one member of the school's support staff. The Director shall be an *ex officio* member of the school improvement committee.

The purpose of the school improvement committee shall be to establish goals for the Academy and to oversee the programs and activities leading toward the attainment of those goals. The goals established by the school improvement committee shall be compatible with the Academy's mission statement and goals established by the Board. The purpose of the Academy-wide school improvement project committee is to monitor the projects, receive the information about the school improvement projects and report to the Board what is happening and what are the results.

Data Collection/Assessment

The Director shall oversee the collection of data to be used in an assessment of the status of the Academy.

Meetings

The school improvement committee shall meet at least monthly, transcribe minutes of each meeting, and submit the minutes of each meeting to the Board on a regular basis.

Section 7000 – Instructional Program

7900 Academy School Improvement

7900-2

Review

At least annually, the school improvement committee shall submit to the Board a report detailing the progress toward attainment of its goals.

The school improvement committee may coordinate programs and projects with other Districts and the WISD.

Approved:

LEGAL REF: MCL 380.1204a; 380.1233; 380.1277

Section 7000 – Instructional Program

7900-R Academy School Improvement

7900-R

The school improvement committees shall be established, re-established and/or adjusted annually.

Committee Membership

The Academy school improvement committee should have representatives from the following groups as members, in addition to those already listed in Board policy: parent(s)/guardian(s), community members, students and others as the school improvement committee may find necessary to assist it in attaining its goals.

Data Collection/Assessment

The data collected by the Academy may include, but not be limited to: student standardized test scores, dropout rates, student/staff ratios, grade point averages, demographic and societal data, career/employment data, vandalism, student attendance rates, student discipline, and others as the committee may need.

The collection of the data should involve input from parent(s)/guardian(s), staff, students, and other community members. Confidentiality regarding personally identifiable information shall be maintained at all times by all members of the Academy's school improvement committee.

Review

The school improvement committee's review process with the Board should include discussion of the progress and attainment toward goals, financial and business issues, student performance outcomes, scheduling of classes, maintenance of facilities, Academy calendars, staffing needs, staff evaluation, teaching methods, pilot projects, curriculum and textbook review, organizational structures, and others as may be necessary for the Board's information.

8000—STUDENTS

8010	Equal Educational Opportunity (Cf. 5020)
8015	Non-Discrimination and Complaint Procedure (Cf. 2450, 5030)
8018	Discriminatory Harassment of Students
8020	Attendance <ul style="list-style-type: none">Compulsory Attendance - Religious Exemption
8030	Truancy
8035	Absences and Excuses (Cf. 7610, 8350) <ul style="list-style-type: none">Electronic Attendance Records
8040	Academy Admissions <ul style="list-style-type: none">Enrollment RequestsDeadlineEnrollment LimitsCostSpecial Education Students
	Assignments <ul style="list-style-type: none">To Classes
	Transfers and Withdrawals
8080	Re-admissions
8090	Release of a Student During the School Day
8095	Closed Campus
8130	Searches of Lockers, and Students <ul style="list-style-type: none">Strip SearchesLaw Enforcement Searches<u>SN For policy statement regarding searches by Academy officials</u>
8140	Interrogation and Investigations Conducted in School <ul style="list-style-type: none"><u>SN For policy statement regarding interrogation by Academy officials and law enforcement authorities</u>
8220	Alcohol, Inhalants, Steroids, and Drug Abuse
8230	Tobacco Products
8240	Student Appearance
8255	Terroristic Threats/Acts
8260	Bullying (Cf. 8018)
8270	Hazing
8280	Electronic Communications Devices - Students
8300	Student Discipline (Cf. 5220) <ul style="list-style-type: none">Positive Behavior Support (PBS)
8320	Assaults Committed by Students <ul style="list-style-type: none">Assaults Committed Against Academy PersonnelPhysical AssaultsThreats of Assaults Committed by StudentsPhysical Assaults Committed Against Other StudentsReinstatementApplication to Students with Disabilities

	Implementation
8350	Student Suspension and Expulsion (Cf. 8080)
	Suspensions
	Suspensions by Teachers
	Class, Subject or Activity Suspensions
	Application to Students with Disabilities
	Implementation
	Expulsion
	Appeals
	Hearing Officer
	Written Notices
8450	Student Welfare (Cf. 8590, 8590-R)
8453	Student Wellness Policy
	Nutrition Education
	Nutrition Standards
	Physical Education and Physical Activity Opportunities
	Other Academy-Based Activities Designed to Promote Student- Wellness
	Implementation and Measurement
8455	Unsafe School Choice Policy
8460	Student Insurance Programs
8480	Student Health Services
	Immunization of Students and Vision Testing
8485	Participation Fees for Interscholastic Athletics
8510	Communicable Diseases - Students and Staff
8580	Child Abuse and Neglect - Duty to Report
	Access to Students on Academy Premises (Cf. 8140, 9570)
	Cooperation between Academy and Agencies
8590	Student Safety
	Bicycle Use
	Walkers and Riders
	Eye Protective Devices
	Mercury Elimination
	Safety Patrols
8650	Student Accidents
8660	First Aid
8670	Administration of Medications by Academy Personnel (Cf. 2780)
	Self-Administration/Self-Possession of Medications
	Diabetic Emergencies
	Management of Students with Asthma in the School Setting
	Exercise Induced Asthma Attacks
	Academy Staff Training
	Storage and Access to Medications
	Record Keeping of Medications
8700	Student Activities
	Activity Fees
	Activity Fund Management (Cf. 3800)

	Musical Instruments
8710	Academy-sponsored Student Clubs
8720	Non-Academy-sponsored Student Clubs and Organizations (Cf.
8700)	Meetings and Membership
	Student Equal Access
	Federal Compliance
	Student Social Events
8730	Non-Academy-sponsored Student Publications
8740	Student Photographs (Cf. 3660, 8940)
	Commercial Photographers
	Other Photographic or Video Images
8750	Student Volunteers
	Public Service
	Student Performance (Cf. 8700)
8860	Homebound Instruction
8940	Student Records
	Directory Information

Section 8000 – Students

8010 Equal Educational Opportunity (Cf. 5020)

8010

Every child, regardless of race, creed, color, sex, sexual orientation, age, national origin, cultural or economic background, or handicap, is entitled to equal opportunity for educational development.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the Academy. The Board shall treat its students without discrimination as this pertains to course offerings, athletics, counseling, employment assistance, and extracurricular activities.

Approved:

LEGAL REF: 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments); 20 USCA §1701 *et seq.* (Civil Rights Act); 28 CFR §42.410; 28 CFR §42.405 (Title VI of the Civil Rights Act); 42 USCA §2000e, *et seq.* (Title VII of the Civil Rights Act); MCL 380.1146

Section 8000 – Students

8015 Non-Discrimination and Complaint Procedure (Cf. 2450, 5030)

8015

The Academy will not discriminate against any person based on sex, sexual orientation, race, color, national origin, religion, height, weight, marital status, handicap, age, or disability. The Board reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d. et seq.; and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; The Americans With Disabilities Act of 1990, 42 U.S.C. §§ 1210, et seq.; The Persons with Disabilities Civil Rights Act, MCL §§ 37.1101, et seq.; and The Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.

The Assistant Director of the Academy is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs and activities. The Assistant Director is appointed the Civil Rights Coordinator regarding discrimination complaints made by students (grades Pre-K through 8) and/or their parent(s)/guardian(s), and involving sex, sexual orientation, race, color, national origin, religion, height, weight, age, or marital status. The Director is appointed the Civil Rights Coordinator regarding all other complaints of discrimination. In the event the complaint is against the Director, the Vice-President of the Board of Education is appointed the Civil Rights Coordinator.

Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination based on disability/handicap should be directed to:

The Assistant Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

Section 8000 – Students

8015 Non-Discrimination and Complaint Procedure (Cf. 2450, 5030)

8015-2

Inquiries or complaints made by students (grades Pre-K through 8) and/or their parent(s)/guardian(s) related to discrimination based on sex, sexual orientation, race, color, national origin, religion, height, weight, age, or marital status should be directed to:

The Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

In the event a complaint is against the Director of the Academy, the complaint should be directed to:

The Vice-President of the Board of Education
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

All other inquiries related to discrimination should be directed to:

Director of the Academy
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

The Civil Rights Coordinators, as specified herein, are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy shall file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will then take, the following action: First, cause an investigation of the complaint to be commenced. Second, arrange for a meeting to occur with the complainant, which may include Academy staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise that will assist in resolving the complaint.

Section 8000 – Students

8015 Non-Discrimination and Complaint Procedure (Cf. 2450, 5030)

8015-3

Third, complete the investigation of the complaint and provide, in writing, a reply to the complainant. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the Director. In the event the complaint is against the Director, a copy of the determination shall be delivered to the President of the Board of Education. The complainant may appeal the Civil Rights Coordinator's determination to the Director, or, in the case of a complaint against the Director, to the President of the Board, by so notifying the Director or Board President in writing within (10) calendar days of the Civil Rights Coordinator's determination. The Director or Board President may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Board Vice-President or President may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Director.

The Director, or Board President in the case of a complaint against the Director, shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the Civil Rights Coordinator's proposed resolution or a modification thereof. The Director or Board President's decision shall be final.

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Approved:

LEGAL REF: Included in Text

Section 8000 – Students

8018 Discriminatory Harassment of Students

8018

Discriminatory harassment of students by Academy elected officials, employees, vendors, contractors or others doing business with the Academy, students, parent(s)/guardian(s), invitees, volunteers or guests will not be tolerated. Similarly, student-on-student discriminatory harassment is prohibited, and will not be tolerated.

Discriminatory harassment includes unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to an individuals' sex, sexual orientation, race, color, national origin, age, religion, height, weight, marital status or handicap/disability when:

- Submission to such conduct or communication is made either an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the Academy,
- Submission to, or rejection of, the conduct or communication is used as the basis for a decision to exclude, expel or limit the harassed student in the terms, conditions or privileges of the Academy, or
- The harassment substantially interferes with the student's education, creates an intimidating, hostile, or offensive environment, or otherwise adversely affects the student's educational opportunities.

Any student who believes that he or she has suffered harassment shall report the incident(s) to his/her teacher, or the Director, or Assistant Director immediately.

Should the complaint be against the Director, the incident shall be reported to:

Vice-President of the Board of Education
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

The Academy guarantees that a student reporting any incident(s) of discriminatory harassment will not suffer any form of reprisal.

Section 8000 – Students

8018 Discriminatory Harassment of Students

8018-2

In determining whether the alleged conduct constitutes discrimination or harassment, the totality of the circumstances, the nature of the harassment and the context in which the alleged incident(s) occurred will be investigated. The Academy Civil Rights Coordinator, or his/her designee, has the responsibility of investigating complaints of discriminatory harassment of students. In cases where the alleged harassment involves a member of the Board of Education, the Academy will appoint outside legal counsel to investigate the complaint. The results of an investigation and any action taken thereon will be communicated to the complaining person.

The Academy considers discriminatory harassment based on religion, race, color, national origin, age, sex, sexual orientation, height, weight, marital status, handicap, or disability to be a major offense, which will result in disciplinary action of the offender. Disciplinary action against an Academy employee may include termination of employment. Disciplinary action against a student may include expulsion. Disciplinary action against a Board of Education member may range from Board of Education public censure to removal of the Board Member from an officer position he/she may hold.

Sexual or sexual orientation harassment, may include, but is not limited to, the following:

- Verbal harassment or abuse,
- Pressure for sexual activity,
- Repeated remarks with sexual or demeaning implications,
- Unwelcome touching,
- Sexual jokes, posters, cartoons, etc., and/or
- Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

In addition, any form of retaliation against the complainant or witness is in itself a form of sexual or sexual orientation harassment.

Section 8000 – Students

8018 Discriminatory Harassment of Students

8018-3

Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Approved:

LEGAL REF: MCL 37.2101 *et seq.*, (Elliott-Larsen Civil Rights Act); 380.11a; 20 USCA §1681; 34 CFR §106.8; 34 CFR §106.9 (Title IX of the Education Amendments)

Section 8000 – Students

8018-R Discriminatory Harassment of Students

8018-R

Federal Title Programs

If any person believes, the Academy, or an employee of the Academy has inadequately applied the principles and/or regulations of a federal Title program or believe they have been discriminated against, that person may make a complaint to the local Title coordinator at the following address:

Academy Title Coordinator
Honey Creek Community School
1735 S. Wagner Rd., P.O. Box 1406
Ann Arbor, MI 48103-9715
Phone: (734) 994-2636

The person who believes they have a valid basis for the complaint shall discuss the matter informally and verbally with the local Title coordinator, who shall investigate the complaint and answer the complaint within two business days. If this reply is not acceptable to the complainant, the complainant may initiate formal procedures according to the following steps:

Note: Upon completion of, or at any point in, the grievance process, complainants have the right to file a complaint with the Office for Civil Rights, US Department of Education, Washington, D.C. 20201. The complainant should first be directed to the following address:

Office for Civil Rights
600 Superior Avenue, Suite 750
Cleveland, OH 44114
(216) 522-4970 phone
(216) 522-2573 fax

Step I:

A written statement of the complaint signed by the complainant shall be submitted to the local Title coordinator within five business days of receipt of answers to the informal complaint. The coordinator shall further investigate the complaint and reply in writing to the complainant within ten school days.

Section 8000 – Students

8018-R Discriminatory Harassment of Students

8018-R-2

Step II:

If the complainant wishes to appeal the decision of the local Title coordinator, that person may submit a signed appeal to the Director within five business days after receipt of the local coordinator's response. The Director shall meet with all parties involved, attempt to arrive at a solution, and respond in writing to the complainant within five school days.

Step III:

If the complainant remains unsatisfied, the complainant may appeal in a signed, written statement to the Board within five business days of receipt of the Director's response in Step II. The Board shall meet with the concerned parties and their representatives within 15 days of receipt of the appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten business days of the meeting.

Sexual or Sexual Orientation Harassment and Intimidation

Any person who alleges sexual or sexual orientation harassment by a Board member, staff member or student in this Academy, may use the procedure detailed in the appropriate current negotiated agreement, faculty handbook, or student handbook, or may complain directly to his/her immediate supervisor, Director, counselor, Academy Title IX coordinator or grievance officer. Filing a grievance or otherwise reporting sexual or sexual orientation harassment will not reflect upon the individual's status, nor will it affect future employment, grades, or work assignments.

The right to confidentiality, for both the accuser and the accused, will be respected consistent with the Academy's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

Section 8000 – Students

8018-R Discriminatory Harassment of Students

8018-R-3

Grievance Procedure

Any Board member, employee, or student in the Academy who believes that he/she has been subjected to discriminatory and/or sexual or sexual orientation harassment shall report the incident(s), in the case of an employee, to the Director, immediate supervisor, Title IX coordinator, or grievance officer; in the case of a student, to the Director, guidance counselor, Title IX coordinator or grievance officer; in the case of a Board member, to the Director, Title IX coordinator, or grievance officer.

Should an administrator be the subject of the immediate complaint or have an apparent conflict of interest in relation to it, he/she will not participate in any way in the investigation of or the decision regarding the complaint.

Upon the filing of a complaint, the Director, with Board approval, shall appoint a grievance officer, who shall conduct a prompt and complete investigation. The officer shall attempt to resolve the problem through the following steps:

1. Interview the complainant and document the interview.
 - a. Request that the complaint be put in writing, if possible.
 - b. Obtain the names of witnesses who can be contacted to substantiate the charges being made and secure permission of the complainant to interview them.
2. Interview the accused and document the interview.
 - a. Re-emphasize the Board's policy regarding insult, intimidation, and harassment without making judgments at this stage.
 - b. Keep the identity of the complainant confidential, if possible.
3. Interview all witnesses identified by the parties and document the interview.
4. Review the personnel files or student records/files of the complainant and the accused for any history of problems.
5. Make a determination on the merits of the complaint.

Section 8000 – Students

8018-R Discriminatory Harassment of Students

8018-R-4

■ **If the investigation shows that the complaint is without merit, the following action will be taken:**

1. The investigation will be closed.
2. The grievance officer's findings and reasons for them will be discussed with the complainant, with a follow-up report to the Director and Board.
3. Consideration will be given to disseminating the results of the investigation to employees or students who have knowledge of it.
4. All references to the complaint will be removed from the accused party's personnel file.
5. The Board's policy regarding discriminatory and/or harassment and the mechanism for complaint resolution will be reiterated to all employees or students involved in the investigation.
6. All documentation regarding the complaint and the investigation will be maintained as required by law in a separate confidential file in the event that litigation is commenced or a charge is filed with the Equal Employment Opportunity Commission or the Michigan Department of Civil Rights.

■ **If the investigation shows that the complaint has merit, the following action will be taken:**

1. The investigation will be closed.
2. The grievance officer will confer with the Board and Director to determine what action is necessary to resolve the complaint and prevent recurrence.
 - a. The complainant should be made whole: in the case of an employee, for any lost earnings, employment opportunities, personnel records should be corrected; in the case of a student, lost educational opportunities, extracurricular opportunities, student records updated; in the case of a Board member; lost opportunities of public service, such as chair of special committees, appointments or professional development opportunities.

Section 8000 – Students

8018-R Discriminatory Harassment of Students

8018-R-5

- b. The potential for continuing problems should be alleviated by reassignment where possible.
3. The parties will be advised of the results of the investigation and the actions to be taken.
4. Appropriate discipline will be imposed, as required by the strength of the evidence, the severity of the incident, and the position and prior record of the offender.
5. All actions will be documented and a record placed in the offender's permanent personnel file or student discipline records.
6. The Board's policy regarding discriminatory sexual or sexual orientation harassment and the mechanism for complaint resolution will be reiterated to all Board members, employees, or students involved in the investigation.
7. All documentation regarding the complaint and the investigation will be maintained in a separate confidential file in the event that litigation is commenced or a charge is filed with the Equal Employment Opportunity Commission or the Michigan Department of Civil Rights.

All complaints, interviews, and investigations will be treated with the strictest confidentiality and utmost discretion. Only those Board members, employees, or students whose participation in the investigation of a complaint was essential to its resolution will be informed of it.

The Board reserves the right to contact outside investigators for sensitive and/or extensive complaints of harassment.

Sanctions

- a. A substantiated charge against a staff member in the Academy shall subject that staff member to disciplinary action, up to and including discharge.
 - b. A substantiated charge against a student in the Academy shall subject that student to disciplinary action, which may include suspension or expulsion, consistent with the Code of Student Conduct.

Section 8000 – Students

8018-R Discriminatory Harassment of Students

8018-R-6

- c. A substantiated charge against a Board member in the Academy shall subject that Board member to any legal and disciplinary action allowed under current law.

Section 8000 – Students

8020 Attendance

8020

The Board encourages regular attendance all students. Daily attendance records shall be maintained for each student. Regular attendance contributes not only to the probability of scholastic success but also to the development of attitudes of consistent performance, which will carry over into adult life.

Approved:

LEGAL REF: MCL 380.1231(2); 380.1561; 380.1571; 380.1577; 380.1586-1589; R 340.71; OAG, 1977-1978, No 5414, p 738 (December 20, 1978); OAG, 1987-1988, No 6467, p 196 (September 16, 1987)

Section 8000 – Students

8020-R Attendance

8020-R

The primary responsibility for recording attendance shall be assigned to the classroom teachers under the supervision of the Director and upon forms prescribed by the Director and State Department of Education. The Director shall include an attendance report as a section of the annual report to the Board and may report attendance problems to the Board at other times, as he/she deems necessary.

Academy personnel are to follow the state guidelines regarding student attendance accounting and reporting. The Academy's staff is to cooperate with attendance officers and law enforcement personnel when enforcing the compulsory attendance laws.

Section 8000 – Students

8030 Truancy

8030

The Board shall select (or not select) attendance officers in accordance with current law.

The Director shall include in his/her annual report any information relative to students not attending school, which he/she feels, should be called to the attention of the Board and the community. The Director may attempt to enlist the support and cooperation of local authorities in dealing with school problems created by students not attending school.

A significant part of the school day, for student attendance purposes, shall be 75 percent of the time in attendance at school.

Approved:

LEGAL REF: MCL 380.1571; 380.1586-1596, 380.1599; OAG 5414 (12/20/78.)

Section 8000 – Students

8035 Absences and Excuses (Cf. 7610, 8350)

8035

The Board, other than for illness or other reasons specifically referenced in Board policy, discourages any absence by any student, K-8 or pre-primary, from school. All absences shall be either excused or unexcused.

Rules and regulations that conform to applicable federal or state laws and administrative rules regarding student absences shall be developed by the administrative staff and reviewed by the Board. Those rules will be incorporated into the appropriate staff and student handbooks. Where student handbooks are not available for a particular program, the administration shall insure that appropriate written notice of the absence rules for that program is provided to parents/guardians.

Electronic Attendance Records

The Director is authorized to develop and utilize an electronic system of attendance record keeping subject to the technology capabilities of the Academy and to generate appropriate administrative rules to implement the system.

Approved:

LEGAL REF: MCL 380.1561; 388.1606; R340.1754-1755.

Section 8000 – Students

8035-R Absences and Excuses (Cf. 7610, 8350)

8035-R

Pre-Primary Absences

Membership for students enrolled in Early Childhood Special Education classrooms under rule R340.1754 are to be computed based on the required 450 instructional hours that are scheduled and provided. Membership for students enrolled in non-classroom services under rule R340.1755 are to be computed based on the number of instructional hours within 180 school days that are scheduled and provided.

Absences will be excused, and hours lost for the reasons listed below, will be deemed “provided”:

- Illness of the child
- Appointments with doctors or other medical service providers
- Medical or other emergency
- Serious illness or death of other family members
- Other absences requested by the parent and approved by the Director.

The teacher or service provider will document the reason for the excused absence. Repeated, consecutive refusals of non-classroom services by the parent/guardian will not be considered “excused absences” and affected hours will not be deemed as having been “provided.”

Section 8000 – Students

8040 Academy Admissions

8040

The Board expects the administrative procedures for the admission of students to be designed in such a fashion that enrollment is handled expeditiously and with the least possible inconvenience to parent(s)/guardian(s), or other caregivers, and students. The enrolling Academy employee shall enter on the student's permanent record card the student's legal name and the name, address and telephone number of his/her lawful custodian(s), or other relatives acting as caregivers, as required in Board policy 8090 Release of a Student During the School Day. Any unusual custody circumstances shall be explained and updated insofar as possible. The Academy may require "Power of Attorney" papers for relatives of the student acting as caregivers in the stead of the legal parent(s)/guardian(s).

Enrollment Requests

Honey Creek Community School will accept enrollment requests for the Academy in the following manner:

1. Enrollment in the Academy shall be open to any child who resides within the geographic boundaries of the Washtenaw Intermediate School District, subject to the Academy's total enrollment limitations.
2. All admissions to the Academy shall be made without regard to religion, creed, race, color, sex, sexual orientation, national origin, intellectual or athletic ability, measures of achievement or aptitude, or status as a person with disabilities.
3. Students shall be considered for admission to the Academy on a first come, first served basis; provided, however, if there are more applications for enrollment than there are spaces available, a lottery will be held to fill each available remaining opening. This lottery shall be administered by the Board. Siblings of a student enrolled currently may be given priority for enrollment in the Academy. Students who were enrolled in the Academy at the end of the immediately preceding school year shall be

Section 8000 – Students

8040 Academy Admissions

8040-2

allowed to enroll in the School in the following school year; unless the School does not offer the appropriate grade or the child has been removed from the school in accordance with its policies and regulations.

Enrollment Deadlines

The annual enrollment period will be set and publicized by the Board.

Enrollment Limits

Enrollment is limited to the number of openings authorized by the Board.

Cost

Enrollment in the Academy shall be free of charge. Parents/guardians may apply to enroll their child (children) by fulfilling the requirements for enrollment as established and publicized by the Board. Applicants must present a completed Membership Registration and Enrollment Form to the Director.

Special Education Students

Requests from the parent(s)/guardian(s) of special education students for admission shall be considered in accordance with applicable state and federal laws. The student's current Individual Education Plan (IEP) shall be used to determine if the Academy can meet the student's needs. When necessary, a written cooperative agreement with the student's normal school district or with the Washtenaw ISD, shall cover, but not be limited to, an arrangement on the responsibility for the payment of the added costs of special education programs and services, including transportation, for the student.

Assignments

To Classes

To the extent possible, class assignments will be made in such a way as to give each student the greatest freedom of choice consistent with the student's interests and abilities.

Section 8000 – Students

8040 Academy Admissions

8040-4

All students who plan to transfer to another academy or school district, or who intend to withdraw entirely from the Academy are encouraged to give advance notice, insofar as this is possible, in order that Academy rolls may reflect the current student enrollment of the Academy accurately.

Approved:

LEGAL REF: MCL 380.10; 380.1134-1135; 380.1147-1148; 380.1177; 380.1204a; 380.1282; 380.1324; 380.1401; 380.1416; 388.1606; 388.1767; OAG, 1979-1980, No 5642, p 587 (February 4, 1980); OAG, 1981-1982, No 5925, p 234 (June 23, 1981); OAG, 1981-1982, No 5995, p 412 (October 12, 1981); OAG, 1987-1988, No 6467, p 196 (September 16, 1987)

Section 8000 – Students

8040-R Academy Admissions

8040-R

The Director shall establish an advance enrollment date for all students. Enrollment procedures will be communicated to the news media, and every attempt will be made to enlist the cooperation of the media in informing the public of the enrollment procedures to be followed.

First Time Enrollments

The proof of identity for students enrolling for the first time in the Academy may include, but may not be limited to, such items as the student's birth certificate, a copy of a court order placing the student in the custody of the Department of Human Services, a certified transcript of the student, a baptismal certificate, or other reliable documentary evidence that the Board considers satisfactory.

If the identity of the student is not proven by documentary evidence within 30 days, the enrolling officer shall notify the local law enforcement agency as required by law. If the enrolling officer suspects the identity affidavits to be inaccurate or suspicious in nature, he/she shall contact the local law enforcement agency.

Residence Verification

The Director shall ascertain that all students who apply for admission to the Academy are lawfully entitled to enroll. In the event that there is a doubt about the legal status of a student, the Director shall refer the question to the Academy attorney who shall prepare a written report to the Board.

Assignment

The Director shall be initially responsible for specific classroom level assignment of all students. The Director, in determining the level for any new student, may take into consideration the previous schooling of the student but may assign the student to a lower level or higher level, if in his/her judgment, and with the cooperation of the parent(s)/guardian(s), the best interests of the student would be served thereby.

8040-R Academy Admissions

8040-R-2

Section 8000 – Students

Should the parent(s)/guardian(s) elect to exercise their judgment in opposition to the best professional judgment of the Director, the parent(s)/guardian(s) shall be required to sign an affidavit that they have elected to ignore the best professional judgment of the Academy in the level placement of the student. The affidavit will be retained in the student's permanent record.

To Classrooms

The Director shall be responsible for assigning students to specific classrooms. In making classroom assignments, the Director shall take into account available space, class sizes, and scheduling requirements.

Transfers and Withdrawals

It shall be the responsibility of the Director to determine whether a student has transferred or withdrawn. Any student who is absent from school for more than five consecutive days shall be presumed to have transferred or withdrawn, unless the Director may determine by investigation that such is not the case.

Within 14 days after enrolling a transfer student, the office shall request, in writing, that the student's previous school forward a copy of said student's records to the Academy.

Section 8000 – Students

8080 Re-admissions

8080

Students, whose enrollment has been terminated, either voluntarily or otherwise, may be re-admitted by following the procedures established by the Board.

Approved:

LEGAL REF: OAG, 1985-1986, No 6271, p 13 (February 7, 1985)

Section 8000 – Students

8080-R Re-admissions

8080-R

All applications for re-admission to the Academy shall be submitted in writing to the Director. If the student who is applying for re-admission has been previously expelled from the Academy, the Director shall attempt to establish communication with the parent(s)/guardian(s) and to counsel with parent(s)/guardian(s) and student concerning his/her re-admission.

Section 8000 – Students

8090 Release of a Student during the School Day

8090

In recognition of the Academy's obligation to parent(s)/guardian(s) for the health, welfare and safety of students, the Director shall not release a student during the school day except in emergencies or to a student's lawful custodian as defined by Michigan law. Other staff, including but not limited to teachers, custodians, aides, and administrative assistants, shall refer any requests for an early release during the school day to the Director. The identification of the student's lawful custodian shall be verified to the satisfaction of the Director. All written or verbal requests of the lawful custodian shall be verified to the satisfaction of the Director. The name, address and telephone number of the lawful custodian shall be entered on the permanent record of the student in accordance with Board policy 8040 and 8090-R.

Approved:

LEGAL REF: MCL 380.1561; R 340.71-75; OAG, 1989-1990, No 6596, p 195 (August 9, 1989)

Section 8000 – Students

8090-R Release of a Student during the School Day

8090-R

At the time of Academy enrollment and admission, the Director, enrolling officer, or designee must complete the student's permanent record form that shall identify the student's legal name and the name, address and telephone number of the student's lawful custodian(s).

Before releasing a student during the school day, the Director shall be responsible for the verification of the identity of any lawful custodian or any representative seeking release of a student.

If a lawful custodian, as indicated on the student's permanent record, is not recognized by sight, the Director shall require identification to his/her satisfaction before such release. If there is doubt, he/she may refuse to grant the release.

In the case of a written or verbal authorization by a lawful custodian of record, the Director shall verify to his/her satisfaction the message as being from the lawful custodian of record by a return phone call or any other means at his/her disposal. If there is doubt, he/she may refuse to grant the release.

If, in the granting of a release of a student, a change in the record of the student's lawful custodian(s) becomes apparent and verified to the satisfaction of the Director, such change shall be entered immediately on the student's permanent record.

Section 8000 – Students

8090-R Release of a Student during the School Day

8090-R-2

Honey Creek Community School **Emergency Release**

Dear Parent(s)/Guardian(s):

Our School needs to know what to do in case of early dismissal because of severe weather or other emergency. Please complete this form and return it as soon as possible. A separate form must be filed for each of your children if you have more than one child enrolled.

Director

My child (Name) _____ will:

Check One:

- ☐ Ride the bus as usual
☐ Walk, drive, or ride bike as usual.
☐ Be picked up by his/her parent(s)/guardian(s) who can be contacted during the school day at:

Daytime phone number: _____

Pager number: _____

Cell phone number: _____

Email address: _____

- ☐ Be picked up by the friend or relative named below:

Name of person _____

Relationship: ☐ Friend ☐ Relative

Phone or cell phone number where this person can be reached during the school day:

- ☐ Follow a different plan. (Please give detailed instructions below.)

I verify I have reviewed this plan and these instructions with my child and he/she understands what procedure is to be followed in the event of early dismissal due to weather or other emergency.

Parent(s)/Guardian(s) Signature: _____

Date: _____

Insert HCCS Card

Honey Creek Community School

Section 8000 – Students

8095 Closed Campus

8095

The Academy shall maintain a closed campus for all grades.

The Director may offer an exception to the closed campus policy to students whose parents/guardians file a written request giving reasons for the need for their child to be off-campus during the school day. Exceptions, if granted, to this closed campus policy shall mean that such students are allowed to walk off the campus during their lunch period.

The Director may suspend the exceptions program at any time for any cause.

Approved:

LEGAL REF: MCL 380.1561(1)¹¹

¹¹ **380.1561 Compulsory attendance at public school; enrollment dates; exceptions.** [M.S.A. 15.41561]

Sec. 1561. (1) Except as otherwise provided in this section, every parent, guardian, or other person in this state having control and charge of a child from the age of 6 to the child's sixteenth birthday shall send that child to a public school during the entire school year. The child's attendance shall be continuous and consecutive for the school year fixed by the Academy in which the child is enrolled. In a Academy that maintains school during the entire calendar year and in which the school year is divided into quarters, a child is not required to attend the public school more than 3 quarters in 1 calendar year, but a child shall not be absent for 2 or more consecutive quarters.

Section 8000 – Students

8130 Searches of Lockers and Students

8130

Searches of lockers and students shall be conducted under the appropriate legal standard, to maintain the safety and security of students, teachers, guests, and Academy property.

Lockers

All lockers assigned to pupils are the property of the Academy. At no time does the Academy relinquish its exclusive control of its lockers. The Director shall have custody of all combinations to all lockers and locks. Pupils are prohibited from placing locks on any locker without the prior approval of the Director.

The Academy may assign temporary use of lockers to students for their convenience and the lockers may be used only as permitted by the rules developed by the Director. The Board authorizes the Director to search lockers and locker contents at any time, without notice, and without parent(s)/guardian(s) or pupil consent. Random searches may be conducted pursuant to a method and/or schedule approved by the Director.

The Director may request the assistance of law enforcement in conducting a locker search pursuant to state statute. If law enforcement is summoned, the Director shall supervise the search. In conducting a search, the privacy rights of the student regarding any items discovered that are neither illegal nor against Academy policy and rules, shall be respected.

Any illegal or unauthorized items found during a locker search or items deemed to be a threat to the safety and security of others may be seized. Such items include, but are not limited to:

- Firearms,
- Explosives,
- Dangerous weapons,
- Flammable material,

Section 8000 – Students

- Illegal controlled substances or controlled substances analogues or other intoxicants,

8130 Searches of Lockers and Students

8130-2

- Contraband,
- Poisons, and/or
- Stolen property.

Law enforcement authorities shall be notified immediately of seizure of such items, or of items that must be reported to law enforcement under the Statewide School Safety Information Policy. The items seized will be turned over to law enforcement. The parent(s)/guardian(s) of a minor student or a student 18 years of age or older, shall be notified by the Director of items removed from the locker. A copy of this policy and accompanying administrative rules regarding locker searches shall be provided annually to each pupil and parent(s)/guardian(s) of the pupil assigned a locker.

Students

Upon reasonable suspicion, and in order to protect the health, safety, or welfare of the students under Academy jurisdiction, the Director is authorized to search students. All searches shall be carried out in the presence of an adult witness.

Strip Searches

No strip searches shall be conducted by Academy authorities.

Law Enforcement Searches

Academy officials shall cooperate with law enforcement officers who seek to execute a search warrant. Where law enforcement officers desire to search without a warrant, Academy officials should request that the circumstances be explained, and should normally not assist, unless a clear emergency exists.

Approved:

LEGAL REF: MCL 380.1306, 380.1308(5), Statewide School Safety Information Policy,
New Jersey v. T.L.O., 469 U.S. 325 (1985)

Section 8000 – Students

8130-R Searches of Lockers and Students

8130-R

Search of Lockers

The lockers in the Academy shall be under supervision of the Director. Students are to use lockers only for school-related materials and authorized personal items, such as outer garments, footwear, grooming aids, or lunch. Students are not to use lockers for any other purpose unless prior authorization has been obtained from the Director. Students are responsible for the content of their lockers and should not share lockers, or divulge locker combinations unless authorized to do so.

The Director shall have sole custody of the combination or key to all locker locks in a storage place designed to guard against unauthorized access or use. He/She may search any locker at any time. Such search may be made without notice to the student to whom such locker has been assigned. Random searches may be conducted. Students are prohibited from placing locks, other than the regularly issued school lock, on their lockers. Law enforcement officers may be asked to assist, but school officials must supervise searches that Academy officials instigate pursuant to policy 8130.

If a law enforcement officer desiring to search a student's locker has a warrant for such search, the Director shall take such person to the student's locker immediately and permit him/her to search the locker. Whenever possible, such search shall be made in the presence of the Director.

If a law enforcement officer desires to search the student's locker without a warrant, the Director shall ask what facts lead the officer to believe that evidence of a crime will be lost, destroyed or moved if the search and seizure did not take place immediately, before a warrant is obtained. If the Director is not of the same opinion, he/she shall not participate in the search, but shall allow the law enforcement officer to proceed on his/her own responsibility. The Director shall report the incident to the officer's superior.

Section 8000 – Students

8130-R Searches of Lockers and Students

8130-R-2

Prohibited items recovered from a student's locker shall remain in the custody of the Director, until such items are turned over to law enforcement officials. The Director shall receive a receipt for such items so delivered.

Search of the Person

When it has been determined by the Director that there is reason to suspect that a student is in possession of something that can jeopardize the health, welfare or safety of other students, that student shall be ordered to report to the Director's office. This determination may be based on any information received by the Director or by a member of the faculty or staff. It also may be based on knowledge of the student's disciplinary problems, the student's association with known drug offenders, the students' exhibiting objects associated with drug use, or the students' exhibiting such objects as bullets or a knife sheath that could be associated with dangerous weapons.

Once in the Director's office, the student shall be advised of the reason why he/she has been ordered to report to the Director's office. The student shall then be requested to empty items such as, but not limited to, pockets, purses, shoulder bags, and briefcases. Items that the Director believes may be connected with illegal activity may remain in the custody of the Director, until such items are turned over to law enforcement officials, and if this is done, the Director shall receive a receipt for such item so delivered.

If the student refuses to comply with this request, the Director shall notify the student's parent(s)/guardian(s) and request that they come to the school at once. The Director shall advise the parent(s)/guardian(s) of the situation. If the parent(s)/guardian(s) of the student are unable to persuade the student to comply, the parent(s)/guardian(s) and the student shall be advised that law enforcement officials will be notified, and the matter turned over to an appropriate law enforcement agency.

If the parent(s)/guardian(s) refuse to come to the school or are unable to be notified and the student continues to refuse to cooperate, the Director shall notify law

8130-R Searches of Lockers and Students

8130-R-3

Section 8000 – Students

enforcement officials and inform them of the facts, which give him/her reasonable suspicion to believe that the student has illegal or dangerous objects on his/her person. Any further search of the student shall be at the discretion and under the control of the law enforcement officials with a valid warrant, if law requires a warrant. Once the Director has relinquished control of the student to the law enforcement officials, the Director or representative shall remain with the student and request to be present during any search of the student made by law enforcement officials on any Academy property.

Upon any search, a written report shall be made indicating:

1. The name of the student,
2. The time, date and place of the search,
3. The reason(s) for the search,
4. Whether or not law enforcement officials were called,
5. Name of the person conducting the search,
6. Name(s) of person(s) present while search was conducted, and
7. Item(s) confiscated.

The Director shall keep a copy of the written report on file.

Section 8000 – Students

8140 Interrogation and Investigations Conducted in School

8140

It shall be the policy of the Academy that a reasonable cooperative effort is maintained between the Academy administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on the Academy premises or during an Academy-sponsored activity or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property. Administrators have the responsibility and the authority to determine when the presence and assistance of law enforcement officers is necessary within their respective jurisdictions. The Academy's administrators shall at all times act in a manner which protects and guarantees the rights of students and parent(s)/guardian(s) and shall cooperate with law enforcement officials as provided in 8140-R.

Academy staff members shall be informed annually of the contents of this policy and rules.

Approved:

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R

Interrogations Initiated by the Director and Conducted by the Director

The Director shall have the authority and duty to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law. Such investigations shall be conducted in a manner that does not interfere with school activities.

Initiated by the Director and Conducted by Law Enforcement Officers

The Director shall determine when the necessity exists that law enforcement officers be asked to conduct an investigation of alleged criminal behavior which jeopardizes the safety of other people or Academy property or which interferes with the operation of the school.

The Director may request that law enforcement officers conduct an investigation and question students who are potential witnesses of such alleged criminal behavior during school hours. A reasonable attempt shall be made to contact the student's parent(s)/guardian(s), or representative prior to questioning by law enforcement officers. Reasonable requests of the parent(s)/guardian(s), or representative shall be observed. The administrator involved shall document such notifications or attempted notifications to parent(s)/guardian(s) or representative. In the absence of a student's parent(s)/guardian(s), or representative during any questioning of such students, the Director or a designated, certified Academy staff person shall be present as may be allowed by law.

If the investigation has centered on any particular student suspected of any alleged criminal activity, the procedure for taking students into custody by the procedure set forth below shall be followed to the extent that it does not interfere with reasonable law enforcement procedures.

Initiated and Conducted by Law Enforcement Officers

Although cooperation with law enforcement officers will be maintained, it is the preference of the Academy that it will not normally be necessary for law enforcement

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-2

officers to initiate, and conduct any investigation and interrogation on Academy premises, during school hours, pertaining to criminal activities unrelated to the operation of the Academy. It is preferred that only in demonstrated emergencies, when law enforcement officers find it necessary, will they conduct such an investigation during school hours. These circumstances might be limited to those in which delay might result in danger to any person, flight of a person reasonably suspected of a crime from the jurisdiction or local authorities, destruction of evidence, or continued criminal behavior. No Academy official, however, should ever place him/herself in the position of interfering with a law enforcement official in the performance of his or her duties as an officer of the law.

If the law enforcement officials are not recognized and/or are lacking a warrant or court order, the Director shall require proper identification of such officials and the reason(s) for the visit to the school. If the Director is not satisfied, he/she shall attempt to notify the officers' superior, documenting such action.

In all cases, the officers shall be requested to obtain prior approval of the Director or other designated person before beginning such an investigation on Academy premises. The administrator shall document the circumstances of such investigations as soon as practical. Alleged criminal behavior related to the school environment brought to the Director's attention by law enforcement officers shall be dealt with under the provisions of the two previous sections.

Interrogation of Student during Investigation of Violations of Academy Rules

In instances where Academy rules have allegedly been violated, the Director may notify the suspected rule violator(s) or potential witness(es) to the infraction. When suspension or expulsion may be a consideration, the suspect student shall be advised orally or in writing of the nature of the alleged offense and of the evidence, if any, against the student.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-3

In questioning a potential student witness to an alleged disciplinary infraction, care should be taken by the administrator to ensure there is a reasonable likelihood that the student was indeed a witness. Academy officials should not engage in detailed questioning of students at random without reasonable cause in hope of gathering information as to school misconduct. Probable witnesses should be told the nature of the alleged misconduct and the reason to believe that they were witnesses. Such students should be given the opportunity to give their consent before answering questions of Academy officials.

Circumstances may arise where it would be advisable to have another adult present during questioning of students.

Violations of Criminal Law

During an investigation of violation of school rules, it may come to the attention of an administrator that the investigated activity may also be a violation of criminal law. In proceeding with the investigation, the Director shall attempt to ascertain whether there is sufficient justification to believe that a criminal offense was committed that warrants notifying law enforcement officials.

When a suspected violation of criminal law has occurred on the Academy grounds involving the operation of the school or an Academy-sponsored activity, law enforcement officials may be notified and their presence requested for the questioning of suspected students. If such officials are notified, unless circumstances dictate otherwise, questioning of the student shall not begin or continue until the law enforcement officers arrive.

Reasonable attempts shall be made to contact a student's parent(s)/ guardian(s), or representative who, unless an emergency exists, shall be given the opportunity to confer with the student and to be present with the student during such questioning. The administrator shall document the notification or attempted notification to the student's parent(s)/guardian(s), or representative.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-4

In the absence of parent(s)/guardian(s) and student consent, it is the preference of the Academy that law enforcement officers on Academy premises shall not question a student. The law enforcement officers shall be asked to advise the student of his/her legal rights. If the parent(s)/guardian(s) or student refuses consent to the questioning, the law enforcement officer(s) will determine the course of action to be pursued.

Information of criminal conduct not related to the Academy shall be turned over to law enforcement officials, without additional investigation by Academy officials.

Taking a Student into Custody

Academy officials shall not release students to law enforcement authorities voluntarily unless the student has been placed under arrest or unless the parent(s)/guardian(s) or representative and the student agree to the release.

When students are removed from school for any reason by law enforcement authorities, every reasonable effort will be made to notify the student's parent(s)/guardian(s), or representative immediately. Such efforts shall be documented.

Whenever an attempt to remove a student from school occurs without an arrest warrant, court order, or without acquiescence of the parent(s)/guardian(s)/ representative, or the student, the administrator shall immediately notify a superior of the law enforcement officers involved to make objection to the removal of the student and shall attempt to notify the parent(s)/guardian(s) of the student. The Director's office shall be notified immediately of any removal of a student from school by law enforcement officers under any circumstances.

The Director shall make reasonable efforts to persuade law enforcement officers not to make arrests or to take students into custody on Academy premises. Whenever the need arises to make arrests or take students into custody on Academy premises, the Director shall make reasonable efforts to persuade the law enforcement officers to utilize a non-uniformed officer in making the arrest.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-5

When it is necessary to take a student into custody on Academy premises and time permits, the law enforcement officer shall be requested to notify the Director and relate the circumstances necessitating such action. When possible, the Director shall have the student summoned to the Director's office where the student may be taken into custody.

When an emergency exists, the Director may summon law enforcement officials to take a student into custody.

When a student has been taken into custody or arrested on Academy premises without prior notification to the Director, the staff present shall encourage the law enforcement officers to notify the Director of the circumstances as quickly as possible. In the event that the officers decline to notify the Director, the staff members present shall notify the Director immediately.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-6

If possible, the parent(s)/guardian(s), or representative of the student shall be notified by the Director before the student is taken into custody by law enforcement officers or as quickly thereafter as possible. The Director shall document such notification or attempted notification.

Disturbance of School Environment or Instruction (Cf. 9290)

Law enforcement officers may be requested to assist in controlling disturbances of the school environment that the Director has found to be unmanageable by Academy personnel and which have the potential of causing harm to students, other persons, or Academy property. Such potential of possible disturbance includes members of the public who have exhibited undesirable or illegal conduct on Academy premises or at an Academy event held on Academy property, and who have been requested to leave by an administrator, but have failed or refused to do so.

Coordination of Policies by Enforcement Officials

The Director may meet at least annually with local law enforcement officials to discuss the Academy's policy and rules regarding law enforcement contacts with the Academy. Law enforcement officials will be asked to instruct their staffs as to the terms of the Academy's policies and rules.

Section 8000 – Students

8140-R Interrogation and Investigations Conducted in School

8140-R-7

Student Interrogations, Searches, and Arrests - A Checklist

- I. What factors caused a reasonable suspicion that the search of the student or effects, locker or automobile will produce evidence that the student has violated or is violating the law or the Student Handbook?

A. Eyewitness account:

1. By whom: _____
2. Date/time: _____
3. Place: _____
4. What was observed? _____

B. Information from a reliable source:

1. From whom: _____
2. Time received: _____
3. How information was received: _____
4. Who received the information? _____
5. Describe the information: _____

C. Suspicious behavior. Explain. _____

D. Time of search: _____

E. Location of search: _____

F. Was the student informed of the purpose of the search? _____

8140-R Interrogation and Investigations Conducted in School

8140-R-8

Section 8000 – Students

- G. Was consent for the search requested? _____
- II. Was the search conducted reasonably in terms of scope and intrusiveness? _____
- A. What were you searching for? _____
- B. Sex of the student: _____
- C. Age of the student: _____
- D. Urgency of the situation: _____
- E. What type of search was being conducted? _____

- F. Who conducted the search? _____
Position: _____
Sex: _____
- G. Witnesses: _____
- III. Explanation of the search.
- A. Describe the time and location of the search: _____

- B. Describe exactly what was searched: _____

- C. What did the search yield? _____

- D. What was seized? _____

- E. Were any materials turned over to the police? _____
- F. Were parent(s)/guardian(s) notified of the search, including the reason for it and the scope? _____

Section 8000 – Students

8220 Alcohol, Inhalants, Steroids, and Drug Abuse (Cf. 7215)

8220

The Board recognizes its obligation to provide students with the best education possible. An important aspect of education is students become aware of the harmful effects of alcohol, inhalants, steroids, and drugs. The illegal use of alcohol, inhalants, steroids, and/or drugs has no place in school.

The Academy encourages students who are experiencing problems with alcohol, inhalants, steroids, and/or drug abuse to seek assistance for such problems through treatment, counseling, and/or rehabilitation programs voluntarily.

Approved:

LEGAL REF: MCL 380.1170; 333.26302

Section 8000 – Students

8230 Tobacco Products

8230

The use and/or the possession by any student, regardless of age, of any tobacco product are prohibited in the building, at Academy-sponsored events - regardless of location, or on any Academy property at any time.

Possession of tobacco products by any student under the age of 18 years may be reported to appropriate law enforcement authorities. (Cf. 2790)

Approved:

LEGAL REF: MCL 380.1170; 333.12601 *et seq.*; 722.642; 750.473; OAG, 1977-1978, No 5202, p 167 (July 11, 1977); OAG, 1977-1978, No 5336, p 502 (June 28, 1978)

Section 8000 – Students

8240 Student Appearance

8240

Students' dress and grooming must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Director and included in the Student Handbooks.

Approved:

Section 8000 – Students

8255 Terroristic Threats/Acts

8255

The Board recognizes the danger that terroristic threats or acts by students present to the safety and welfare of Academy students, staff, and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

A terroristic threat shall mean a threat to commit violence communicated with the intent to terrorize another, to cause evacuation of the building, or to cause serious public inconvenience, in reckless disregard of the risk causing such terror or inconvenience.

A terroristic act shall mean an offense against property or involving danger to another person.

The Board prohibits any Academy student, at any time, regardless of whether school is in session, from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member, the building, or property. Any such threat, either real or intended as a joke, or any terroristic act will not be tolerated in or around Honey Creek Community School, its properties or in or on any vehicle or watercraft owned, leased, rented or used in connection with any Academy activity and hereby adopts a “zero tolerance” of any such actions.

The Board directs the Director to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act and to initiate or recommend the most serious disciplinary action available under the law for such threats or acts.

Staff members and students shall be responsible for informing the Director regarding any information or knowledge they may have relevant to a possible or actual threat or act. Failure to bring forward information or knowledge relative to a possible or actual threat or act shall result in disciplinary consequences for students up to and including permanent expulsion and for staff members up to and including discharge.

When the Director has evidence that a student has made a terroristic threat or committed a terroristic act, the following guidelines shall be applied:

Section 8000 – Students

8255 Terroristic Threats/Acts

8255-2

1. The Director shall suspend the student immediately.
2. The Director shall report the incident to the Board President promptly.
3. Based upon further investigation, the Director will determine whether the student should be reported to law enforcement officials.

The Director, based upon further investigation, shall recommend expulsion of the student to the Board if appropriate.

If a student is expelled for making terroristic threats or committing terroristic acts, the Board may require that the student provide competent and credible evidence that the student does not pose a risk of harm to others prior to readmission.

Approved:

LEGAL REF: MCL 380.1308; Statewide School Safety Information Policy

Section 8000 – Students

8260 Bullying (Cf. 8018)

8260

Bullying Prohibited

Bullying is a form of harassment. For the purposes of this policy, “bullying” is defined as: “The repeated intimidation, or emotional abuse of others by the infliction of harm of any kind to the person or property of others whether real or threatened, as transmitted verbally, in writing, or electronically transmitted (often referred to as “cyber bullying”) either in or outside of school. It may include, but not be limited to, actions such as verbal, written, or electronically transmitted taunts, name-calling and put-downs, including ethnically-based or gender based put-downs, extortion or attempted extortion of money or possessions, and systematic exclusion from peer groups within school.” Such conduct is disruptive of the educational process and, therefore, bullying is not acceptable behavior in this Academy, and is prohibited.

Students who engage in any act of bullying while at school, at any Academy function, in connection to or with any Academy sponsored activity or event, while enroute to or from school, or outside of school hours if the bullying is likely to carry some connection to, or have an effect upon, the school environment, are subject to disciplinary action, up to and including suspension or expulsion. As may be required by law, law enforcement officials shall be notified of bullying incidents.

The Director may develop administrative regulations and programs that will increase awareness of the problem of bullying, and train teachers and other staff to intervene effectively if bullying is witnessed in their presence or brought to their attention. In designing administrative regulations and anti-bullying programs or strategies, the Director should consult with the greater school community, including students.

This policy shall not be interpreted to prohibit a reasoned and civil exchange of opinions, or debate that is protected by state or federal law.

Approved:

LEGAL REF: “Policies on Bullying,” Michigan State Board of Education, 7-19-01;
Tinker v Des Moines Independent Academy, 393 US 503(1969). See also:
Saxe v State College Area Academy, 240 F3d 200(CA 3, 2001)

Section 8000 – Students

8270 Hazing

8270

Hazing Prohibited

The act of “hazing” is a crime in the state of Michigan and will not be tolerated by the Academy. The Academy will comply, in all ways, with Michigan law regarding any “hazing” incidents.¹²

Students engaging in any hazing or hazing-type behavior will be subject to the provisions of student discipline as would apply to any other student violation of State law.

This policy shall be included in all student handbooks of the Academy and shall be disseminated to the public in a manner to be determined by the Director.

Approved:

LEGAL REF: MCL 750.411t (PA 11 of 2004, AKA “Garret’s Law”)

¹² As defined in MCL 750.411t, “hazing” means “an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organizations. Further, the term “organization” means “a fraternity, sorority, association, corporation, order, society, corps, cooperative, club, service group, social group, athletic team, or similar group whose members are primarily students at an educational institution.”

Section 8000 – Students

8280 Electronic Communications Devices - Students

8280

Since students are under supervision during school hours and have access to telephones via employees, there is no need for electronic communication devices.

Students shall not use any electronic communication device on Academy grounds. Students who, by the parent(s)/guardian(s) request, are given permission by the Director to have in their possession an electronic communication device for health or other extraordinary reason must adhere to all rules and regulations as set forth in the Student Handbook.¹³

In no case will any personal communication device be allowed that provides for a wireless, unfiltered connection to the Internet or which has the capability to take photographs of any kind.

The administration shall promulgate rules to enforce this policy and publish those rules and penalties in the Student Handbook.

Approved:

LEGAL REF: MCL 380.1303 (PA 132 of 2003)

¹³ THE REVISED SCHOOL CODE (EXCERPT) Act 451 of 1976; MCL 380.1303 (PA 132 of 2003)

Pocket pager, electronic communication device, or other personal communication device; applicability of subsection (1). Sec. 1303. (1) Until the end of the 2003-2004 school year, unless the Board or Board of directors adopts its own local policy to the contrary, the Board of a Academy or Board of directors of a public Academy shall not permit any pupil to carry a pocket pager, electronic communication device, or other personal communication device in school except for health or other unusual reasons approved by the Board or Board of directors. A Board or Board of directors may develop penalties that it considers appropriate for a pupil who violates this prohibition or its own policy.

(2) Beginning with the 2004-2005 school year, subsection (1) does not apply and the Board of a Academy or Board of directors of a public Academy may adopt and implement its own local policy concerning whether or not a pupil may carry a pocket pager, electronic communication device, or other personal communication device in school.

History: Add. 1988, Act 215, Imd. Eff. July 1, 1988;—Am. 1995, Act 289, Eff. July 1, 1996;—Am. 2003, Act 132, Imd. Eff. Aug. 1, 2003.

Section 8000 – Students

8280-R Electronic Communications Devices - Students

8280-R

Students who have extenuating and special circumstances, such as, but not limited to, personal, or family health related situations, may, upon the parent(s)/guardian(s) request, or request of the student him/herself if over eighteen years of age, be in possession of a cellular telephone, pager/beeper, or other emergency electronic communications device.

"Walkie Talkies," either long or short range, portable CB radios, portable "HAM" radios, portable police scanning devices, or portable games or toys that transmit a signal more than 20 feet or through walls, shall not be allowed in any circumstance unless proof is offered that such a device is necessary for health emergency purposes and permission is granted for their use by the Director.

Except for situations involving a bona fide health or safety emergency, electronic communications devices are not to be used unless specific permission has been granted by the Director.

Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held. Students violating this rule will be disallowed from carrying any personal communication device following the incident unless a bona fide health emergency exists. In no case will a device be allowed which has the capability to take "photographs" of any kind.

Students who violate the provisions of these rules are subject to disciplinary action under the Student Handbook including confiscation of the device pending parent(s)/guardian(s) conference, detention, suspension, or expulsion. Where appropriate, police authorities may be contacted.

Section 8000 – Students

8300 Student Discipline (Cf. 5220)

8300

The Board approves of the following disciplinary measures for use in the Academy for those students violating the Academy's Student Handbook:

- Deny participation in special Academy activities;
- Before or after school detention;
- Disciplinary contractual arrangements;
- In-school suspension;
- Out-of-school suspension;
- Expulsion;
- And/or disciplinary probation.

The Academy's administrators may also take disciplinary action against a student for off-campus conduct occurring at any time that would have a detrimental impact on discipline, the educational environment, or the welfare of the students and/or staff. A student who has committed a criminal act while off campus and whose presence on campus could cause a substantial disruption to school or endanger the welfare of other students or staff is subject to disciplinary action up to and including expulsion. Such acts could include, but are not limited to a felony or an act that would be considered a felony if committed by an adult, an assault or battery, drug law violations, or sexual misconduct of a serious nature. Any disciplinary action pursued by the Academy shall be in accordance with the student's appropriate due process rights.

Positive Behavior Support (PBS)

The Board believes that Positive Behavior Support systems ensure effective strategies that promote pro-social behavior and respectful learning environments. Research-based positive behavior support systems are appropriate for all students, regardless of age. Positive interventions that support adaptive and pro-social behavior and

Section 8000 – Students

8300 Student Discipline (Cf. 5220)

8300-2

build on the strengths of the student lead to an improved learning environment. It is the policy of the Board, therefore, that the Director is authorized and directed to implement a system of school-wide positive behavior support (PBS) strategies.

The Director shall develop the appropriate procedures dealing with student conduct and shall consider an effective parent/guardian communication plan; the use of counselors, social workers, and psychologists; and/or shall arrange such services with other units of state government. In addition, appropriate rules shall be promulgated regarding any use of seclusion or restraint as means of student control.

All employees are responsible for the regulation of student conduct.

Approved:

LEGAL REF: MCL 380.1311; 380.1312; Michigan State Board of Education
Publication, *Supporting Student Behavior: Standards for the Emergency
Use of Seclusion and Restraint*, December 2006.

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R

Corporal Punishment

The Board does not condone the use of force, fear, hitting, paddling, spanking, slapping, or other forms of corporal punishment as an appropriate procedure in student discipline or punishment.

No employee, volunteer, or contractor of the Academy shall inflict physical pain by hitting, paddling or spanking, or cause to be inflicted, corporal punishment upon a student as a means of punishment. Reasonable physical force may be used to maintain order and control in school or a school-related setting for the purposes of providing an environment conducive to safety and learning.

The Academy subscribes to the philosophy of Positive Behavior Support (PBS) as recommended by the State Board of Education and set forth in the State Board publication entitled *Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint*, December 2006. By reference, that document is included and incorporated in these rules. Any application of restraint or seclusion shall abide by the recommendations of that document. In any case, emergency or otherwise, the following practices are prohibited at all times:

Prohibited Practices - Restraint

The following procedures are prohibited under all circumstances, including emergency situations:

- 1 □ Mechanical restraint;
- 2 Chemical restraint;
- 3 d □ The deprivation of basic needs;
- 4 ± Anything constituting child abuse;
- 5 (Any restraint that negatively impacts breathing
- 6
- 7

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R-2

8 Prone restraint

(Personnel who find themselves involved in the use of a prone restraint – restraint of a student face down - as the result of responding to an emergency must take immediate steps to end the prone restraint)

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.

Definition of Emergency Seclusion

Seclusion is a last resort emergency safety intervention that provides an opportunity for the student to regain self-control. Seclusion is the confinement of a student in a room or other space from which the student is physically prevented from leaving and which provides for continuous adult observation of the student.

Seclusion

A. The room or area used for seclusion:

- 1 Must not be locked;
- 0 8 Must not prevent the student from exiting the area should staff become
- 0 incapacitated or leave that area; and
- 1 8 Must provide for adequate space, lighting, ventilation, viewing, and the
- 2 safety of the student.

B. Limitations in Use

1. Seclusion shall not be used:

- 1 d For the convenience of staff;

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R-3

- 2 ☐ As a substitute for an educational program;
- 3 ☒ As a form of discipline/punishment;
- 4 ☐ As a substitute for less restrictive alternatives;
- 5 ☒ As a substitute for adequate staffing; or
- 6 ☒ As a substitute for staff training in positive behavior supports and crisis prevention and intervention.

2. Seclusion is inappropriate for students who are severely self-injurious or suicidal.

C. Definition of Timeout

Timeout is a behavior intervention in which a student, for a limited and specified time, is placed in an environment where access to positive reinforcement is unavailable. Timeout should not be confused with seclusion because in a timeout setting a student's movement is not physically restricted. Timeout lies within a continuum of procedures that help students self-regulate and control their behavior. The timeout continuum¹⁴ is:

- 1 ☐ Planned ignoring
- 2 ☐ Withdrawal of materials
- 3 ☐ Contingent observation
- 4 ☐ Exclusionary timeout

¹⁴ **Timeout Continuum**

Planned Ignoring – is the systematic withdrawal of social attention for a predetermined time period upon the onset of mild levels of problem behavior.

Withdrawal of Materials – materials that the student is using are removed upon the occurrence of the inappropriate behavior.

Contingent Observation – student remains in a position to observe the group without participating or receiving reinforcement for a specified period of time.

Exclusionary Timeout – student is removed from the immediate instructional setting in response to behavior that requires immediate and direct cessation. This form of timeout can take place within the same classroom or in a nearby location that can be supervised by an adult. (Using Timeout in an Effective and Ethical Manner)

Section 8000 – Students

8300-R Student Discipline (Cf. 5220)

8300-R-4

Physical force upon a student may be necessary to restrain, seclude, or remove a student whose behavior is interfering with the orderly exercise and performance of Academy functions within the building or at an Academy-related activity if that student has refused to comply with a request to refrain from further disruptive acts; for self defense or the defense of another; to prevent a student from inflicting harm on him/herself; to quell a disturbance that threatens physical injury to any person; to obtain possession of a weapon or other dangerous object; and to protect property.

Employees should not find it necessary to resort to physical force, violence, or threats to compel obedience. If all means fail, staff members may always resort to the removal of the student from the classroom or the building through established suspension or expulsion procedures.

Section 8000 – Students

8320 Assaults Committed by Students

8320

Assaults Committed Against Academy Personnel

Physical Assaults

The Board shall expel a student in grade 6 or above permanently if the student commits a physical assault, as defined by MCL 380.1311a (12)(B)¹⁵, against an Academy employee or against a person engaged as a volunteer or contractor for the Academy, on Academy property, on a school bus or other school related vehicle, or at a Academy-sponsored activity or event.

Threats of Assault Committed by Students

Any student in grade 6 or above who commits a verbal, written or electronically transmitted threat of assault on Academy property, on a school bus or other school related vehicle, or at a Academy-sponsored activity or event against an Academy employee or against a person engaged as a volunteer or contractor for the Academy shall be suspended or expelled by the Board for up to 180 days. The Board may modify the expulsion period on a case-by-case basis.

For the purpose of this policy, “threat of assault” shall be defined as any willful verbal, written, or electronically transmitted threat to inflict injury upon another person, under such circumstances that create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury.

Physical Assaults Committed Against Other Students

The Board shall suspend or expel a student in grade 6 or above for up to 180 days if the student commits a physical assault, as defined by MCL 380.1310(3) (b), against another student on Academy property, on a school bus or other school related vehicle, or at a Academy-sponsored activity or event. The Board may modify the suspension or expulsion period on a case-by-case basis.

8320 Assaults Committed by Students

8320-2

¹⁵ MCL 380.1311a(12)(B) and MCL 380.1310(3)(B) define “Physical Assault” as “intentionally causing or attempting to cause physical harm to another through force or violence.

Section 8000 – Students

Reinstatement

The parent(s)/guardian(s) of a permanently expelled student, or an emancipated permanently expelled student may petition the Board for reinstatement. The Board shall provide all due process rights to reinstatement as outlined in state law.

Application to Students with Disabilities

This policy shall be applied in a manner consistent with the rights secured under federal and state law to students who are determined to be eligible for special education programs and services.

Implementation

The Director shall develop specific procedures for dealing with suspensions or expulsions authorized by this policy. Regulations ensuring due process to all students before a long-term (10 days or more) suspension or expulsion is imposed shall be developed with the advice of the Academy's attorney.

The regulations shall include procedures for reporting violations of this policy to the Board, procedures for referring permanently expelled students to Department of Human Services or County Community Health Agencies and specifics for the reinstatement of students.

Approved:

LEGAL REF: MCL 380.1310; 380.1311a

Section 8000 – Students

8350 Student Suspension and Expulsion (Cf. 8080)

8350

The Director, Directors, committee of certified employees, individual teachers (for up to one school day only - see "Suspensions by Teachers"; "Class, Subject or Activity Suspensions") or a Board appointed hearing officer may suspend, either for a short-term or long-term, or may make a recommendation to the Board regarding the permanent expulsion of a student guilty of any of the following:

- Willful violation and/or persistent disobedience of any published regulation for student conduct authorized, adopted or approved by the Board,
- Willful misconduct which substantially disrupts, impedes, or interferes with the operation of the school,
- Willful misconduct which substantially impinges upon or invades the rights of others, or
- Disobedience of an order of a teacher, police officer, Academy security officer or other Academy authority, when such disobedience can reasonably be anticipated to result in disorder, disruption or interference with school operations or substantial and material impingement upon or invasion of the rights of others.

Suspensions

The Board authorizes the Director to suspend or expel a student for up to 180 school days without Board action or approval. A suspension may be for a “short-term” of up to ten school days, or for a “longer-term,” exceeding ten school days up to 180 school days. Should a suspension be imposed for a number of days exceeding the remaining days in a semester, the days remaining on the suspension will commence with the beginning of the next semester unless otherwise determined by the Director.

A short-term suspension may be imposed immediately upon a student without first affording the student or the parent(s)/guardian(s) a hearing if the presence of the student endangers other persons or property or substantially disrupts, impedes or interferes with Academy operations.

Section 8000 – Students

8350 Student Suspension and Expulsion (Cf. 8080)

8350-2

A long-term suspension shall not be imposed upon a student unless the student has first been suspended for a short-term and not until an opportunity for a formal hearing on the suspension has been afforded the student.

Suspensions by Teachers

Class, Subject or Activity Suspensions

A teacher is authorized to immediately remove and suspend a student from a class, subject, or activity when the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to teach the class, subject, or activity effectively, or the student's behavior interferes with the ability of other students to learn.

Any student suspended pursuant to this policy shall not be allowed to return to the class, subject, or activity from which he or she was suspended from, or participate in after school extracurricular activities, until the passage of one full school day from the time of the student's infraction unless otherwise permitted by the teacher who ordered the suspension.

Students attending separate class periods throughout the school day shall not be permitted to attend other classes in the building during the term of the suspension.

Any student suspended from the same class, subject, or activity for ten accumulative days during the school year shall be given a formal procedural hearing for each additional suspension beyond the tenth day in accordance with due process requirements required by Board of Education Policy for suspensions of ten days or more.

Application to Students with Disabilities

This policy shall be applied in a manner consistent with the rights secured under federal and state law to students who are determined to be eligible for special education programs and services.

8350 Student Suspension and Expulsion (Cf. 8080)

8350-3

Implementation

The Director shall develop detailed written regulations to implement this policy in compliance with state law requirements. He/She shall ensure uniform and consistent application of the policy and shall report to the Board as required on its effectiveness.

The regulations shall include safeguards for the dismissal of students suspended for more than ten accumulative days, procedures for reporting violations of this policy to appropriate members of the Academy's administration, and procedures for calling an immediate conference with parent(s)/guardian(s) subsequent to the student's suspension.

Expulsion

No student may be permanently expelled from the Academy until an opportunity for a formal hearing before the Board has been afforded the student.

Appeals

The student and parent(s)/guardian(s) may appeal to the Board or a Board appointed hearing officer a long-term suspension ordered by the Director.

Hearing Officer

The Board may appoint one or more hearing officers for purposes of hearing appeals made in cases of long-term suspensions. The hearing officer shall be a member of the Board or a certified employee of the Academy.

Whenever a Board appointed hearing officer hears any appeal, a written report shall be provided the Board. After receiving the report, the Board shall determine the appeal with or without an additional hearing. Any appeal determination by the Board in accordance with this policy and administrative procedures shall be valid to the same extent as if the matter were fully heard by the Board without a hearing officer.

Section 8000 – Students

8350 Student Suspension and Expulsion (Cf. 8080)

8350-4

Written Notices

All required written notices may be mailed to the residence of the parent(s)/guardian(s) at the address on file in the official records of the student. In lieu of mailing the written notice, it may be personally delivered.

Approved:

LEGAL REF: MCL 380.1204a; 380.1309; 380.1311, OAG, 1985-1986, No 6271, p 13
(February 7, 1985); 20 USCA § 7151 (No Child Left Behind Act)

Section 8000 – Students

8350-R Student Suspension and Expulsion (Cf. 8080)

8350-R

Any Short Term Suspension - Teachers or Administrators

No short-term suspension by any Academy employee shall be imposed upon a student without giving the student notice of the charges and affording the student a hearing, meaning, at minimum, the opportunity to reply to the charge. The notice may be oral or written and the hearing may be held immediately. The hearing may be informal, but shall include the following minimal procedural due process requirements:

- (a) The rights of the student to be present at the hearing,
- (b) The right of the student to be informed of the charges,
- (c) The right of the student to be informed of the basis for the accusation,
and
- (d) The right of the student to make statements in defense of the charges or accusations.

A written notice of any short-term suspension and the reasons for the suspension shall be given to the student involved and to the parent(s)/guardian(s) of the student within 24 hours after the suspension has been imposed. In the event the student has not been afforded a hearing prior to any short-term suspension, an informal hearing shall be provided as soon as practicable but in no event later than 72 hours after such short-term suspension has been imposed.

Long Term Suspension

A "long term suspension" is defined as any suspension longer than ten instructional days up to and including 180 days of instruction (a full school year.) A written notice of any proposal for a long-term suspension and the charges upon which the suspension is based shall be given to the student proposed for suspension and to the parent(s)/guardian(s).

Section 8000 – Students

8350-R Student Suspension and Expulsion (Cf. 8080)

8350-R-2

Any notice of a proposal to suspend for a long-term shall state the time, date, and place that the student will be afforded an opportunity for a formal hearing, and the hearing shall be held no later than 10 calendar days after the date of the notice. A copy of this policy and administrative procedures shall accompany the notice.

Upon the conclusion of any formal hearing, which results in a long-term suspension, the person or committee who conducts the hearing shall make a written report of the findings and results of the hearing. The report shall be directed to the Board and shall be open to the inspection of the student who is suspended, and if the student has not attained 18 years of age, to the parent(s)/guardian(s) and counsel or other advisor of the student.

Whenever any formal hearing results in a long-term suspension, the person or committee conducting the hearing may make a recommendation that the student return to regular classes pending any appeal or during the period allowed for notice of appeal. However, it should reasonably be anticipated that the student not continue to cause repeated material disorder, disruption or interference with school operations or substantial and material impingement upon or invasion of the rights of others.

Whenever the person or committee conducting a hearing fails to make a recommendation for the return of the student to regular classes, the report of the hearing shall provide that the suspension shall continue until appeal is determined or until the period of suspension has expired, whichever is sooner.

Expulsion

"Expulsion" means a permanent and complete severance of the relationship between the student and the Academy. While the word "expulsion" or "expel" may appear, at times, in State of Michigan law or rules that refer to a period less than a permanent and complete severance of the Academy/student relationship, the term, for the purposes of this Academy, shall mean a permanent severance.

Section 8000 – Students

8350-R Student Suspension and Expulsion (Cf. 8080)

8350-R-3

A written notice of any proposal to expel permanently, and the charges upon which the permanent expulsion is based, shall be given to the student and the student's parent(s)/guardian(s). The notice of the proposal to permanently expel shall state the time, date and place that the student will be afforded an opportunity for a formal hearing before the Board. It shall also state the right of the student to be represented by counsel, to produce witnesses, and submit evidence on his or her behalf, and to cross-examine any adult witnesses who may appear against him or her. A copy of the Board policy and the administrative procedures shall also be given with the notice.

The hearing before the Board shall not be held later than 10 calendar days after the date of the notice.

Upon any conclusion, which results in a recommendation to the Board for permanent expulsion, the Director shall submit a written report detailing the reason(s) for the recommendation to the Board. The report shall be open to the inspection of the student who is being recommended for permanent expulsion, and if the student has not attained 18 years of age, to the student's parent(s)/guardian(s) and counsel or other advisor of the student. If the student is 18 years of age or older, the report shall be open to inspection by the parent(s)/guardian(s) and counsel or other advisor of the student only upon written consent of the student.

At the permanent expulsion hearing, the Board shall hear evidence of whether the student is guilty of the gross disobedience or misconduct as recommended. After the presentation of the evidence, the Board shall decide the issue of guilt and take such action as it finds appropriate.

Written Notice

Written notice of the result of any hearing resulting in a long-term suspension or in a permanent expulsion shall be given to the student and to his/her parent(s)/guardian(s) within 24 hours after the determination.

Section 8000 – Students

8350-R Student Suspension and Expulsion (Cf. 8080)

8350-R-4

Formal Hearing Procedure: Suspension and Expulsion

The formal hearing provided for in Board policy shall be conducted in accordance with the following procedures:

- The right of the student to have counsel of their own choice present and to receive the advice of counsel or other person the student may select,
- The right of the student's parent(s)/guardian(s) to be present at the hearing,
- The right of the student and his/her counsel or advisor to hear or read a full report of testimony of witnesses against the student,
- The right of the student and his/her counsel to confront and cross-examine witnesses who appear in person at the hearing,
- The right of the student to present his/her own witnesses,
- The right of the student to testify in his/her own behalf and give reasons for his/her conduct,
- The right of the student to have an orderly hearing, and
- The right of the student to a fair and impartial decision based on substantial evidence.

In these procedures, counsel means any person a student selects to represent and advise him/her at all proceedings conducted according to these procedures.

Appeals to the Board

Any student who has been suspended for a long-term may appeal the long-term suspension to the Board by filing a written notice of the appeal with the Board Secretary no later than 10 calendar days after receiving written notice.

Any appeal shall be heard by the Board, a Board committee, or hearing officer appointed by the Board not later than 20 calendar days after the notice of appeal is filed.

8350-R Student Suspension and Expulsion (Cf. 8080)

8350-R-5

Section 8000 – Students

The student and his/her parent(s)/guardian(s) shall be notified in writing of the time and place of the appeal hearing at least five days prior to the appeal hearing. The appeal hearing shall be conducted in accordance with the procedures stated above.

Formal Hearing Procedures

Mechanical or electronic recording may be used to make a record of the appeal hearing in all long-term suspension or permanent expulsion cases, and the costs shall be borne equally by the Academy and the student/parent(s)/guardian(s).

The Board shall render its decision on any appeal within five calendar days after the conclusion of the appeal hearing.

Section 8000 – Students

8450 Student Welfare (Cf. 8590, 8590-R)

8450

The Board and Director will endeavor to provide a suitable environment conducive to the general health, safety, and welfare of each student in school attendance and at Academy-sponsored activities. The Director shall promulgate appropriate administrative rules in order to implement this policy.

Approved:

LEGAL REF: MCL 333.26301-26306

Section 8000 – Students

8450-R Student Welfare

8450-R

The Director and his/her staff shall develop and enforce the necessary rules and regulations relating to student welfare.

Section 8000 – Students

8453 Student Wellness Policy (Cf. 4450, 4460)

8453

The Honey Creek Community School is committed to creating a healthy school environment that enhances the development of lifelong wellness practices to promote healthy eating and physical activities that support student achievement and hereby adopts this Student Wellness Policy.¹⁶

Nutrition Education

Every year, all students, Pre - K-8, shall receive nutrition education that is aligned with the *Michigan Health Education Content Standards and Benchmarks*.¹⁷ Nutrition education that teaches the knowledge, skills, and values needed to adopt healthy eating behaviors shall be integrated into the curriculum. Nutrition education information shall be offered throughout the campus including, but not limited to, dining areas and classrooms. Staff members who provide nutrition education shall have the appropriate training.

Nutrition Standards

The Academy shall ensure that reimbursable school meals meet the program requirements and nutrition standards found in federal regulations.¹⁸ The Academy shall encourage students to make nutritious food choices.

The Academy shall monitor all food and beverages sold or served to students, including those available outside the federally regulated child nutrition programs. The

8453 Student Wellness Policy (Cf. 4450, 4460)

8453-2

¹⁶ (MASB Note: This local Student Wellness Policy, was adopted, unanimously, by the Michigan State Board of Education on Monday, October 10, 2005. It is the product of a collaborative effort between the Michigan Department of Education and MASB as reviewed and finalized by a panel of health, nutrition, and physical education specialists from across the State. It is a MODEL, and is not MANDATED, so local academies are free to modify it some based on local needs and circumstances – particularly the administrative rules. We urge, however, that local boards give serious consideration to adoption of the POLICY itself as it is written, and allow, then, the administration to modify the administrative rules to meet local needs and expectations.)

¹⁷ Michigan Department of Education Health Education Content Standards and Benchmarks, July 1998.
http://www.michigan.gov/documents/Health_Standards_15052_7.pdf

¹⁸ Title 7—United States Department of Agriculture, Chapter ii - Food and Nutrition Service, Department of Agriculture, Part 210 - National School Lunch Program.
http://www.access.gpo.gov/nara/cfr/waisidx_04/7cfr210_04.html

Section 8000 – Students

Academy shall consider nutrient density¹⁹ and portion size before permitting food and beverages to be sold or served to students.

The Director shall continually evaluate vending policies and contracts as they affect student wellness. Vending contracts that do not meet the intent and purpose of this policy shall be modified accordingly or not renewed.

Physical Education and Physical Activity Opportunities

The Academy shall offer physical education opportunities that include the components of a quality physical education program.²⁰ Physical education shall equip students with the knowledge, skills, and values necessary for lifelong physical activity. Physical education instruction shall be aligned with the *Michigan Physical Education Content Standards and Benchmarks*.²¹

Every year all students, Pre-K-8, shall have the opportunity to participate regularly in supervised physical activities, either organized or unstructured, intended to maintain physical fitness and to understand the short- and long-term benefits of a physically active and healthy lifestyle.

Other Academy-Based Activities Designed to Promote Student-Wellness

The Academy may implement other appropriate programs that help create an environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity.

Implementation and Measurement

The Director shall implement this policy and measure how well it is being managed, and enforced. The Director shall develop and implement administrative rules consistent with this policy. Input from teachers (including specialists in health and physical education), nurses, parents/guardians, students, representatives of the food

¹⁹ Nutrient dense foods are those that provide substantial amounts of vitamins and minerals and relatively fewer calories. Foods that are low in nutrient density are foods that supply calories but relatively small amounts of micronutrients (sometimes not at all).

http://www.health.gov/dietaryguidelines/dga2005/report/HTML/G1_Glossary.htm

²⁰ Offering physical activity opportunities is required by federal law (Section 204 of Public Law 108-265). Physical education, while recommended, is not required.

²¹ Michigan Department of Education Physical Education Content Standards and Benchmarks, July 1998.

http://222.michigan.gov/documents/Physical_Education_Content_Standards_42242_7.pdf

Section 8000 – Students

8453 Student Wellness Policy (Cf. 4450, 4460)

8453-3

service program, the Board of Education, administrators, and the community may be considered before implementing such rules.

A sustained effort is necessary to implement and enforce this policy. The Director shall report to the Board, as requested, on the Academy's programs and efforts to meet the purpose and intent of this policy.

Approved:

LEGAL REF: Section 204 of Public Law 108-265 (Child Nutrition and WIC Reauthorization Act of 2004) (Approved by the Michigan State Board of Education, October 10, 2005.)

Section 8000 – Students

8455 Unsafe School Choice Policy

8455

The Board directs the Director to comply with the Michigan Statewide Unsafe School Choice Policy for any school that receives funds under the No Child Left Behind Act of 2001 (NCLB of 2001). All reports mandated by the state policy shall be distributed to the Board before being forwarded to the ISD and/or the state. The Director may enact rules to implement compliance with the state policy.

Should a school receiving funds under NCLB of 2001 be designated, “persistently dangerous,” as defined by the state policy, the required, “corrective action plan,” shall be prepared and presented to the Board for review and approval before transmittal to the state. The Director shall also insure that the transfer and notice requirements found in state policies are implemented, and that the Board is kept informed of any transfers that are made.

A copy of the current Statewide Unsafe Choice Policy shall be provided to each member of the Board, and a copy of the current policy shall be available in the Academy office.

Approved:

LEGAL REF: 20 USCA § 7912; Michigan Statewide Unsafe School Choice Policy
(2003)

Section 8000 – Students

8460 Student Insurance Programs

8460

The Board recommends that all students engaging in athletics, shop courses, science laboratories, cooking classes, physical education classes, or any other hazardous activity be covered by some type of accident insurance. Such insurance may be provided by each student's parent(s)/guardian(s) through personal insurance coverage. Any additional medical expense not covered by the student's accident insurance or activities insurance and any voluntary, optional basic accident insurance is the responsibility of the parent(s)/guardian(s).

Approved:

Section 8000 – Students

8460-R Student Insurance Programs

8460-R

Students who seek to participate in interscholastic athletics will be denied participation unless and until they provide to the satisfaction of the Director proof of adequate accident insurance coverage and have a physical as required by the MHSAA.

Section 8000 – Students

8480 Student Health Services

8480

The Board and Director will endeavor to maintain a healthful environment for each student in school attendance and in Academy-sponsored activities.

Prior to entrance, Kindergarten students shall be requested to present evidence that they have had a physical examination or a statement signed by the parent(s)/guardian(s) that meeting this request is contrary to their religious beliefs.

Immunization of Students and Vision Testing

All Kindergarten students and other students entering school for the first time shall submit evidence that they have complied with the state's immunization requirements²² by:

1. Submitting a statement by a physician that the child has been tested for, immunized, or protected against, diseases specified by the Director of Public Health, or
2. Submitting a statement signed by the parent(s)/guardian(s) to the effect that the child has not been immunized because of religious convictions or other objections to immunization.

The parent(s)/guardian(s) of each enrolling child shall submit a statement signed by a school, county, or city health department director stating that the child has passed the department of public health preschool vision screening test, or signed by a licensed medical or osteopathic physician, or a licensed optometrist stating that the child's eyes have been examined during the preschool years after age 3 and before initial entrance. A vision test is not required if there is a statement signed by the parent(s)/guardian(s) to the effect that the child cannot be subjected to the test because of religious conviction.

The Board shall place a very high priority on the eradication of preventable diseases among students through an adequate program of immunization, and authorizes the use of Academy facilities and staff time for this purpose.

²² Sec. 9208. (1) A parent, guardian, or person in loco parentis applying to have a child registered for the first time in a school in this state and, beginning in 2002-2003, a parent, guardian, or person in loco parentis of a child entering the sixth grade, shall present to school officials, at the time of registration or not later than the first day of school, a certificate of immunization or statement of exemption under section 9215.

Section 8000 – Students

8480 Student Health Services

8480-2

To accomplish this task the Academy shall use the model plan developed by the Michigan Department of Education and the Michigan Department of Public Health for assessing local immunization needs and implementing an immunization program appropriate to those needs.

Approved:

LEGAL REF: MCL 333.9208-9215; 380.1177

Section 8000 – Students

8480-R Student Health Services

8480-R

The Director will cooperate with local, county and state health agencies in disseminating materials designed to encourage students and their parent(s)/guardian(s) to maintain a high standard of health.

The Academy nurse will be responsible for the general conduct of such health programs, which are deemed advisable by the Board.

The Director may require proof of physical examination for any student engaged in activities covered by Board policy.

Section 8000 – Students

8485 Participation Fees for Interscholastic Athletics

8485

The Board may establish a student participation fee for sponsored athletic teams.

Approved:

Section 8000 – Students

8510 Communicable Diseases - Students and Staff

8510

In order to minimize the spread of contagious diseases among students and staff, the Academy will cooperate, fully, with the Washtenaw County Health Department to enforce adherence to the Michigan Health Code for the prevention, control, and containment of communicable diseases.

A decision to close school due to communicable disease outbreaks shall be made by the Director, or designee, in consultation with the Washtenaw County Health Department medical staff and/or for review to the review team.

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the Academy's policies.¹

Approved:

LEGAL REF: MCL 333.5111; 333.5131; 20 USCA § 1232g (Family Educational Rights and Privacy Act of 1974), MDE Bulletin, September 23, 1999

¹ A student with a contagious disease is probably a "handicapped individual" under Section 504 of the Rehabilitation Act (29 U.S.C. § 794(a)). See *Thomas v Atascadero Unified Academy*, 662 F. Supp.376 (C.D. Cal 1986) (a child with Aids was a "handicapped person" under Section 504).

Students with contagious diseases may also qualify for special education under the Individuals with Disabilities Education Act (20. U.S.C. § 1400 *et seq.*)

Decisions to place a student in a class outside regular classes due to infectious disease must be based on medical evaluations indicating a need to protect the health and safety of others. *Community High Academy 155 v Denz*, 463 N.E.2nd 998 (2nd Dist. 1984).

Cases involving contagious diseases are highly fact-specific. Generally, the appropriate treatment of a student depends on the severity of the disease and the risk of infecting others, but in all cases, legal counsel should be consulted.

Section 8000 – Students

8510-R Communicable Diseases - Students and Staff

8510-R

- A. The Director will not permit a student to enter school who is out of compliance with the required immunization schedule. Academy personnel shall cooperate and assist in completing and coordinating all immunization dates, waivers, and exclusions, including the necessary Immunization Assessment Program forms, to provide for preventable communicable disease control.
- B. All reportable communicable diseases will be referred to the Washtenaw County Health Department in accordance with Michigan statutory and administrative guidelines.
- C. The decision to close school due to communicable disease outbreaks is at the discretion of the Academy's administration. Consultation on such decisions is available from the Washtenaw County Health Department.
- D. Mandatory screening for any of the following listed communicable diseases (see paragraph E) of all students/employees as a condition of attending work/school or as a condition for employment shall not be required.
- E. Communicable diseases considered a serious concern to the community and/or the afflicted individual will be addressed by a Communicable Disease Review Panel (C.D.R.P). This C.D.R.P. will serve as resource to the Academy to provide specific procedures for the situation.
- F. The Director will inform the Board when a C.D.R.P. is formed to review a situation involving a person with a communicable disease. The Board shall be notified initially that the C.D.R.P. is meeting and the decision of the C.D.R.P. when a decision is made concerning the person with a communicable disease.

Communicable diseases that are serious in nature include:

- 1. AIDS - Acquired Immune Deficiency Syndrome.
- 2. ARC - AIDS Related Complex.

Section 8000 – Students

8510-R Communicable Diseases - Students and Staff

8510-R-2

3. Persons infected with HTLV-III/LAV-Human T-Cell Lymphotropic Virus/Lymphadenopathy Associated Virus.
4. Hepatitis B.
5. Other like diseases that may be included by the health department that may present potentially serious health problems for those who are exposed to the disease and/or the disease carrier.

Communicable Disease Review Panel

A. Purpose:

The C.D.R.P. shall serve as a resource to the local Academy for specific communicable disease instruction, protocol, procedures, and to make recommendations concerning:

1. Specific serious communicable disease cases
2. Epidemic control regarding any communicable disease occurrence

B. C.D.R.P. Membership

The C.D.R.P. shall have a membership that will be limited to the following representatives:

1. The Director who will serve as chairperson,
2. Physician with expertise in the related disease,
3. Physician treating the individual,
4. A physician from the Washtenaw County Health Department,
5. Parent(s)/Guardian(s) (if individual student case) or the staff person affected (or his/her representative) or the affected student of 18 years of age or older (or his/her representative). It would be permissible for both parents/guardians to attend or for a person to bring a representative as long as it is with the understanding that they only have one vote, and
6. The school nurse (if such a staff person is available).

Section 8000 – Students

8510-R Communicable Diseases - Students and Staff

8510-R-3

Operation Guidelines for the C.D.R.P.

- A. Upon notification of the existence or suspicion of an affected staff person/student, the Director may, after consultation with a physician from the Washtenaw County Health Department within 24 hours, inform in writing the affected staff person, parent(s)/guardian(s) of an affected student or an affected student 18 years of age or older, that the affected person may not attend work/school or any Academy-sponsored activity until the C.D.R.P.'s or Director's written recommendations have been received. Possible alternative delivery of school programs shall be made available to the affected student.
- B. The C.D.R.P. shall have access to any relevant material or testimony concerning the affected individual and his/her behavior as it relates to the communicability of the disease. The C.D.R.P. shall consider existing federal, state, and local guidelines and have the authority to consult any experts, as they deem necessary.
- C. The C.D.R.P. shall make a written recommendation as to whether the affected person should continue to be involved in the public school setting.
- D. As recommended in the State Guidelines, the C.D.R.P.'s decision for students should be based on the behavior, neurological developments, and physical conditions of the child, setting, and the risks and benefits to both the affected student and others in the educational setting.

For an affected employee, the C.D.R.P. should consider in its determination:

- 1. The physical/mental condition of the employee,
 - 2. The expected type of interaction with others in the school setting, and
 - 3. The impact on both the affected employee and others in that setting.
- E. If the recommendation is to allow the person to continue in the school setting, then the C.D.R.P shall make a written recommendation regarding whether precautions should be taken within the school environment.

Section 8000 – Students

8510-R Communicable Diseases - Students and Staff

8510-R-4

- F. If the recommendation is to exclude the person from the school setting, the C.D.R.P. shall make a written statement as to the conditions under which they would reconsider the denial.
- G. The C.D.R.P. shall make a recommendation as to the need to review the case on a periodic basis and the timelines for such a review.

Case Review Process

- A. The Director shall obtain the name of the physician treating the affected person and shall request that the physician be a part of the C.D.R.P. The parent(s)/guardian(s) or affected person shall provide the Academy with a release of information so that the C.D.R.P. may review the needed information.
- B. Upon notification of the existence or suspicion of an affected staff person/student, the C.D.R.P. chairperson shall call a meeting of the C.D.R.P. within five business days at which time the case shall be reviewed. The affected staff person, parent(s)/guardian(s) of an affected student, or an affected student 18 years of age or older will have an opportunity to present written reports and verbal testimony to the C.D.R.P.
- C. If the C.D.R.P.'s decision is unanimous, the chairperson shall, within three business days of the decision, inform in writing that decision to the affected staff person, parent(s)/guardian(s) of an affected student, or an affected student 18 years of age or older will have an opportunity to present written reports and verbal testimony to the C.D.R.P.
- D. If the C.D.R.P.'s decision is not unanimous, the Director shall receive, within two business days of the conclusion of the hearing, a summary of each C.D.R.P. member's position. The Director shall then make the final determination within three business days of the receipt of the C.D.R.P.'s summaries.

Section 8000 – Students

8510-R Communicable Diseases - Students and Staff

8510-R-5

Copies of this decision will be sent to the affected person, parent(s)/guardian(s) of an affected student, or an affected student 18 years of age or older, the Board and the C.D.R.P.

- E. If the affected person/student's parent(s)/guardian(s) do/does not accept the decision of the C.D.R.P./Director, such persons may file, within five business days, a written request to the Board asking it to hear their appeal. The Board shall establish a date for such a hearing within two business days upon receipt of said appeal.
- Upon the conclusion of the hearing, the Board shall render its decision within five business days and send copies of their decision to the affected staff member, the parent(s)/guardian(s) of the affected student or to an affected student 18 years of age or older.
- F. If the decision of the C.D.R.P is not unanimous and if a majority of the members of the C.D.R.P. does not agree with the decision of the Director, they may appeal that decision on their own behalf to the Board. All timelines for such an appeal will be the same as outlined in the appeal process in paragraph E above.
- G. If the student is a special education student, a copy of the C.D.R.P.'s decision shall be sent to the Director of Special Education. The Director shall then convene an Individual Educational Planning Conference (IEPC) within three business days of the receipt of the report. The IEPC shall consider the recommendation of the C.D.R.P. in determining the program and services. If the parent(s)/guardian(s) request(s) a hearing because of the IEPC recommendation, a placement of the student in the interim will be based upon the recommendation of the C.D.R.P.

8510-R Communicable Diseases - Students and Staff

8510-R-6

Section 8000 – Students

- H. All persons involved in these procedures will be required to treat all proceedings, deliberations, and documents in compliance with the provisions of the Family Education Rights and Privacy Act (FERPA), the Freedom of Information Act, and the Employees Right to Know Act. Any employee found to have violated the confidentiality of any proceedings connected with policy 8510, or these rules, will be subject to disciplinary action up to and including discharge.

Section 8000 – Students

8580 Child Abuse and Neglect - Duty to Report

8580

Pursuant to MCL 722.622(f), child abuse must be reported to the Department of Human Services (DHS) where the suspected perpetrator is the parent(s)/guardian(s), or any other person responsible for the child's health or welfare or a teacher, a teacher's aide, or a member of the clergy.

Any administrator, counselor, or teacher of the Academy who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect will immediately report, or cause a report to be made, to the Department of Human Services.²³ Employees will not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of Academy employees to determine or prove that the child has been abused or neglected.

Access to Students on Academy Premises (Cf. 8140, 9570)

The Director is authorized to act in loco parentis to protect the interests of the student when a student is to be interviewed by DHS representatives on Academy premises. The Academy recognizes, however, that the DHS may, lawfully, interview a child alleged to have been abused without the presence of the Director or other personnel. However, in appropriate cases, the Director may request that he or she, or a designated representative, be present during the interview.

Cooperation between the Academy and Agencies

The Academy, DHS, and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. To the extent that safety and practical consideration allow, it is the preference of the Academy that law enforcement officers on Academy premises to investigate a report of suspected child abuse, or neglect, should not be in uniform.

8580 Child Abuse and Neglect - Duty to Report

8580-2

²³ Reasonable Cause exists where the facts and circumstances within a person's knowledge and of which he/she has reasonably trustworthy information are sufficient to warrant a person of reasonable caution in the belief that abuse/neglect has or is occurring.

Section 8000 – Students

Administrators shall make this Academy preference known to law enforcement officers and ask for their cooperation.

Approved:

LEGAL REF: MCL 722.621-638; *Commonwealth v Allen*, 980 S.W. 2d 278 (Ky., 1998); *People v Beardsley*, ___ Mich App___ (#246202, 8-24-2004); OAG Opinion No. 6869, September 6, 1995

Section 8000 – Students

8580-R Child Abuse and Neglect - Duty to Report

8580-R

To comply with the child protection law, any administrator, counselor, or teacher who suspects that a child's physical or mental health or welfare is being adversely affected by abuse or neglect, shall immediately report such suspicions in the following manner:

- I. Identify suspected child abuse and or neglect.
 - a. Any administrator, counselor, or teacher who has reasonable cause to suspect child abuse or neglect shall report the matter to DHS personally and directly.
 - b. Any person making a report should telephone a complaint to Child Protective Services (CPS) and notify the Director.
- II. Submit completed DHS-3200 form within 72 hours.
- III. Copy the Director with written report as filed with CPS.
- IV. The Director shall also, then, make a report to DHS first by telephone and, then, within 72 hours, in writing using DHS form 3200. This dual reporting process is intended to emphasize to DHS the urgency of the report.

As much of the following information as possible shall be given by the initial reporter during the oral report and, again, by the Director if the initial report came from a counselor or teacher: name, address, and age of the student; name and address of the parent(s)/guardian(s); nature and extent of injuries or description of neglect or sexual abuse; and any other information that might help establish the cause of the child's condition.

Any personal interview or physical inspection of the child by any employee shall be conducted in an appropriate manner with an adult witness present.

An oral report to the Director must be made as soon as possible and will be followed by a written report.

Section 8000 – Students

8580-R Child Abuse and Neglect - Duty to Report

8580-R-2

In Michigan, anyone making a report in accordance with state law or participating in a resulting judicial proceeding is presumed to be acting without malice and in good faith and, in so doing, is immune from any civil or criminal liability that might otherwise be imposed.

Unauthorized disclosure of child abuse information to persons other than administrators, law enforcement personnel or DHS, may result in criminal and/or civil sanctions.

Section 8000 – Students

8590 Student Safety

8590

The Academy will endeavor to provide a safe environment for students while in school attendance or in extra-class activities.

Bicycle Use

Due to the current location of the campus, the Academy advises against students bicycling or walking to and from school.

Eye Protective Devices

The Director shall assume the responsibility of seeing that sufficient eye protective devices are available to accommodate all classes or persons requiring them. All guidelines and rules shall be published in the appropriate staff and student handbooks.

Mercury Elimination

The Academy prohibits the purchase, storing, or use of free flowing elemental mercury or items or instruments containing free flowing elemental mercury. Each teacher will be responsible for enforcing this policy and reporting any violations to the Director.

Safety Patrol

The Director is authorized to organize student safety patrols to assist in the safety of students to and from school and/or loading/unloading school buses.

Approved:

LEGAL REF: MCL 324.81101; 380.1274b; 380.1288; R 340.1301-1305; OAG, 1981-1982, No 6097, p 727 (August 31, 1982)

Section 8000 – Students

8590-R Student Safety

8590-R

The Director, together with the staff, will develop and determine the necessary rules and regulations relative to student safety.

It shall be the responsibility of the Director to instruct the faculty to stress the importance of safety to the students periodically during the school year.

Each teacher will be provided with an outline of safety rules and regulations for the Academy as recommended by the Director and approved by the Board.

Building safety rules and regulations will be explained to students at the beginning of each school year and periodically thereafter by the Director or classroom teacher.

Safety Units

Those teachers who instruct in hazardous curriculum areas such as physical education, industrial education, or science laboratories shall teach a unit each year or semester dedicated to safety rules inherent in the particular subject matter.

Appropriate safety signs, slogans, or other safety items shall be posted on or in the near vicinity of potentially dangerous devices or machinery.

Each student enrolled in a hazardous curriculum area will be given a test concerning the appropriate safety rules of the particular class. The test results will be kept on file until the end of the school year or the end of the class term, whichever is sooner. No student will be permitted to participate in the class until satisfactory knowledge of the safety rules is demonstrated to the teacher.

Teachers will conduct periodic reviews of safety rules during the school year.

Inspection of Building and Grounds (Cf. 4040)

The Director, together with his/her custodial staff, shall make frequent inspections of areas of the building and grounds, which may be potential safety hazards.

Section 8000 – Students

8590-R Student Safety

8590-R-2

If any such hazards are found, the Director will order the hazard removed, corrected, or marked in some appropriate way as a “dangerous area.” (Cf. 8450-R)

Students will be notified of such “dangerous areas.”

All equipment ordered by the Academy shall be inspected for any defects immediately at the time of assembly and periodically thereafter by the appropriate administrator. Such defects, if found, shall be brought to the attention of the vendor for repair or replacement.

Section 8000 – Students

8650 Student Accidents

8650

Accident and illness may occur in the classroom and on Academy grounds. All personnel shall be prepared to follow the necessary first aid procedures and other rules described in this section.

Any employee who discovers an accident involving a student on Academy property shall report the accident to the Director in a timely manner and follow the rules approved by the Board. The Director shall establish procedures for handling student accidents at athletic events and other Academy-related activities.

Approved:

Section 8000 – Students

8650-R Student Accidents

8650-R

Generally, employees are not trained to administer medical treatment to students.

In the event of a student accident that appears to require medical treatment other than emergency first aid, all employees will follow the plans and procedures that have been developed by the Director to cover such emergencies.

The Director will develop procedures to be followed in case of a student accident or injury. Such procedures will be explained to all employees at the beginning of each school year.

Only qualified employees may diagnose or in any way treat a student suspected of injury other than attempting to make the student as comfortable as possible while waiting for competent medical treatment. Qualified employees, for the purpose of this policy, are those employees who have successfully completed an approved Red Cross first aid program or who have otherwise been approved by the Director to administer treatment.

Primary first aid procedures to be followed include visually determining, if possible, the extent of the injury and having the Academy's Secretary or a certified staff member call the parent(s)/guardian(s). (Cf. 8660, First Aid)

If the parent(s)/guardian(s) are notified, the injury should be described and appropriate action determined with consent of the parent(s)/guardian(s).

If the parent(s)/guardian(s) cannot be reached, the family physician or alternate physician if permitted by parent(s)/guardian(s) of the student should be notified.

Under no circumstances will any employee attempt to administer medical treatment other than first aid to any injured student.

Section 8000 – Students

8650-R Student Accidents

8650-R-2

Records

An information card for each student containing the following information shall be on file in the Director's office:

- Names and addresses of parent(s)/guardian(s), their home and business phone numbers,
- Names of some other persons to be called in the event of an accident and their phone number(s),
- Names of the family physician and his/her office phone number,
- Permission to call the family physician in the event parent(s)/guardian(s) cannot be reached and permission to act on his/her advice,
- Permission to consult with another physician if the family physician cannot be reached, and
- Any physical condition of the student for which it would be considered appropriate to indicate a medical alert.

Section 8000 – Students

8660 First Aid

8660

The Academy may provide appropriate first aid and CPR training for identified personnel. This training may be provided as part of the Academy's in-service plan or other program established by the Board.

Only those employees qualified by Academy approved training and then only in case of emergency may administer first aid and CPR to students. Employees shall not attempt to treat any student injury after the initial treatment of emergency first aid. The Academy will not assume liability under these policies for employees acting outside the scope of their authority.

Approved:

LEGAL REF: MCL 691.1504

Section 8000 – Students

8660-R First Aid

8660-R

Personnel identified by the Academy as eligible to receive first aid and CPR training may include those who are regularly assigned to the work site such as: the Director or head teacher, the building Secretary, the physical education instructor, and other personnel as the Academy may identify.

First aid shall be limited to the applying of simple bandages or infection preventatives and to any justifiable emergency aid such as stopping excessive bleeding to prevent further injury, disability, or death.

Neither diagnosis nor treatment, except under emergency conditions, are within the responsibilities of employees, since employees are not trained to make what are essentially medical decisions.

At least one person in the building shall be qualified to administer first aid and CPR.

Section 8000 – Students

8670 Administration of Medications by Academy Personnel (Cf. 2780)

8670

This policy is intended to cover all students. It includes students with disabilities who have an Individualized Educational Program (IEP) or Section 504 Plan. The following definition of “medication” is adopted for use in this Academy: “Medication,” includes prescription, non-prescription, and herbal medications, and includes those taken by mouth, by inhaler, those that are injectable, and those applied as drops to eyes, nose, or medications applied to the skin.

Whenever possible, medications for students should be administered by parent(s)/guardian(s) at home. As a service to the family, the Director shall establish procedures for the administration of medication by employees in circumstances where such administration is deemed necessary for the student’s well being by the student’s parent(s)/guardian(s) and physician. The pupil’s parent(s)/guardian(s) must provide written permission and a written request to administer medications to their child. Written instructions from a physician, which include the name of the pupil, name of the medication, dosage of the medication, route of administration, and time the medication is to be administered to the pupil must accompany the request and be kept on record. The parent(s)/guardian(s) request/permission and a physician’s instructions for administration shall be renewed every school year.

Any and all “biohazards” generated, such as, but not limited to: sharps, bandages, gauze, towelettes, and discarded live or attenuated vaccines, due to the administration of medications by Academy personnel shall be disposed of in accordance with the Michigan Medical Waste Regulatory Act, 1978 PA 368, R 325.1545(10). Students who “self administer” medications shall be responsible for returning any such wastes to their home for disposal. The Director shall be responsible for providing staff members with written procedures to implement this requirement.

The Academy shall have a plan for handling medical emergencies.

Section 8000 – Students

8670 Administration of Medications by Academy Personnel (Cf. 2780)

8670-2

The Director will designate an individual(s) responsible for administering medications to pupils. The Director, teachers, or other employees authorized to do so by the Director, may administer medication to a pupil in the presence of another adult employee pursuant to written permission of the pupil's parent(s)/guardian(s), and in compliance with, the written instructions of a physician. Where the individual administering the medication is a licensed registered professional nurse, or when an emergency threatens the life or health of the pupil, a second adult need not be present.

Self-Administration/Self-Possession of Medications

The following definition of "self-administration/self-possession" is adopted for use in this Academy: "Self-administration" means that the pupil is able to consume or apply prescription and non-prescription medication in the manner directed by the physician without additional assistance or direction. Self-possession means that the pupil may carry medication on his/her person to allow for immediate and self-determined administration.

A pupil whose parent(s)/guardian(s) and physician provide written permission will be able to self-administer and self-possess his/her own medications. A medication that a pupil possesses must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration. A pupil's use shall not be denied if the conditions of written permission and physician direction are met. A Director may discontinue a pupil's right to self-administer and self-possession if there is misuse by the pupil. The denial shall come only after a consultation with the parent(s)/guardian(s). For example, a pupil who requires the use of an inhaler for relief or prevention of asthma symptoms shall be allowed to carry and use the inhaler if there is written approval from the pupil's physician and parent(s)/guardian(s) on record (as described in the Michigan Revised School Code, Section 380.1179).

Section 8000 – Students

8670 Administration of Medications by Academy Personnel (Cf. 2780)

8670-3

A pupil who is in possession of an inhaler under the above conditions shall have each of his/her teachers notified of this by the Director.

Diabetic Emergencies

Staff shall be made aware of the symptoms of a diabetic emergency. Staff with diabetic students should know the signs of possible side effects of diabetic medications, and be aware which side effects are serious enough to warrant reporting to the child's parent(s)/guardian(s) or health provider.

Management of Students with Asthma in the School Setting

If needed, the Director may have direct communication with the child's health care provider in order to resolve individual problems that may arise because of a child's asthma. All staff shall be informed about the early warning signs of an acute asthma episode and should be aware of emergency procedures and contacts in case a child needs medical assistance. Copies of the "Signs of an Asthma Emergency," as published by the Michigan Department of Education will be distributed to all staff and shall be posted on appropriate bulletin boards in the building.

Exercise Induced Asthma Attacks

Physical education teachers, playground aides, and teachers are to be informed that exercise can induce acute episodes for many students with asthma. It shall be the responsibility of the administration to inform staff responsible for students during physical activity of the identity of those students who have exercise-induced asthma. A child with exercise-induced asthma shall be allowed to stop any physical activity if they are having difficulty.

The Director will promulgate rules and guidelines to implement this provision.

Section 8000 – Students

8670 Administration of Medications by Academy Personnel (Cf. 2780)

8670-4

Staff Training

All individuals designated or authorized to administer medication are required to receive in-service training on all Academy policies and procedures related to this responsibility. Staff must be trained by a licensed registered professional nurse, physician, or physician assistant who has knowledge of school medication policies and procedures.

Storage and Access to Medications

All medication shall be kept in a labeled container as prepared by a pharmacy, physician, or pharmaceutical company with the pupil's name, the name of the medication, dosage, and the frequency of administration. Medications shall be stored in a location that is kept locked. However, emergency medications may be stored in an area readily accessible to the individuals designated to administer them. All controlled-substance medications will be counted and recorded upon receipt from the parent(s)/guardian(s). The medication shall be recounted on a regular basis (monthly or bi-weekly) and this count shall be reconciled with the medication administration log/record.

Record Keeping of Medications

A log of medication administration shall be kept in the Academy office and filed in a pupil's permanent record at the end of each school year (see sample Medication Administration Daily Log). The individual pupil log shall be kept until one year after the pupil's graduation, or projected graduation, from high school.

Approved:

LEGAL REF: MCL 380.1178; MCL380.1179; OAG, 1979-1980, No 5679, p 7-0 (April 11, 1980); OAG, 1993, No 6746, (January 13, 1993); MDE Bulletin, October 18, 1999, PA 378, 1978, Medical Waste Regulatory Act, R 325.1545(2)

Section 8000 – Students

8670-R Administration of Medications by Academy Personnel

8670-R

The following administrative rules are to be followed by Academy personnel in the implementation of policy 8670. These rules and procedures may not be changed or amended without the express approval of the Director.

Administration of Medications – Prescription

Prescription medications shall not be stored or dispensed by employees without written permission and instructions from both:

- a. The parent(s)/guardian(s) who shall request and authorize Academy personnel to give medication in the dosage prescribed by the physician and permission to contact the physician directly.
- b. The physician, who shall provide instructions to employees regarding the administration of medication, and who shall identify any specific conditions or reactions to the medication which may require contacting the physician or other professional medical personnel. Instructions from the physician must include:
 - Name of the pupil,
 - Name of the medication,
 - Dosage of the medication,
 - Route of administration,
 - Time the medication is to be administered, and
 - The length of time (not to exceed the current school year) that medications are to be administered.

Any “biohazardous” wastes produced shall be disposed of in accordance with law, and the written instructions distributed by the administration.

New parental/guardian and physician written instructions and permission must accompany any change in medication, dosage, or time of administration.

Storage and Access to Medications

Prescription medication to be given must be delivered, by the parent(s)/guardian(s), in a container as prepared by a pharmacy, physician, or pharmaceutical company with a printed label specifying:

- a. The child's full name,
- b. The name of the medication and the dosage,
- c. The time of day medication should be administered, and
- d. The name of the physician.

The Director shall request that a pharmacy supply the oral medication in the exact dosage prescribed. Only limited quantities of a prescription medication may be kept at school, and the parent(s)/guardian(s) shall be solely responsible for any prescription refills. All prescription medication shall be kept in locked storage or other safe place.

The Director shall designate the employees authorized to administer medication to students.

The Director may set a reasonable designated time for the administration of medications. The parent(s)/guardian(s) shall be informed of this designated time and communicate this to the physician when he/she writes medication administration instructions. The Director may request that the physician send a written explanation with the medication administration instructions if an exception to the designated time is necessary. Personnel authorized to administer prescription medication shall be given appropriate instruction in the administration of medications. After medication is administered, students should be observed for possible reactions to the medication. This observation may occur at the site of administration or in the classroom as part of the normal routine.

Section 8000 – Students

Except in the case of an emergency that threatens the life or well being of the student, all administration of medication shall be conducted in the presence of two or more adults. When necessary for a pupil to have medication administered while on a

8670-R Administration of Medications by Academy Personnel

8670-R-3

Academy-sponsored field trip or off-site activity, the individual designated to administer medication must carry the medication in the original container, and record the necessary information on the medication log upon return from the trip/activity.

Staff Training

In-service training is recommended and may include actual "hands-on" practice in identifying and dispensing medications. Individuals, with the exception of a licensed registered professional nurse, who are responsible for administering any medications that must be given by injection, by nebulizer, or administered rectally, vaginally, or into the bladder, must receive one-to-one training by a licensed health professional. Documentation that personnel have completed the required in-service training shall be maintained by the Academy and made available, upon request, to a pupil's parent(s)/guardian(s), physician, licensed registered professional nurse, or by a Academy official.

Training Guidelines

Training for all individuals who are designated to administer medications to pupils in local and intermediate districts, public school academies, and nonpublic school must include all of the following content and skill practice:

1. A review and discussion of all Michigan and federal laws pertaining to the administration of medications to pupils, including discussion of confidentiality issues.
2. A review and discussion of all policies and procedures relating to medications including areas of responsibility of Academy administrators, individuals designated to administer medications - i.e., secretaries, aides, teachers,

Section 8000 – Students

- parent(s)/guardian(s), and medical professionals (i.e., physicians, physician assistants, nurses).
3. Identification of the forms related to the administration of medications.

8670-R Administration of Medications by Academy Personnel

8670-R-4

4. Safe storage and handling of medications including procedures for receiving and disposing of medications.
5. The use, effect, and route of administration of the most commonly prescribed medications, including adverse effects.
6. Procedures for safely dispensing medications to pupils during school hours, on field trips, and other off-site activities.
7. Practice in identifying and dispensing medications to pupils.
8. Policies and procedures related to pupil self-administration and self-possession of medication.
9. Review and practice recording administration of medications.
10. Review and discuss procedures for dealing with medication administration errors.
- It is the responsibility of the student to report to the appropriate Academy official at the time any prescription is to be taken.

Records

Personnel designated to administer medications shall maintain an accurate and confidential system of record keeping. The medications log shall include the following:

- c. The full name of the student,
- d. The physician instructions for administration,
- c. A log of the date and time, dosage, name of medication, administering adult, second adult present for each administration, and the signature of the administering adult and signature of witnessing adult for each administration.

(If an error is made in recording, the individual who administered the medication shall cross out, initial the error, and make the correction in the log), and

Section 8000 – Students

- d. Any noted effects of, or reaction to the medication.

Personnel must take care to ensure that each student is provided the proper medication in the proper dosage, and shall log each administration immediately. In the

8670-R Administration of Medications by Academy Personnel

8670-R-5

event of a mistake in administration or dosage, the Director shall be contacted immediately. The Director is responsible for reporting the medication error to the pupil's parent(s)/guardian(s) immediately. It is advised that the Director also contact the physician so that he/she may indicate to the parent(s)/guardian(s) that staff members are conducting the appropriate medical follow-up. The staff member shall write up the error on an Academy incident/accident report form and place a copy into the pupil's record. Any adverse reaction to medication, as described on the physician's written instructions, shall be reported to the pupil's parent(s)/guardian(s) immediately.

Medications should be brought to school by the student's parent(s)/ guardian(s). Personnel, appropriately trained, shall, throughout the school year, periodically review medication instructions on file and inventory medications being stored. Expiration dates on prescription medication, epi-pens, and inhalers shall be checked at least twice each school year.

Parent(s)/Guardian(s) request/permission and a physician's instructions for administration of medications shall be renewed every school year. No changes to medication dosage or time of administration will be made except by instruction from a physician. Medications must be claimed by parent(s)/guardian(s) at the end of the school year. If this is not done, the individual who administers the medication will dispose of the medication and record this disposal on the medication log. This procedure shall be witnessed and initialed by a second adult.

Unless otherwise dictated by law, the Director may refuse to administer or may choose to discontinue the extra service of administering medication at his/her discretion, provided that appropriate notice is given to the parent(s)/guardian(s).

Section 8000 – Students

Administration of Medications – Non-prescription

The procedures for administering non-prescription medications to students shall be identical to those for prescription medications.

8670-R Administration of Medications by Academy Personnel

8670-R-6

Student Self-Administration of Medications

Upon the written request of the parent(s)/guardian(s), and with written instructions from the physician, and with the approval of the Director, students may self-possess small quantities of medication for self-administration.

Any student may possess and use an inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, at school, on Academy-sponsored transportation, or at any activity, event, or program sponsored by or in which the school is participating if proper approvals are on file in writing. All self-possessed medications must be labeled and prepared by a pharmacy or pharmaceutical company and include the dosage and frequency of administration.

Any “biohazardous” wastes produced by the student in the process of self-administration are to be carried back to the home by the student for proper disposal by the student/parent(s)/guardian(s).

All necessary written permission forms detailed above for administration of medications must be obtained and filed prior to possession, storage, or self-administration by a student.

Assisting a Student in Distress

The Academy shall have a plan for handling medical emergencies.

Any staff member may assist a student in distress in self-administration of a medication (ex. Epi-pen injection, asthma inhaler, etc.). For the purpose of this policy, distress refers to any obvious and serious discomfort or threatening condition. The staff member should first confirm that the medication and dosage are proper for the student as conditions allow.

Section 8000 – Students

As soon as possible, the staff member shall notify the administration, designated medical response person, and/or the local emergency medical system. The staff member shall also complete an Academy incident/accident report form following the incident.

8670-R Administration of Medications by Academy Personnel

8670-R-7

Diabetic Emergencies

Staff with diabetic students should know the signs of possible side effects of diabetic medications, and be aware which side effects are serious enough to warrant reporting to the child's parent(s)/guardian(s) or health provider.

Management of Students with Asthma in the Academy Setting

Staff shall be made aware that chalk dust, animals in the classroom, strong odors (perfumes and paints), cleaning agents, molds, and numerous other substances may be asthma triggers for some children. In addition, environmental pollutants are often triggers for acute episodes of asthma. Therefore, the Director will endeavor to schedule extensive building repairs or cleaning during long vacation periods or during the summer months to avoid exposing children to fumes, dust, or other irritants. Routine cleaning and maintenance of the heating/cooling and air filtration system is important for reducing amounts of dust and mold.

Staff with asthmatic students should know the signs of possible side effects of asthma medications, and be aware which side effects are serious enough to warrant reporting to the child's parent(s)/guardian(s) or health care provider. Information regarding qualified professionals in asthma management who can be contacted for staff in-service sessions on asthma may be found through the Michigan Department of Education's web site at <http://www.state.mi.us/mde>.

The "School - Based Asthma Management Plan" form and "School-Based Diabetes Management Plan" forms are to be used in the building. The form may be identified with the name of the Academy if desired.

Section 8000 – Students

The various forms, posters, and the Medication Daily Administration Log associated with the Administration of Medications to Students are included with policy 2780 and incorporated herein, by reference, with policy 8670 and 8670-R.

Section 8000 – Students

8700 Student Activities

8700

Any activity, which involves the expenditure of public funds, shall be subject to prior approval of the Board. An annual report shall be provided to the Board by the Director listing the activities involving fees and the amount of each fee.

Approved:

Section 8000 – Students

8710 Academy-Sponsored Student Clubs (Closed Forum)

8710

All Academy-sponsored student organizations shall be curriculum related. Only students actually enrolled in and attending the Honey Creek Community School may participate in any Academy-sponsored student clubs, co-curricular events, or extra curricular offerings of the Academy. Consequently, the Board establishes a closed forum regarding Academy-sponsored organizations and clubs. By way of limited example, an “Academy-sponsored, curriculum related student club or organization” would be those such as: Foreign language clubs; Astronomy Club, Math Club, American History Club, American Literature Club, Student Council, or the like.

Membership in all student organizations shall be open to all students of the Academy without regard to race, color, sex, sexual orientation, religion, handicap, creed, or national origin. All Academy-sponsored student organizations shall operate within a framework of state and federal law, Board policy and administrative rules and regulations. Persons who are not students in this Academy shall not be allowed membership in any Academy-sponsored student organization.

The Director shall develop general guidelines for the establishment and operation of Academy-sponsored student organizations. Such guidelines shall include the approval of the Director prior to the formation of any club or organization, the assignment of at least one faculty advisor to each student organization, and provisions for the establishment of bylaws or operating procedures which provide a linkage to the curriculum relatedness of the organization.

The Director may deny requests for forming an Academy-sponsored student organization where the requirements of Board policy and administrative rules and regulations have not been met. When a request has been denied, the students shall be informed of the reasons for the denial.

Section 8000 – Students

8710 Academy-Sponsored Student Clubs (Closed Forum)

8710-2

The Director's decision shall be final.

Approved:

LEGAL REF: MCL 380.1299; 20 USCA §4071, *et seq.* (Equal Access Act)

Section 8000 – Students

8710-R Academy-Sponsored Student Clubs (Closed Forum)

8710-R

Academy-Sponsored Student Clubs

The Director shall establish regulations for the operation of Academy-sponsored clubs. Such clubs shall operate for the welfare and in the best interests of the students and the Academy. Academy-sponsored clubs are those directly under the supervision of Academy personnel.

Every Academy-sponsored club must have a faculty or staff sponsor appointed and approved by the Director. All meeting times and places of the club must have the advance approval of the faculty/staff sponsor and the Director, and the sponsor or designated representative must be present at all meetings. Every Academy-sponsored club shall have on file with the Director a constitution, bylaws, and operating procedures approved by the Director.

The Student Handbook and all other Board policies and Academy rules and regulations will be in full force and effect during all meetings or functions of any Academy-sponsored club.

Student Government

A student council may be established if it is under the direct supervision of the Director or designated faculty representative.

Student councils shall exercise only that authority expressly delegated to them by the Director.

Academy-sponsored Student Publications (Cf. 8730)

“Academy-sponsored student publication” means any publication, as defined herein, which is composed, compiled, published, or distributed under the official supervision of a faculty sponsor.

Advertisements

Advertisements concerning drug paraphernalia or any controlled substances are prohibited in any publications planned for distribution on Academy premises.

Section 8000 – Students

8710-R Academy-Sponsored Student Clubs (Closed Forum)

8710-R-2

Academy-sponsored student publications shall be under the supervision of the Director or designated faculty representative. All material published in Academy-sponsored publications must have the prior approval of the faculty sponsor. The faculty sponsor shall inform the Director of any material that is contemplated for publication that may be controversial. The final decision on content for Academy-sponsored student publications shall rest with the Director

Student Social Events

Student social events, such as dances and parties, contribute an important element in the development of the individual. All such events must have the prior approval of the Director and the faculty sponsor of the club or class sponsoring the event at least one month in advance.

Student social events shall be held, normally, after the last regular class period during the school day unless otherwise approved by the Director during other, non-instructional times before school or during the lunch period. In-class social events or activities, such as “student birthday observances,” and the like, shall be limited to the last class period of the school day and shall not disrupt normal instruction. Any “food items” served at such functions shall comply with policy 4460 – Food Allergies.

Any fee charged for a dance or party must have the prior approval of the Director.

The class organization for each grade level shall be limited to one social event per semester.

Middle school dances will be limited to one per semester and include only middle school students and sponsors. Parent(s)/Guardian(s) are welcome to attend.

Unless otherwise approved by the Board, attendance at all social functions is limited to students of the Academy.

Section 8000 – Students

8710-R Academy-sponsored Student Clubs (Closed Forum)

8710-R-3

All elementary grade level events must end by 9:00 p.m. on nights followed by a school day and by 10:00 p.m. on nights not followed by a school day. All middle school grade level events must end by 10:00 p.m. on nights followed by a school day and by 11:00 on weekends. The Director may grant specific permission in advance for any deviations.

The Director may make such other rules and regulations, as he/she deems necessary for the conduct of student social events. These rules and regulations and any amendments thereto shall be published in such a manner so that all students are aware of such rules and regulations and understand their importance.

Section 8000 – Students

8720 Non-Academy-Sponsored Student Clubs and Organizations

8720

The Academy encourages students to broaden their knowledge and citizenship by the formation of clubs and other groups organized to promote or pursue specialized activities outside the regular classroom environment, and not related directly to the curriculum, provided membership is open to all interested and eligible students from the Academy, approval of the Director is obtained, and a member of the Academy staff attends the meetings or activities as an un-official, non-participating observer. By way of limited example, a non Academy-sponsored student club would be those such as: Ski Club, Chess Club, Bowling Club, Pep or Spirit Club, Hobby Clubs, Boy Scouts, Girl Scouts, Explorers, and the like having no direct connection to the curriculum.

Meetings and Membership

Non Academy-sponsored/non-curricular related student clubs shall not conduct their activities on Academy property without prior permission from the Director. Persons who are not students in this Academy shall not be allowed membership in any non Academy-sponsored student organization.

Student Equal Access

Student initiated, non-curricular related groups shall be permitted to conduct voluntary meetings on Academy premises only before or after the school day, provided that the meetings do not materially and substantially interfere with the orderly conduct of the educational activities of the Academy or violate Board policy or state or federal law.

Such meetings shall be open to all students without regard to race, creed, color, sex, sexual orientation, handicap, religion, or national origin.

No public funds may be expended on behalf of the non-curricular related student groups covered by this policy except for the incidental cost of providing space for their meetings.

Students seeking to establish a voluntary, non-curriculum related student group shall first seek approval of the Director. Should the Director not approve the student group, the students may submit a written request to the President of the Board within ten

Section 8000 – Students

8720 Non-Academy-sponsored Student Clubs and Organizations

8720-2

days of the notice of denial for a review of the Director's decision. The Board's decision shall be final.

Federal Compliance

The Academy will comply with the provisions of the Boy Scouts of America Equal Access Act, and will not discriminate against or deny access to groups protected by the Act.

Student Social Events

Student social events, such as dances and parties, contribute an important element in the development of the individual. All such events sponsored by non Academy-sponsored student clubs or organizations must have the prior approval of the Director and the un-official, non-participating advisor of the club or class sponsoring the event.

Student social events shall be held, normally, after the last regular class period during the school day unless otherwise approved by the Director during other, non-instructional times before school or during the lunch period.

Unless otherwise specifically approved by the Board, attendance at all social functions, regardless of the organization sponsoring or promoting the social event, is limited to students of the Academy.

Approved:

LEGAL REF: MCL 380.1299; 20 USCA §4071, et seq. (Equal Access Act); 20 USCA §7905 (Boy Scout Equal Access Act).

Section 8000 – Students

8720-R Non-Academy-sponsored Student Clubs and Organizations

8720-R

- A. The Academy will not discriminate against or deny equal access to students of the Academy who wish to conduct club meetings that fall within the Equal Access Act guidelines, as long as:
1. The meetings are student initiated and voluntary.
 2. The Academy and its employees and agents do not sponsor the meeting.
 3. Agents or employees of the Academy are present only in a non-participatory capacity.
 4. The meeting does not interfere with the orderly conduct of the Academy's educational activities materially or substantially.
 5. Non-Academy persons do not direct, conduct, control, or regularly attend the activities of student groups.
- B. Student meetings, held under the Equal Access Act, may take place only during "non-instructional time." Non-instructional time is defined as that time before actual classroom instruction begins in the morning, during the lunch hour, or after actual classroom instruction ends in the afternoon. Academy personnel may be present in all meetings under the Equal Access Act to:
1. Maintain order and discipline on Academy premises and enforce the Student Handbook, Academy policies and administrative rules and regulations.
 2. Protect the well-being of students and faculty.
 3. Assure that student attendance at all meetings is voluntary.
- C. The Academy may deny access to a student group if meetings are for a purpose that is unlawful or for a purpose, which would interfere with the orderly conduct of educational activities materially or substantially.

Student Equal Access

Academy employees shall not promote, lead, or participate in the meetings of non-curricular/non Academy-sponsored related student groups.

Section 8000 – Students

8720-R Non-Academy-sponsored Student Clubs and Organizations

8720-R-2

An Academy employee may be present as an observer at the meetings to maintain order and protect the general welfare of the students involved.

Academy employees shall not direct or influence the form or content of any prayer or other religious activity nor require any person to participate in prayer or any other religious activity.

Student Social Events

The Director must approve all social events at least one month in advance of the event.

Any fee charged for a dance or other social event must have the prior approval of the Director.

The class organization for each grade level shall be limited to one social event per semester.

Middle school grade level dances will be limited to one per semester and include only middle school students and sponsors. Parent(s)/Guardian(s) are welcome to attend.

All elementary grade level events must end by 9:00 p.m. on nights followed by a school day and by 10:00 p.m. on nights not followed by a school day. All middle school grade level events must end by 10:00 p.m. on nights followed by a school day and by 11:00 on weekends. The Director may grant specific permission in advance for any deviations.

The Director may make such other rules and regulations as he/she deems necessary for the conduct of student social events. These rules and regulations and any amendments thereto shall be published in such a manner so that all students are aware of such rules and regulations and understand their importance.

Section 8000 – Students

8730 Non-Academy-sponsored Student Publications (Cf. 8720)

8730

Students are exposed to diverse opinions on an infinite number of topics through the various mass media. Students who have facts and opinions should be allowed to express them in print as well as through oral communication. However, student editors and writers of non Academy-sponsored student publications must observe the same legal responsibilities as those imposed upon conventional newspapers and communication media. Thus, no student shall distribute in school, or publish by electronic means, any student publication that:

- Is obscene as to minors according to current legal definitions,
- Is libelous according to current legal definitions, or
- Creates a material or a substantial disruption of the normal school activity or appropriate discipline in the operation of the school.²⁴

Student publications, that are not libelous, disruptive or obscene, may be distributed on Academy property during school hours in areas designated by the Director. Distribution that substantially interferes with the normal flow of traffic within the Academy's corridors and entranceways, which is coercive of any other person's right to accept or reject any publication or which causes substantial and material interference with "normal Academy activities," shall not be permitted.

Approved:

LEGAL REF: *Hazelwood School Dist. v. Kuhlmeier*, 484 U.S. 261, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)

²⁴ *Layshock v. Hermitage Academy*, __ F.Supp.2d __, 2006 WL 240655 (W.D. Pa. Jan. 31, 2006) In this Pennsylvania case, the student produced a "parody" on a private website regarding his school Director. The Academy reacted by transferring the student to an "alternative school" as disciplinary action. The federal Academy court rejected Justin's attempt to frame the issue in the case as "whether a Academy can punish a student for posting on the Internet, from his grandmother's home computer, a non-threatening, non-obscene parody profile making fun of the school Director." The court determined that Justin had ignored a crucial element of student protected speech analysis, namely, whether his actions "substantially disrupt[ed] school operations or interfere[d] with the right of others." The Academy presented ample evidence that his off-campus conduct resulted in actual disruption of the high school's day-to-day operations. The number of students accessing the profile forced school officials to shut down the school's computer system for five days, and school personnel had to devote an inordinate amount of time to monitoring students accessing the profile. Justin did not carry his burden of proving the likelihood of success on the merits because the evidence demonstrated that the disciplinary action was justified.

Section 8000 – Students

8730-R Non-Academy-sponsored Student Publications

8730-R

Any student who desires to distribute a non Academy-sponsored student publication shall submit the publication to the Director for review and approval prior to distribution.

At the time of submission, the student has the right, and is encouraged to meet personally with the Director so that the student and the Director may freely exchange views on why the distribution of the non Academy-sponsored student publication is or is not appropriate. The student or his/her representative may support the case for distribution with relevant witnesses and materials.

In determining whether a non Academy-sponsored student publication is disruptive, Academy personnel should consider the context of the distribution as well as the content of the material. In this regard, consideration should be given to experience with similar material, to experience in dealing with and supervising students, to current events influencing student attitudes and behavior and to any instances of actual or threatened physical disruption prior to or contemporaneously with the submission of the non Academy-sponsored student publication in question.

The Director shall render his/her decision to approve or disapprove the distribution of the non Academy-sponsored student publication and notify the student within one school day of its submission. If approval to distribute is not granted, the Director shall state his/her reason to the student in writing.

If the student is dissatisfied with the decision of the Director, the student may appeal this decision. The appeal from the Director's decision may be taken by notifying the Secretary of the Board of Education, either orally or in writing, within two school days of the Director's decision, of the student's desire to appeal and the desire for a hearing before the Board a committee of the Board, or a hearing officer designated by the Board.

A hearing date must be established within 10 school days after receipt of the notice of appeal has been filed with the Secretary of the Board, and the Board shall

Section 8000 – Students

8730-R Non-Academy-sponsored Student Publications

8730-R-2

render a decision, stating reasons in writing, within 10 school days of conclusion of the hearing.

At every level of the appeal process as outlined above, the student or his/her representative shall have the right to appear and present his/her case supported by relevant witnesses and materials as to why distribution of the non Academy-sponsored student publication is appropriate.

In exercising the right of prior review, Academy personnel shall be guided by the following guarantees and definitions. The First Amendment to the Constitution of the United States protects students in their exercise of freedom of expression. It is the responsibility of the Academy and its staff, while establishing the kind of environment, which is necessary for an orderly program of classroom learning, to ensure that the right of students to express themselves freely shall not be infringed upon at the same time. Distribution of non Academy-sponsored student publications shall not be prohibited because they contain the expression of unpopular, critical, controversial, tasteless, or offensive ideas.

Distribution of the non Academy-sponsored student publication during the period of initial review by the Director, after a negative decision of the Director or during the period of appeal shall be sufficient grounds for suspension of the student(s) responsible for the distribution by the Director in accordance with the procedures set forth in law or Board Policies.

In order for a non Academy-sponsored student publication to be considered disruptive, specific articulable facts must exist upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial, and material disruption to normal Academy activity or Academy discipline would occur if the material were distributed. Mere undifferentiated fear or apprehension of disturbance is not enough; Academy personnel must be able to show, affirmatively, substantial facts, that

Section 8000 – Students

8730-R Non-Academy-sponsored Student Publications

8730-R-3

reasonably support a forecast of likely disruption. Such disruption would include, for example, student rioting, unlawful seizures of property, destruction of property, threats against persons or property, or acts of violence, widespread shouting or boisterous conduct, or substantial participation in an Academy boycott, sit-in, stand-in, walkout, or other related forms of activity. On the other hand, material that stimulates heated discussion or debate does not constitute the type of disruption prohibited herein.

Ads

Ads concerning drug paraphernalia or any controlled substances are prohibited in any publications planned for distribution on Academy premises regardless of source.

Definitions of Terms Used in Discussing Student Publications

“School day” means any day during the regular school year or summer session on which regularly scheduled classroom instruction takes place and excludes Saturdays, Sundays and official Academy holidays.

“Publication” means any non Academy-sponsored book, magazine, pamphlet, newspaper, yearbook, picture, photograph, drawing, or any other written or printed matter or visual representation of a staff member.

“Student publication” means any publication as defined herein which is composed, compiled, published, or distributed by students without Academy sponsorship.

“Distribution” means circulation or dissemination of the student publication to students at the time and place of normal Academy activity or immediately prior to subsequent thereto by means of handing out free copies, selling or offering copies for sale, accepting donations for copies of the publication or displaying the material in areas of the building or property which are generally frequented by students. In dealing with material that is “obscene” or “libelous,” the term “distribution” refers to dissemination of one or more copies; whereas in dealing with all other types of material, the term “distribution” refers to a substantial circulation or dissemination of the student

Section 8000 – Students

8730-R Non-Academy-sponsored Student Publications

8730-R-4

publication to make the student publication generally available to the students of the Academy.

“Normal Academy activity” means organized educational activity of students under the direct supervision of a member of the Academy staff which includes classroom work, library activities, physical education classes, official assemblies and other similar gatherings, Academy athletic contests, band concerts, Academy plays and scheduled-in-school lunch periods.

“Minor” means any person under the age of 18 years.

“Obscene as to minor” means that an average person, applying contemporary community standards would find that the publication, taken as a whole, appeals to the prurient interest and has no redeeming social value; that the publication depicts or describes, in a patently offensive way, sexual conduct specified in applicable law; and that the work taken as a whole lacks serious literary, artistic, educational, political or scientific value.

“Libel” is the false and unprivileged (unprotected by immunity) publication in writing or the printing of pictures, effigies or other fixed representations to the eye which expose a person to public hatred, contempt, ridicule or obloquy which causes him/her to be shunned or avoided or which has a tendency to injure him/her in his/her occupation.

When the publication concerns “public officials,” i.e., those who hold government office or “public figures,” i.e. those who, by reason of the notoriety of their achievements or employment or by reason of the vigor and success with which they seek the public’s attention, the defamatory falsehood must be made with actual malice in order to be libelous, i.e., with knowledge that it was false or with reckless disregard of whether or not it was false. “Public figures” also includes administrators, teachers, and coaches.

Section 8000 – Students

8740 Student Photographs (Cf. 3660, 8940)

8740

Commercial Photographers

The Board allows the practice of contracting with commercial photographers to take student pictures and make them available to parent(s)/guardian(s) as a part of the total Academy program.

The Academy may contract with commercial photographers to take pictures of students for specific purposes such as graduation pictures, yearbooks, class pictures, student records, or identification cards.

No student, however, shall be required to have his/her picture taken by Academy contracted commercial photographers and shall not be pressured for the purchase of photographs. Students may substitute photographs taken by photographers of their choice to be used in yearbooks or for official Academy records. The Academy may establish reasonable specifications for such pictures.

The Director shall be authorized to select and contract with commercial firms to provide the photographing service. Good business practices and Board purchasing guidelines prevail in such selection.

Other Photographic or Video Images

Permission to shoot close-up pictures of students via regular film or digital imaging, or to videotape students participating in Academy sports or other Academy-related activities, and to identify those students, may be granted to the media (newspapers and television stations) only with parental approval for students less than 18 years of age.

Parental approval also shall be required before pictures of students may be used, or students identified, in non-Academy publications with the exception of photographs or video images taken by news media in the normal course of news coverage of Academy activities.

The Director shall establish guidelines for implementing this policy.

Approved:

Section 8000 – Students

8740-R Student Photographs (Cf. 3660, 8940)

8740-R

HONEY CREEK COMMUNITY SCHOOL

AUTHORIZATION TO PHOTOGRAPH, VIDEOTAPE, OR RECORD A STUDENT

The student or student's parent/guardian hereby authorizes, releases and/or otherwise consents to the student being the subject of photographs, videotapes, or audiotapes, or combinations thereof, that are taken, shot, or recorded at Academy or Academy related activities either on or off Academy property.

The Academy and/or any of its employees or agents is specifically given the right and permission to cause the student's likeness or voice or both to be recorded and exhibited as still photographs, transparencies, motion pictures, television, video (videotape recordings) or other similar media, including Internet applications.

The Academy and/or any of its employees or agents is specifically given the right and permission to distribute, copyright and/or use, reuse and/or broadcast, rebroadcast, publish or republish still photographs, transparencies, motion pictures, television, video (videotape recordings) or other similar media, including Internet applications of the student without compensation or consideration.

The student/parent/guardian waive any rights to inspect or approve the finished still photographs, transparencies, motion pictures, television, video (videotape or digital image recordings) or other similar media including any sound track associated therewith, or advertising copy or printed matter that may be used in conjunction therewith or the eventual use that may be made of such still photograph, transparencies, motion pictures, television, video (videotape or digital recordings) or other similar media, including Internet applications.

The student/parent/guardian specifically authorizes the reproduction, sale, exhibition, broadcast and/or distribution of this material without limitation or financial or other consideration.

Student Signature

Parent/Guardian Signature

Date

Date

Cc: student files

Section 8000 – Students

8750 Student Volunteers

8750

Students are encouraged to volunteer their time and services to Academy-sponsored activities and to community activities so long as their studies are not adversely affected.

Public Service

The Academy encourages students to become involved in public-spirited activities associated with legitimate civic and related organizations. The Academy, however, prohibits students from working for such organizations in a volunteer capacity during school time unless prior approval is granted by the Director.

Student Performances (Cf. 8700)

Students will not participate in any community activities during school hours without the prior permission of the Director.

Approved:

Section 8000 – Students

8860 Homebound Instruction

8860

Physically handicapped students, including those disabled temporarily by illness, operation, or accident authenticated by a physician's order, will be eligible for homebound instruction; however, all programs will meet the criterion of the least restrictive environment.

Students who are handicapped temporarily are encouraged to attend school if able. If the student is unable to attend school and is ineligible for homebound instruction, it shall be the responsibility of the student or parent(s)/guardian(s) to secure lesson assignments from each of the student's teachers in order to keep abreast of the student's schoolwork.

Approved:

LEGAL REF: MCL 388.1709

Section 8000 – Students

8860-R Homebound Instruction

8860-R

Students who are injured and have difficulty walking or climbing stairs on a temporary basis may secure permission from the Director to be late to class.

Students with injuries, which would prohibit normal participation in physical education, must present a physician's statement prohibiting such activity to the Director at the time the student re-enters school after sustaining his/her injury.

Staff members who have contact with students who are handicapped permanently may consult the student's cumulative records so that they will be able to focus on such student's strengths as well as weaknesses. (Cf. 8940 *et seq.*)

Section 8000 – Students

8940 Student Records

8940

The educational interests of students require the collection, retention, and use of data about individuals and groups of students while ensuring individual rights of privacy. The Academy will maintain educational records of students for legitimate educational purposes.

Academy student records are confidential and information from them shall not be released except as provided by law. The information contained in Academy student records shall be kept current, accurate, clear, and relevant. All student records, including those maintained in Academy electronic database(s), shall be safeguarded during collection, maintenance, and dissemination to protect against unauthorized access or accidental release. The Academy may release Directory information in accord with law, provided parent(s)/guardian(s) are given the opportunity to object to the release of this information.

Directory Information

The custodian of records may make certain Directory information available without parent(s)/guardian(s) or eligible student's consent if public notice of the categories of information designated as Directory information has been given. After such public notice has been given, the parent(s)/guardian(s) have the right to object to the release of the information within a specified reasonable time. Directory information for this Academy includes the following information about the student: The student's name, picture; major field of study; participation in recognized activities and sports and related information; grade placement; and honors and awards received.

As provided in PA 39, 2002 (MCL 380.1139) a school must provide armed forces recruiters and service academies with a student's name, address, and telephone number unless the parent(s)/guardian(s) specifically "opts out" of having that information given to military recruiters.

Section 8000 – Students

8940 Student Records

8940-2

The Academy shall inform students and their parent(s)/guardian(s) annually and upon initial enrollment of their rights under law and Board policy with respect to student records, and of the procedures for exercising those rights. This notice shall be modified to accommodate the needs of the disabled or those whose dominant language is other than English.

The Director shall insure that a copy of a student's record, including disciplinary records of suspensions and expulsions, is transferred to any public or private school in which the student has enrolled within 30 days after receipt of the request, pursuant to federal law and state mandate. Notice shall be given to parent(s)/guardian(s) of this transfer procedure and that the student's record being transferred does include a record of any suspension or expulsion action against the student.

The Director shall develop rules and procedures for implementing this policy and state and federal law with respect to student records. The Director shall designate one or more records custodian(s) and shall provide them with appropriate training. The Academy may charge an appropriate fee to cover the expense of providing copies of records requested by the parent(s)/guardian(s).

The Academy shall protect the rights of privacy of students and their families in connection with any surveys or data-gathering activities conducted, assisted, or authorized by the Board or Director. Regulations established under this policy shall include provisions controlling the use, dissemination, and protection of such data.

If students are to be surveyed or monitored by researchers, parent(s)/guardian(s) shall be notified of the dates of the planned activities, given an opportunity to review the survey instruments, and given the opportunity to opt out.

Annual notice will be given to parent(s)/guardian(s) of the administration of any health or physical screening, and given the opportunity to opt out.

Student names and addresses shall not be disclosed to businesses or organizations that plan to use the information for commercial purposes. Exceptions may be made

Section 8000 – Students

8940 Student Records

8940-3

where the purpose has been approved in advance by the Director and where parent(s)/guardian(s) have given, in writing, express permission for this information to be disclosed.

Approved:

LEGAL REF: MCL 15.231 *et seq.*; 380.1134-1135; 380.1139; 20 USCA §1232g (Family Educational Rights and Privacy Act); 20 USCA § 7908 (No Child Left Behind Act); Michigan Department of Education Memo dated 4/6/04.

Section 8000 – Students

8940-R Student Records

8940-R

Custodians

The Director shall designate one or more staff members as student records custodian(s) for the Academy. The system or database administrator at each site is designated custodian for all student records maintained in an electronic database or other computer media. The Director shall designate one or more staff members as custodian for any student record information maintained at the Academy central office.

Each custodian will be trained in their duties by their immediate supervisor. Custodians shall become familiar with law, Board policy, and these rules with respect to student records. The custodian(s) should work closely with other staff members to ensure that all data maintained in student records is current, accurate, clear, and relevant.

Record Types

Student record files may include, but shall not be limited to, the following: permanent, supplemental, and tentative record files.

Permanent records

This classification includes official administrative records that constitute data necessary for operating the educational system, which is of long-term value or importance. It includes basic identifying information, academic transcripts, attendance records, accident and health reports, withdrawal and re-entry records, honors and activities, date of graduation, follow-up records, information pertaining to release of records, records concerning suspension and expulsion actions against the student, and other information deemed to be of permanent value by the Academy.

Supplementary records

This classification includes verified information that is important in operating the educational system but is of a more sensitive nature and of less historical importance. It includes: test scores on standardized achievement, aptitude and intelligence tests;

Section 8000 – Students

8940-R Student Records

8940-R-2

observational data gathered from teachers; counselor evaluation and observations of social and personal assets; psychological reports; disciplinary information; special education files; health data; family background information; educational and vocational plans; and other information determined by the administration to be appropriate for this category.

Tentative records

This classification includes useful information that has not been verified or is not clearly needed beyond the immediate present. It includes unevaluated reports of teachers or counselors that may be needed in ongoing counseling or disciplinary actions and student electronic mail.

Storage

The custodian is responsible for ensuring that the records under his/her care are stored in such a fashion as to protect them from harm and unauthorized alteration or access. Physical records should generally be kept in a storage area, which is well supervised and lockable; electronic records should be protected by regular back up and password or encryption security of good integrity.

Data Gathering

Only the Director or Board may authorize the collection of survey or other data pertaining to students or their families. The administrator shall confirm that the data collection will be in accord with law and Board policy prior to authorizing it. At the time of authorization, the administrator is to see to it that safeguards are in place to ensure the confidentiality and security of the information gathered, including appropriate training of the persons who will be collecting or handling the data.

Survey instruments and procedures shall be made available for inspection prior to use, and notice of the planned activity and an opportunity to opt out shall be granted.

Section 8000 – Students

8940-R Student Records

8940-R-3

Missing Student

When law enforcement officials have notified the Academy that a student has been reported missing, the Director shall tag this in an obvious way on that student's records. The tag shall remain until notified by law enforcement that the tag should be canceled, or until the student's eighteenth birthday. If a request had been received for a tagged student's records, the custodian shall not comply with the request but shall immediately notify the law enforcement agency.

Inspection and Copying of Records

The Academy shall establish appropriate procedures for the granting of a request by the parent(s)/guardian(s) for access to their child's records within a reasonable period of time, but in no case more than 45 school days after the request has been made. Where such records or data include information on more than one student, the parent(s)/guardian(s) of any student shall be entitled to receive, or to be informed of, that part of such record as pertains to their child.

An Academy official competent in interpreting student records shall be present to explain the meaning and implications of the records that are examined.

In situations where the parents/guardians of a student are divorced or separated, each parent/guardian, custodial and/or non-custodial, has equal rights to their student's records unless a court order specifies otherwise. The Academy's personnel shall not recognize private agreements between the student's parents/guardians.

Copies of student record(s) will be made for the parent(s)/guardian(s) upon request. Copying fees shall be charged only when multiple copies are requested in a limited period, and shall be assessed according to the procedures established for FOIA requests.

Requesting Amendments

Parent(s)/Guardian(s) may ask the Academy to amend a record that they believe is inaccurate, misleading, or in violation of a student's right to privacy by writing the

Section 8000 – Students

8940-R Student Records

8940-R-4

Academy Director or records custodian, identifying the part of the record they want changed, and specifying the reason(s) for the request. The competent Academy administrator shall make a determination on the request in a timely fashion and shall reply in writing to the parent(s)/guardian(s) detailing the actions taken. If the decision is to deny the request, the parent(s)/guardian(s) shall be provided with the information and procedures to request a hearing regarding their request for amendment.

When a hearing has been requested by the parent(s)/guardian(s) for challenging the content of the student's education record, the procedure to be followed in the hearing shall include the following:

- The hearing shall be conducted and the decision rendered by a person who does not have a direct interest in the hearing outcome,
- The parent(s)/guardian(s) of the student shall be given notice of the date, place and time of the hearing within a reasonable time in advance of the hearing,
- The parent(s)/guardian(s) may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney,
- The parent(s)/guardian(s) shall be afforded a full and fair opportunity to present relevant evidence,
- The decision shall be rendered in writing within a reasonable time after the hearing concludes, and
- The decision of the Academy shall be based solely upon the evidence presented at the hearing and include a summary of the evidence and the reasons for the decision.

If the decision of the Academy following the hearing is to deny the request, the parent(s)/guardian(s) shall be afforded an opportunity to place a statement in the record commenting on the contested information or disagreement with the Academy. This statement shall be attached to the record in question and copied or disclosed along with the record for as long as the record is maintained.

Disclosure without Consent

The custodian of records may disclose information contained in those records without the consent of the student's parent(s)/guardian(s) to the following persons or entities, on the condition that they agree not to disclose the information to any other party without the written consent of the parent(s)/guardian(s):

- Other Academy officials, including teachers within the Academy who have legitimate educational interests,
- Officials of other schools or school systems in which the student intends to enroll, [Note: this requires parent(s)/guardian(s) notification in each instance unless stated as a practice in the annual notification to parent(s)/guardian(s) of their rights]
- The Comptroller General of the United States, the Secretary of Education, or state and local educational authorities,
- Authorized persons to whom a student has applied for or from whom a student has received financial aid,
- Organizations conducting studies for or on behalf of educational agencies or institutions,
- Accrediting organizations,
- In compliance with a judicial order or subpoena, provided the custodian makes a reasonable effort to notify the parent(s)/guardian(s) prior to complying so that they may seek protective action. Notification will not be made to the parent(s)/guardian(s), however, if the court or agency issuing the subpoena orders that the subpoena not be disclosed,
- In the absence of a court order or subpoena, to a court if the Academy initiates legal action against the parent(s)/guardian(s) or student and the records of the student are relevant for the Academy to proceed with the legal action, or if the

Section 8000 – Students

parent(s)/guardian(s) or student initiates legal action against the Academy and the student's records are relevant for the Academy to defend itself, and

8940-R Student Records

8940-R-6

- Appropriate persons if knowledge of the information is necessary to protect the health or safety of the student or other persons in an emergency. The custodian of the records shall take the following factors into consideration in deciding whether the information should be released: the seriousness of the emergency; whether the information is needed to meet the emergency; whether the persons to whom the information will be released are in a position to deal with the emergency; and whether time is of the essence in dealing with the emergency.

Except for local school officials, all persons, agencies, or organizations requesting or accessing the records of a student shall be recorded on a form (including electronic forms) kept permanently along with the student's records if the request or access involved any information, which personally identified the student, except for subpoenas, which prohibit disclosure. The form must identify the requesting party, the legitimate interest the party had in making the request, the information released or made accessible, the date the request and/or release was made, and the name of the custodian who handled the request.

Statistical data from student records may be disclosed without consent of the parent(s)/guardian(s) for research, statistical summary, or planning purposes if the information released cannot be used to identify an individual student. The custodian shall exercise care in this regard; as statistically small populations within the Academy may be identifiable through seemingly innocuous data, (Ex. Race and gender of a student may be sufficient to identify an individual in a Academy with a low minority population).

Disclosure with Written Consent

Section 8000 – Students

The custodian may disclose information in a student's records or provide access to the records following written instructions signed and dated by the parent(s)/guardian(s) of the student specifying the records, the reasons, and the person(s) to whom the release

8940-R Student Records

8940-R-7

is to be made.¹ A copy of the parent(s)/guardian(s) instructions shall be kept along with the record.

Whenever the Academy requests the consent to release certain records, the custodian shall inform the parent(s)/guardian(s) of the right to limit such consent to specific portions of information in the records.

Disposition of Records

The Academy shall maintain permanent records for an indefinite period. When the student graduates, supplementary records shall be destroyed or shall be transferred to the permanent record if they have permanent usefulness. Tentative records shall be destroyed when the use for which they were collected is ended.

However, tentative records may be placed in the supplementary classification if the continuing usefulness of the information is demonstrated and its validity verified.

Custodial Discretion in Exceptional Circumstances

If the custodian of student records has special information that would indicate granting or denying access to student records in accordance with these rules would be harmful to the student, he/she may exercise discretion in granting or denying access in a manner other than provided herein.

¹ Per 34 CFR part 99, "signed and dated written consent" may include a record and signature in electronic form that (1) identifies and authenticates a particular person as the source of the electronic consent; and (2) indicates such person's approval of the information contained in the electronic consent." Per the Standards for Electronic Signatures in Electronic Student Loan Transactions, an electronic signature may include "a shared secret, such as (a) a personal identification number (PIN) or password; (b) a unique credential or token; (c) a computer file or number that corresponds to a biometric measurement uniquely associated with the borrower, such as a fingerprint or retinal pattern; (d) a signature image (a computer file that is created from the scanned image of the borrower's handwritten signature); or (e) a typed name, combined with (a), (b), (c), or (d)."

Section 8000 – Students

Student Disciplinary Records

Pursuant to the directive of the Michigan Department of Education of 4/6/04, disciplinary records that concern suspension or expulsion action against the student shall be considered to be a part of the “student’s record” and shall be transferred to any private or public school in which the student has enrolled within 30 days after the receipt of the request from a public or private school for the student’s record.

8940-R Student Records

8940-R-8

Notification

The Academy shall disseminate to each family at least annually the following statement of rights. Parent(s)/Guardian(s) who are non-native speakers of English shall be provided a translation or otherwise contacted to inform them of these rights.

Disposition

Annual notice shall be given to parent(s)/guardian(s) and eligible students concerning the student’s records. In addition, the custodian of the educational records shall give annual public notice of the class of records the institution has designated as Directory information. The appropriate forms for said notices are on file in the office of the custodian of the educational records.

STUDENT AND FAMILY RIGHTS CONCERNING ACADEMY RECORDS

The Family Educational Rights and Privacy Act (FERPA) afford parent(s)/guardian(s) and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

1. The right to inspect and copy the student’s education records within 45 school days of the day the Academy receives a request for access.
 - a. Parent(s)/Guardian(s) or students should submit to the Academy custodian of student records a written request that identifies the record(s) they wish to inspect.
 - b. The custodian will arrange for access and notify the parent(s)/guardian(s) or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent(s)/guardian(s) or eligible student believes are inaccurate, misleading or an invasion of privacy.
 - a. Parent(s)/Guardian(s) or eligible students may ask the Academy to amend a record that they believe is inaccurate, misleading, or an invasion of privacy. They should write the Director or records custodian, clearly identify the part of the record they want changed, and specify the reason.
 - b. The right to challenge Academy student records does not apply to: (1) academic grades of their child, and (2) references to expulsions or out-of-school suspensions, if the challenge is made at the time the student’s student records are forwarded to another school to which the student is transferring.

Section 8000 – Students

- c. If the Academy decides not to amend the record as requested by the parent(s)/guardian(s) or eligible student, the Academy will notify the parent(s)/guardian(s) or eligible student of the decision and advise him/her of their right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the parent(s)/guardian(s) or eligible student when notified of the right to a hearing.

3. The right to permit disclosure of personally identifiable information contained in the student's education records, except to the extent that the FERPA or Michigan law authorizes disclosure without consent.
4. The right to be informed that, pursuant to federal law and state mandate, records of suspension or expulsion action against the student are considered to be a part of the "student record" and the Academy is required to transfer those records pertaining to suspension or expulsion to any public or private school in which the student has enrolled within 30 days of the date of the request from the other school.
5. The right to be informed that disclosure is permitted without consent to school officials with legitimate educational or administrative interests. An Academy official is a person employed by the Academy as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Academy has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or the parent(s)/guardian(s) or student serving on an official committee, such as disciplinary or grievance committee, or assisting another Academy official in performing his/her tasks. An Academy official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Section 8000 – Students

6. The right to know that, upon request, the Academy discloses education records, including records of suspension or expulsion action against the student, without consent to officials of another Academy in which a student has enrolled or intends to enroll as well as to person(s) specifically required or allowed by State or federal law.
7. The right to know that disclosure is also permitted without consent to: any person for research, statistical reporting, or planning, if no student or parent(s)/guardian(s) can be identified; any person named in a court order; and appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons.
8. The right to prohibit the release of Directory information concerning the parent(s)/guardian(s) child.

Throughout the school year, the Academy may release Directory information regarding students, limited to:

- Name,
- Picture,
- Grade level,
- Academic awards, degrees and honors,
- Information in relation to Academy sponsored activities, organizations and athletics, and
- Major field of study

Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Director within 30 days of the date of this notice. No Directory information will be released within this time period, unless the parent(s)/guardian(s) or eligible student are specifically informed otherwise.

Section 8000 – Students

9. The right to prohibit the release of Directory information concerning the parent(s)/guardian(s) child to Armed Forces recruiting personnel.

Student information to be released to the Armed Forces is to include:

- Name,
 - Address, and
 - Telephone number.
10. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Academy to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
Washington DC 20202-4605

Section 8000 – Students

8940-R Student Records

8940-R-13

Student Directory Information Notification Form

Dear Parents/Guardians/Emancipated Student: Please sign and return this form to the school within thirty (30) days of the date of this letter. If we receive **no response** by that date, we will **withhold all student directory information unless required by law to release certain directory information (such as to Armed Forces recruiters upon their request.)** You may direct us not to release such information to any person or agency, including the Armed Forces, by completing and returning this form in a timely fashion.

Date

Dear Parent/Guardian/ Emancipated Student:

This letter informs you of your right to direct the Academy to withhold release of student directory information for _____.

Student's Name

Following is a list of items that this Academy considers student directory information. Please choose one (1) of the three (3) options below. That is, choose Option 1 if the Academy **may not release any item** of directory information; Option 2, if the Academy **may release all items** of information; or Option 3, if the Academy **may release only selected items** of information. Then check those items that may be released.

Student Directory Information Notification

Release to – Institutions of Higher Education, Potential Employers, Armed Forces Recruiters, etc.

Choose one of the Options below:

- ☐ **Option 1:** The Academy **MAY NOT RELEASE ANY** information listed below.
☐ **Option 2:** The Academy **MAY RELEASE ALL** information listed below.
☐ **Option 3:** The Academy **MAY RELEASE ONLY** the information checked below

If you chose Option 3 above, then indicate by checking which item(s) of information the Academy may release.

- | | |
|---|--|
| <input type="checkbox"/> Student's name
<input type="checkbox"/> Student's address
<input type="checkbox"/> Student's telephone number
<input type="checkbox"/> Student's date and place of birth
<input type="checkbox"/> Student's major field of study
<input type="checkbox"/> Information about the student's participation in officially recognized activities and sports
<input type="checkbox"/> Student's photograph/picture | <input type="checkbox"/> Student's weight and height (if a member of an athletic team)
<input type="checkbox"/> Student's dates of attendance
<input type="checkbox"/> Degrees and awards the student has received
<input type="checkbox"/> Most recent educational institution attended by the student
<input type="checkbox"/> Grade level |
|---|--|

NOTE: If a student's name, grade level, or photograph is to be withheld, the student will not be included in the Academy's yearbook, event or athletic programs, or other such publications.

Parent/Guardian/Emancipated Student's Signature

Date

Section 9000 – General Public and Organizational Relations

TC-9000-1

9000—GENERAL PUBLIC AND ORGANIZATIONAL RELATIONS

- 9001 School Community Relations (Cf. 1220)
 - Goals and Objectives
- 9010 Public Information Program
 - Public's Right to Know (Cf. 1370)
 - School-Sponsored Information Media
 - Hazardous Materials or Conditions
- 9020 News Media Relations (Cf. 1400, 9190)
 - News Releases
 - News Conferences and Interviews
- 9060 Information and Campaigns
 - Use of Students
- 9100 Board-Community Relations
 - Community Involvement in Decision-Making
 - Student Community Activities and Performances
- 9170 Solicitations
 - Solicitations in School
 - Solicitation of Students
 - Solicitation by Students
- 9190 Interviews with Students
- 9230 School Volunteers
 - General Principles
- 9290 Crowd Control at School Sponsored Activities
 - Definition of Disturbances or Disorders
- 9300 Tobacco Products On/In Academy Premises
 - Outdoor Smoking Areas
 - Notification
- 9350 Public Gifts and Bequests
 - Gifts to School
 - Income from Gifts and Bequests
 - Gifts by Academy Employees
 - Gifts to Academy Employees
 - Students' Gifts to Staff Members
 - Students' Gifts to the School
 - Faculty Gifts to Students
- 9370 Free Materials Distribution and Advertising in School
 - Political Campaign Materials
 - Special Interest Materials
 - SN Includes advertising in school publications, on school property and sponsored advertising of school events
 - Advertising in the School
 - Use of Religious Materials
 - Dissemination of Religious Materials
- 9400 Visitors to the School
- 9410 Parent(s)/Guardian(s) Visitation of Classrooms
- 9450 Complaints
 - About Policies

Section 9000 – General Public and Organizational Relations

TC-9000-2

	About Curriculum
	About Instructional Materials
	About Facilities and Services
	About Personnel (Cf. 1370-R)
9470	Loitering - Unauthorized Persons
9500	Relations with Other Schools
9520	School-Community Cooperation (Cf. 1180, 9540) Community Committees
9540	School-General Government Relations (Cf. 1180, 9520)
9570	Relations with Law Enforcement and Investigating Authorities (Cf. 8580)
9600	Relationship with Planning Authorities
9610	Relationship with Zoning Authorities
9620	Relations with Political Organizations (Cf. 7760) SN <u>For use to record relationships with intermediate governmental bodies between the local and state levels-county, regional, and/or metropolitan</u>
9670	Relations with Federal Governmental Authorities
9710	Relations with Parental/Guardian Organizations (Cf. 9730)
9720	Parent(s)/Guardian(s) and School Partnerships
9730	Relationship with Booster Organizations (Cf. 9710)
9820	Intermediate Academy Relations (Cf. 1300)
9830	College and Universities (Cf. 7648) (Optional)
9840	Student Teaching and Internships
9900	Education Research Agencies
9920	School Accreditation
9950	State Education Agency Relations

Section 9000 – General Public and Organizational Relations

9001 School Community Relations (Cf. 1220)

9001

Goals and Objectives

Educational public relations are a planned and systematic two-way process of communication between the Board, the Academy, and its internal and external publics. Its program serves to stimulate a better understanding of the role, objectives, accomplishments, and needs of the organization. Educational public relations are a management function, which interprets public attitudes, identifies the policies and procedures of an individual organization with the public interest, and executes a program of action to encourage public involvement and to earn public understanding and acceptance.

The Board shall, through its staff:

- Keep community regularly informed through available channels of communication on policies, programs, problems, and planning of the school system,
- Invite the advice and counsel of the Academy community, and
- Solicit input of the Academy community through advisory committees selected from the community and appointed by the Board.

The Board seeks to establish a satisfactory working relationship with all governmental, educational, and private agencies having an interest in the operation of all public school and whose goals are compatible with those of the Academy.

Approved:

Section 9000 – General Public and Organizational Relations

9010 Public Information Program

9010

The Board accepts full responsibility for keeping the public informed about the function and operation of the Academy.

Public's Right to Know (Cf. 1370)

All decisions of the Board shall be made in public with full opportunity extended to the community to be heard prior to the making of these decisions. Closed sessions shall be held to a minimum and only for specific reasons as provided by current law.

School-Sponsored Information Media

The Board shall communicate to the community information about the operation and activities of the school.

Hazardous Materials or Conditions

The Director shall be responsible for informing the public about any hazardous materials or conditions in the Academy under the provision of the Michigan Public Health Code.

The implementation of the public information program of the Academy shall be the responsibility of the Director.

Approved:

Section 9000 – General Public and Organizational Relations

9010-R Public Information Program

9010-R

School-Sponsored Information Media

The Director shall be responsible for the content of all Academy newsletters, bulletins, and special publications and such other Academy-sponsored information media that he/she deems necessary.

The Director may publish and distribute a newsletter or other publication designed for the parent(s)/guardian(s) of the school. Copies of such publications shall be forwarded to Board members.

Section 9000 – General Public and Organizational Relations

9020 News Media Relations (Cf. 1400, 9190)

9020

The Board shall cooperate fully with all responsible news media representatives in order that the public may be more fully informed about the operations of its school.

News Releases

Routine news and information concerning school events and programs may be released to the press by or with the approval of the Director. All other news releases prepared for public distribution under the auspices of the Academy by employees or students of the Academy must have the approval of the Director prior to release. Exceptions shall be writings of athletic events, recreation, or community education activities, and school social events.

News Conferences and Interviews

All news conferences and interviews will be scheduled in such a manner that they do not disrupt the regular learning activities of the Academy.

Approved:

Section 9000 – General Public and Organizational Relations

9020-R News Media Relations

9020-R

News Releases

The Director shall prepare copies of school news releases approved by his/her office for any member of the Board upon request.

Staff members shall observe the following procedure when releasing information to the news media, except concerning athletic events, recreation or community education activities, and school social events:

1. If a staff member is approached by the news media concerning a feature story or program peculiar to that staff member or classroom, a request for approval shall be made to the Director,
2. If a staff member wishes to initiate a feature story for the news media, he/she should discuss the story with the Director. If the Director approves, he/she shall contact the appropriate media representative(s) or authorize the staff member to do so.

Section 9000 – General Public and Organizational Relations

9060 Information and Campaigns 9060

All information campaigns of the Academy shall be under the direction of the Director. Academy funds shall not be used to provide persuasive information in any partisan political campaigns.

Use of Students

Students shall not be used by the Board in any capacity to implement any information program of the Academy except that notes, attendance center announcements, or related information may be sent home via students.

Approved:

LEGAL REF: MCL 169.257

Section 9000 – General Public and Organizational Relations

9100 Board-Community Relations

9100

The Board shall seek ways to involve community members in the work of the school and to stimulate them to know more about the school.

Community Involvement in Decision-Making

The Board shall inform the community about, and may involve the community of the Academy in, the decision-making process. Ideas may be solicited and committees may be formed from community in curriculum, program design and delivery, policies, career development, citizenship, funding, and other matters, as the Board deems necessary.

Student Community Activities and Performances

The Board encourages all students to participate in community activities insofar as such activities do not conflict with their school duties.

Approved:

Section 9000 – General Public and Organizational Relations

9170 Solicitations (Cf. 5640)

9170

All persons seeking to sell, solicit, or display an item relating directly to expenditures of Academy funds to any employee on Academy premises must first secure permission from the Director before any appointment is made. All such appointments approved by the Director shall be held before or after regular school hours. All other solicitations of, or by, Academy employees are prohibited except where expressly approved by the Director.

The Board discourages all solicitations of and by staff members during regular school hours.

The Board discourages all solicitations of and by students during regular school hours.

Solicitations in School

Solicitation of students shall not be permitted without approval by the Director.

Approved:

Section 9000 – General Public and Organizational Relations

9170-R Solicitations

9170-R

Agents, solicitors, and salespersons shall not be permitted to take time of teachers or students from normal student or teaching activities.

The students and faculty of the Academy shall not be used to promote commercial or private financial interests, either through direct sales or through promotion of competitive goods or services.

This rule applies to those activities, promotions, and sales originating outside the school. Exception to this rule as written above shall be made in the case of jointly sponsored school activities and school-sponsored parent(s)/guardian(s)-teacher activities.

Materials and projects submitted for consideration under this rule must be made in writing to the Director. Requests shall be considered in light of good taste, appropriateness, and the proposal's direct contribution to the educational values in the school. Consideration shall be given at all times against unreasonably added work and responsibility for staff members.

Any individuals or organizations violating the policy on solicitations shall be reported to the Board by the Director. Violators may be denied further access to Academy premises by Board action.

Solicitations of Staff Members

All vendors must secure permission from the Director to approach an employee on Academy property for purposes of selling a product or service. If any vendor violates this procedure, he/she may be barred from making appointments with employees. The Director may also recommend not purchasing products or other such items from said vendor. If a vendor violates Board policy and is subsequently barred from soliciting, the Director shall notify the staff and the Board of his/her decision in writing.

The notice will include the name of the vendor, his/her company, and reasons for and length of the suspension. The Director may bar a vendor from soliciting sales from Academy employees for a period not to exceed 12 months from the date of suspension. Said notice will be sent to the vendor in question and to his/her immediate employer. The rights of the vendor may be restored, at a time sooner, upon petition by the vendor to the Board.

Section 9000 – General Public and Organizational Relations

9190 Interviews with Students

9190

Any representative of the news media seeking to interview any student during regular school hours or on Academy property must first gain the approval of the Director or designated representative and parent or legal guardian of the student.

Approved:

Section 9000 – General Public and Organizational Relations

9190-R Interviews with Students

9190-R

The Director shall regulate all interviews with students so that such interviews do not interfere with the educational activities of the students involved.

The purposes of the volunteer program are:

1. To increase the educational attainment of students,
2. To provide enrichment experiences beyond those that the school can provide,
3. To provide more effective utilization of teacher time and skills,
4. To give more individual attention to students who need it, and
5. To promote greater community involvement in the academic and co-curricular programs of the Academy.

General Principles

Volunteers serve only in an auxiliary capacity under the direction and supervision of the Director or other certified personnel.

A volunteer is not a substitute for a member of the staff, but does supply supplemental and supportive services.

A volunteer does not have access to confidential files and records.

Wherever possible, volunteers are assigned to the particular classroom or program where they wish to serve.

The relationship between volunteers and the staff should be one of mutual respect and confidence.

All volunteers work under the direction of the staff and provide supportive services to them. Volunteers are not teachers; they assist teachers and will only be assigned to those staff members who request them. The volunteers shall never replace the paid staff, nor will their presence mean that fewer paid staff members will be needed.

All students are expected to obey and attend to directives and instructions given to them by authorized volunteers of the Academy. Failure to abide by directives and instructions given by an authorized Academy Volunteer may result in disciplinary action under the Student Code of Conduct up to and including suspension from school.

Persons interested in volunteering time or services to the Academy should contact the Director for assignment.

Section 9000 – General Public and Organizational Relations

9230 School Volunteers

9230-2

Volunteers serving in without financial compensation are bound by Academy policies, rules/regulations, and procedures. They, as any other employee, are to be supervised by the Director or other authorized employees. All volunteers shall be at least 18 years of age, unless approved, in advance, by the Director.

At the discretion of the Director, the Academy may conduct criminal and/or professional background checks on volunteers in the same manner as for employees of the Academy. The Academy will bear the cost for criminal background checks if required.

Approved:

Section 9000 – General Public and Organizational Relations

9230-R School Volunteers

9230-R

General Guidelines

The Director shall work closely with the staff to coordinate volunteers.

Services offered by volunteers may include the following:

1. Compiling the school newsletter, arranging transportation for field trips, supervising the playground or lunchroom, etc.,
2. Working on a one-to-one or small-group basis in the classroom,
3. Assisting the media specialist,
4. Assisting with the clerical load of the school, and
5. Assisting with athletic activities.

The Director will emphasize the line that separates the certified instructional staff from the volunteers. The following instructional tasks are strictly certified staff responsibilities and not to be performed by volunteers:

1. Diagnosing student needs,
2. Prescribing instructional materials,
3. Selecting appropriate materials,
4. Counseling with students,
5. Evaluating student programs and achievement, and
6. Initiating or determining the why, the how, the where, and the when of any instruction.

The volunteer can be of considerable assistance in accomplishing some tasks; however, it is primarily the teacher's sole duty to initiate and direct such tasks.

The Role of the Director

It is the Director's responsibility to determine the scope and nature of volunteer activities, including but not limited to coordinating and tracking such activities.

Section 9000 – General Public and Organizational Relations

9290 Crowd Control at School Sponsored Activities

9290

The Board and the Director shall do all in their power to ensure that every student and adult has an opportunity to attend Academy activities without fear or harm of injury to person or property. The Board shall not allow persons with disruptive intent to endanger the safety of students, employees, or other adults; to damage Academy property; to interfere with Academy activities or the educational process; or to attempt to close the Academy.

Disorder and disruption of activities shall not be tolerated, and persons attempting such action shall be held accountable. When it becomes necessary to protect students, personnel, community and property, the Board shall seek the enforcement of all laws and prosecution of those who violate the law. Violation of any law and/or local city ordinance shall be referred to the appropriate law enforcement agency, prosecutor, and courts for proper disposition.

Prosecution of those causing disorder, disruption, or disturbances on school property will be conducted under existing city, county, and state laws and ordinances.

The Board recognizes the right of peaceful dissent providing that dissent does not infringe upon the rights of others. Further, exercising that right encourages open and constructive communication that may lead to improvement and betterment of school activities.

In accordance with administrative guidelines to be developed by the Director, employees shall be held responsible for providing for the safety and welfare of students and adults and the protection of Academy property from damages or injury by any person or groups of persons.

Definition of Disturbances or Disorders

For the purpose of this section, state statutes covering disturbance of the peace or disorderly conduct shall be used as a basis for prosecution.

Section 9000 – General Public and Organizational Relations

9290 Crowd Control at School Sponsored Activities

9290-2

Any city, county, or township ordinance in effect at the time of any disturbance at an Academy activity shall be used by the Board to aid in the prosecution of any individual or groups of individuals responsible for such disturbance.

Upon conviction of any disturbance or disorderly conduct, the individual or groups of individuals will be barred by Board action from attending any Academy-sponsored activity or event held on Academy property. The length of the ban shall be determined by the Board and shall be based on the seriousness of the act or disturbance. The Board authorizes its staff members to enforce the ban, if any, by any reasonable force including calling law enforcement officials to aid them in carrying out their assigned duty.

Approved:

Section 9000 – General Public and Organizational Relations

9290-R Crowd Control at School Sponsored Activities

9290-R

General Procedures

The following guidelines are for the use by staff members in the event of disturbances, disorder, or demonstration on or near the school site and apply to both students and adults.

The final decision for determining the nature of assistance needed at a disturbance, disorder, or demonstration is the responsibility of the Director. In the absence of the Director, the determination is to be made by the person designated to be in charge of the building or activity.

The Director and staff are responsible for handling any student or problems caused by adults. The Director shall be notified immediately of any serious problem.

In the event disturbances are caused by adults or non-students, the appropriate law enforcement officials shall be called for assistance. The chief administrative police officer or his/her designee should be alerted ahead of time when problems are suspected. Such official shall direct the activities of the police at the scene of any disturbance. The Director shall serve as liaison when police are on the scene.

Specific Procedures

In the event of a disturbance or disorder, the Director shall make an immediate assessment of the situation to determine the danger or potential danger to students, personnel, community, or Academy property. If there is apparent danger to any of the above, steps shall be taken immediately to reduce or eliminate the danger by whatever means necessary as granted under the Director's authority to discipline or maintain crowd control. The Director shall decide upon a course of action and, to the extent possible, inform the staff so that all can cooperate in carrying out that decision.

Section 9000 – General Public and Organizational Relations

9290-R Crowd Control at School Sponsored Activities

9290-R-2

The Director, or designated staff member “on the scene” and in charge shall maintain a “log” in which are listed the date, time and nature of each incident, the names of persons involved and a description of action taken.

Whenever the situation requires the assistance of the police, the Director or other person in charge shall request such assistance. Police action will be determined by police officials and their assessment of the situation.

The Board wishes to emphasize that any persons who create disturbances or disorders at any activity shall be prosecuted fully under the law. The Director or designated staff member “on the scene” and in charge shall sign the necessary complaint papers or encourage available witnesses of the act to do so. In any event, a complaint will be signed. The Board’s attorney shall take whatever action is necessary to expedite proceedings to prosecute anyone causing a disturbance at an Academy function.

Section 9000 – General Public and Organizational Relations

9300 Alcohol and Smoke Free School, Grounds, Vehicles and Facilities

9300

Tobacco Products

No person, at any time, shall smoke, chew, or otherwise use tobacco products, of any kind, on Academy property, on property under the control of the Academy, or in Academy owned or leased vehicles.

Alcoholic Beverages

No alcoholic beverages, of any kind, nor any "look alike" alcoholic beverages, shall be used by any person in the Academy building or on Academy property, nor in connection with any Academy-sponsored activity, either on or off Academy property, at any time.

General public violations will be handled in accordance with State Law.

Approved:

LEGAL REF: MCL 333.12601 *et seq.*; 750.473; OAG, 1977-1978, No 5336, p. 502
(June 28, 1978); 20 USCA§7183.

Section 9000 – General Public and Organizational Relations

9350 Gifts and Bequests

9350

The Board will consider the acceptance of gifts to the Academy from the public.

Gifts to the School

Any organization or individual wishing to make a gift to the Academy must have the approval of the Board. All gifts will be regarded as gifts to the Academy. The Board, in general, will not accept gifts with conditions attached, except as otherwise noted in statute.

Donors shall be thanked officially, in writing, by the Board on behalf of the Academy and all gifts shall be publicly acknowledged, if the donor desires.

The Director shall set forth criteria to be met in the acceptance of gifts and the procedure for examining and evaluating offers of gifts to the Academy.

Income from Gifts and Bequests

Income derived from gifts and bequests shall be credited, if possible, to the fund requested by the donor. If the request of the donor cannot be fulfilled, the gift or bequest shall be deposited in the capital fund of the Academy or any other fund specified by the Board.

Gifts by Employees

Employees are discouraged from giving gifts to any student or class of students when such gifts arise out of a school situation, class, or school-sponsored activity unless approved by the Director.

Gifts to Employees

The Board recognizes the importance and value of appreciating the efforts of employees and supports community members' desire to give appropriate class gifts. However, because of the potential for abuse, the giving or receiving of gifts directly between faculty or staff and students should be discouraged. Academy employees are prohibited from receiving gifts of substantial economic value from any person that could be viewed as improper influence.

Section 9000 – General Public and Organizational Relations

9350 Public Gifts and Bequests

9350-2

Students' Gifts to Staff Members

Students shall be discouraged from collecting money, allocating activity funds or purchasing gifts for faculty members.

Students' Gifts to the School

Student organizations, with prior approval of the organization's sponsor and the Director, may donate a portion of the organization's funds to the Academy for specific purposes enumerated by them. Such donations must have final approval of the Director or the Board depending on the size of the gift or its potential use.

Faculty Gifts to Students

Faculty members are discouraged from giving gifts to individual students or to classes of students during school hours in any attendance center or on school property.

Approved:

LEGAL REF: MCL 380.15

Section 9000 – General Public and Organizational Relations

9350-R Public Gifts and Bequests

9350-R

Gifts to the School

Persons or organizations desiring to make gifts to the Academy should contact the Director to obtain Board approval. Gifts shall not be accepted if excessive costs of installation or maintenance would be involved, unless such costs are determined by the Board to be within certain budget limitations.

A gift is defined as any donation, present, or endowment in the form of cash, merchandise, or personal favor.

Students' Gifts to Staff Members

Nothing in these rules and regulations will be construed to prohibit the giving of gifts where there is a family relationship. If such a gift is contemplated, the giving of said gift shall not be during a school day or school activity.

Students' Gifts to the School (Cf. 3800)

The Director, in cooperation with representatives of faculty and students, will develop and determine appropriate forms to be used by student organizations to seek approval from the Director or the Board to donate gifts to the Academy.

Any such gift shall become Academy property upon acceptance.

Gifts to Academy Employees

If an employee is found to have accepted a gift from any person as outlined in the policy on gifts, the Director may recommend to the Board that said employee be subject to disciplinary action.

The Director shall be responsible for the administration of this policy for all professional staff members, substitute teachers, and all non-certified employees.

Donations for Extracurricular Activities (Cf. 9520, 9710, 9730)

The Board may accept donations from school-related or community organizations or private individuals or businesses earmarked to support extracurricular activities.

The Board reserves the right to control the conditions under which such donations are accepted and establishes the following criteria to determine the acceptability of such donations:

Section 9000 – General Public and Organizational Relations

9350-R Public Gifts and Bequests

9350-R-2

1. The Board must receive funds provided for support of specific programs before the beginning of that program, and in sufficient time to permit proper planning for the institution of or continuation of the activity. Funds for support or reinstatement of athletic programs may be provided on a seasonal basis.
2. Funds must be provided in sufficient amounts so that equal opportunity and balanced programs for both boys and girls are provided.
3. The control and administration of any programs supported through earmarked donations shall remain with the Board and administrative staff. There shall be no restriction tied to the donation that would deny the Board its right and responsibility in setting policy to control said programs as regular school activities.
4. The purpose of the donation must be clearly stated in order that the Board may give full, concise, and timely consideration to the offer.
5. All donations, once received, shall be Academy property..
6. The Board reserves the right to accept or reject any gift or donation, including the right to return the gift or donation after it has been accepted.

Section 9000 – General Public and Organizational Relations

9370 Free Materials Distribution and Advertising in School

9370

The Board reserves the right to refuse distribution of any material by outside individuals or groups to the students.

Political Campaign Materials

In order to further citizenship training, the Board encourages responsible use of political materials for use in the appropriate classroom setting.

Special Interest Materials

The Director shall establish rules and regulations governing the distribution of special interest materials in the building.

Advertising in the School

No advertising of materials used for commercial purposes shall be permitted in the school building, on the grounds of the Academy, or on any Academy websites without prior approval of the Director. Advertising in student publications or on any Academy websites shall be regulated by rules and regulations developed by the Director. Ads concerning alcohol, tobacco, controlled substances, weapons, contraceptive devices, pornography, any illegal activity, or drug paraphernalia are prohibited in any Academy-sponsored publication or Academy-sponsored website.

Use of Religious Materials

The use of any religious materials may be used in the regular classroom to study the historical or cultural aspects of religion but such material is prohibited if used to indoctrinate the practice of a religion.

Dissemination of Religious Materials

Materials that have a religious content may be made available to students during non-instructional time. The Academy shall impose content neutral, time, place, and manner restrictions on the dissemination of religious materials to ensure that students are aware that the materials are not being endorsed or sponsored by the Academy.

Approved:

LEGAL REF: *Good News Club v. Milford Central School*, 121 S.Ct. 2093 (2001)

Section 9000 – General Public and Organizational Relations

9370-R Free Materials Distribution and Advertising in School

9370-R

No student shall be forced to participate in the distribution of any non-school materials in the school.

Political Campaign Materials

The Director may establish rules and regulations governing the distribution of political campaign materials in the school building during election campaigns in order to afford opportunity for all viewpoints to be considered. No student shall be forced to participate in the distribution or receipt of any political materials.

Special Interest Materials

No mailing lists of students or employees shall be given to individuals, organizations, or vendors for distributing materials without the written approval of the Director.

Advertising in the School

Advertising in the student publications may promote products by brand name except that commercial ads must comply with the policy of the Board as to content and purpose.

Distribution or posting of materials that are obscene, libelous or that may inflame or incite students so as to create a clear and present danger of the commission of unlawful acts on Academy property, or physical disruption to the orderly operation of the Academy is prohibited.

Section 9000 – General Public and Organizational Relations

9400 Visitors to the School

9400

Rules shall be posted that require all visitors to first make their presence known to the Academy office before proceeding to contact any other person in the building or on the grounds.

Any person who visits the building and/or grounds of the Academy will be under the jurisdiction of the Director who shall be responsible for developing rules and regulations governing the presence of visitors in the building.

The Director has the authority to request aid from any law enforcement agency if any visitor to the Academy building or grounds refuses to leave or creates a disturbance. Violation of this rule may lead to removal from the building or grounds and denial of further access to the building or grounds. Violators of this Board policy and its rules may be subject to governmental trespass laws.

The Board encourages the public to visit the Academy's departments, and classrooms and directs the Director to establish appropriate rules, regulations, and guidelines.

Approved:

LEGAL REF: MCL 380.1137(2)

Section 9000 – General Public and Organizational Relations

9410 Parent(s)/Guardian(s) Visitation of Classrooms

9410

The Board recognizes the central role parent(s)/guardian(s) play in the education of their children, and supports active parent(s)/guardian(s) involvement in the educational process. Parent(s)/Guardian(s) are encouraged to maintain regular contact with their child's instructors. To familiarize themselves with their child's learning environment, parent(s)/guardian(s) are also encouraged to come to planned conference evenings, school open houses, and visitation days.

Parent(s)/Guardian(s) may also visit their child's classes on other days, subject to the approval of Director and teacher and the following guidelines:

1. Visitors are required to check in at the school office prior to the start of the class that they wish to observe, and to follow individual school procedures for visitor sign-in, passes, escorts, etc.
2. Parent(s)/Guardian(s) in classrooms are there as guests and are asked to behave as quiet observers of classroom activities, unless specifically requested otherwise by the classroom teacher. Visitors should arrive before the start of class and stay until the class is dismissed.
3. Visits are for becoming acquainted with school instruction, programs, personnel, operation, and/or the facility. Parent(s)/Guardian(s) shall refrain from giving directions or making evaluations of personnel or operating procedures during their visits. If a visit leaves the parent(s)/guardian(s) with a concern, this concern should be discussed with the Director.
4. Teachers are expected to use the time between classes for preparation, meetings with students, and discussion with colleagues. Visiting parent(s)/guardian(s) are to refrain from using classroom observations for impromptu parent/guardian-teacher conferences either during or outside of class time. An appointment should be made with the teacher if the parent(s)/guardian(s) wish(es) to discuss their child's educational progress. Teachers shall refrain at all times from discussing the behaviors or achievement of other students with visiting parent(s)/guardian(s).

Section 9000 – General Public and Organizational Relations

9410 Parent(s)/Guardian(s) Visitation of Classrooms

9410-3

Parent(s)/Guardian(s) who fail to abide by these regulations or who disrupt the educational process of the school intentionally may be asked to leave and/or be denied permission for future visits.

The Director shall ensure that the provisions of this policy are published in the appropriate handbook(s) and that copies are provided to parent/guardian visitors.

Approved:

LEGAL REF: MCL 380.1137(b)(2)

All complaints regarding the Academy should be resolved at the lowest possible administrative level.

About Policies

Complaints about policies of the Academy should be directed to the Director.

About Curriculum

Complaints about the curriculum of the Academy should be directed to the Director.

About Instructional Materials

Complaints about specific instructional materials should be directed to the Director.

About Facilities and Services

Complaints about facilities and services should be directed to the Director.

About Personnel (Cf. 1370-R)

Complaints will be investigated fully and fairly, and the employee's rights to due process² shall be protected at all times.

Whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it shall be referred to the Director for study and possible solution. The employee involved will be informed and shall be given every opportunity for explanation, comment and presentation of the facts as the employee sees them. The

² Due process includes both substantive and procedural due process. Substantive due process protects employees from arbitrary, capricious, irrational, or unreasonable action (requires that a rule or a disciplinary decision must be rationally related to a legitimate state interest). Procedural due process includes the concepts of proper notice to the accused and the right to a hearing before a property interest is taken away. The extent of the procedures due depends on the nature of the interest being taken away, i.e., the more that could potentially be taken away, the more procedural protections must be provided. If the maximum penalty that could be imposed is relatively small, only a small amount of procedural due process is required.

Section 9000 – General Public and Organizational Relations

employee shall also be given the opportunity to meet with the person(s) making the complaint if the employee so desires.

9450 Complaints

9450-2

The employee involved may request a closed session of the Board for a full study and decision by this body. Statutory provisions for closed sessions of the Board shall be observed.

Generally all parties involved, including the administration, will be asked to attend such a meeting to present additional facts and clarify the issues. Hearsay and rumor shall be disregarded as will any emotional display.

The Board shall conduct such meetings in as fair and just a manner as possible. The Board may request a disinterested third party to act as moderator to help the Board reach a mutually satisfactory solution.

Approved:

LEGAL REF: MCL 15.261 *et seq.*

Section 9000 – General Public and Organizational Relations

9450-R Complaints

9450-R

The Director shall report any unresolved complaint about policies to the Board at the next regularly scheduled Board meeting.

About Curriculum

The Director shall report a failure to resolve any complaint about curriculum to the Board at the next regularly scheduled Board meeting.

About Instructional Materials

The Director shall report any unresolved complaint about instructional materials to the Board at the next regularly scheduled Board meeting.

About Facilities and Services

The Director shall report any unresolved complaint about facilities and services to the Board at the next regularly scheduled Board meeting.

About Personnel

The Director shall report any unresolved complaint about personnel to the Board immediately after receiving the complaint.

Section 9000 – General Public and Organizational Relations

9470 Loitering - Unauthorized Persons

9470

Unauthorized persons loitering in, about the building, or on school grounds shall be asked to leave the premises. Any such person failing to leave the premises shall be considered to be in probable violation of disorderly conduct or trespassing statutes and law enforcement officers shall be notified and requested to remove the individual.

Approved:

Section 9000 – General Public and Organizational Relations

9470-R Loitering - Unauthorized Persons

9470-R

Employees shall report any person loitering on or near the building or Academy grounds to the Director.

The Director may request such an unauthorized person to leave or remove him/her from the Academy premises or area.

If the person does not leave voluntarily or resists removal, law enforcement officials shall be notified and requested to assist in the removal.

Employees shall notify the Director's office immediately if such a situation develops.

Section 9000 – General Public and Organizational Relations

9500 Relations with Other Schools

9500

The Board shall cooperate whenever possible and practicable with other schools in matters of common concern.

This cooperation may extend to such areas as joint educational services, research, exchange of data and information, coordination of curriculum, coordination of school activities and calendars, and cooperative use of school facilities.

Approved:

LEGAL REF: MCL 380.1280a

Section 9000 – General Public and Organizational Relations

9500-R Relations with Other Schools

9500-R

Prior to joining any cooperative programs or participating in any joint educational services with another school in the area, the Board shall weigh the desirability and feasibility of such cooperation carefully, and shall ensure that in all instances the best interests of the students are served. The financial impact in relation to services received shall be investigated. The Director shall provide as much background information as possible to facilitate the Board's decision-making on such programs.

Section 9000 – General Public and Organizational Relations

9520 School-Community Cooperation (Cf. 1180, 9540)

9520

The Board shall seek to foster an atmosphere of cooperation between the Academy and all community groups and organizations whose operation is affected by the activities of the Academy.

Community Committees

As necessary and appropriate, the Director may notify the Board that he/she feels the need to establish an ad-hoc committee(s) of parents/guardians, community members, members of the business community, members of the academic community, law enforcement officials, media representatives, or other persons to address certain concerns or to contribute to planning of Academy programs, events, or to address other Academy issues. Any such ad-hoc committee(s) must be approved by the Board.

Ad-hoc committees shall report to the Board on their progress at regular intervals.

Approved:

Section 9000 – General Public and Organizational Relations

9540 School-General Government Relations (Cf. 1180, 9520)

9540

The Board seeks to establish a satisfactory working relationship and to open lines of communication with all governmental agencies having an interest in the activities of the Academy. This may be accomplished through the creation of ad hoc committees, inter-local memberships, or appointment of representatives to serve as liaison with specific organizations.

Approved:

Section 9000 – General Public and Organizational Relations

9570 Relations with Law Enforcement and Investigating Authorities (Cf. 8580) 9570

Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment, and for safeguarding all Academy property.

The behavior of students outside of school hours and away from the Academy grounds is the responsibility of the parent(s)/guardian(s) rather than the Academy. It is the feeling of the Board that a student under suspicion of having committed a misdemeanor or crime at times or places outside the jurisdiction of the Academy authorities, is entitled to the guidance, assistance and protection of the parent(s)/guardian(s). It is the preference of the Board that police questioning of students in the school and during school hours are undertaken only after the parent(s)/guardian(s) has been duly notified and is present. The Director shall notify an investigating officer(s) of this preference and seek his/her (their) cooperation in waiting until parent(s)/guardian(s) have been duly notified and are present before questioning begins.

Because of the nature of such investigation and because of the statutory authority bestowed upon the Department of Human Services (DHS) concerning the investigation of child abuse, authorized agents of said department with proper identification shall be permitted to talk with students in school without the presence of the parent(s)/guardian(s).

The Academy recognizes that the DHS may, lawfully, interview a child alleged to have been abused without the presence of the Director or other school personnel. However, in appropriate cases, the Director may request that he or she, or a designated representative, be present during the interview.

Approved:

LEGAL REF: MCL 722.628

NOTE: This is a recommended yet an optional policy that sets forth the Board's preference that police officers refrain from questioning students except by parent(s)/guardian(s) permission and in their presence. Academy policy, however, cannot MANDATE such cooperation by law enforcement officers or officials.

Section 9000 – General Public and Organizational Relations

9600 Relationship with Planning Authorities

9600

The Board shall participate in local planning functions that may affect the Academy and its immediate environment directly.

Approved:

Section 9000 – General Public and Organizational Relations

9610 Relationship with Zoning Authorities

9610

The Board directs the Director to request that notification of zoning proposals and changes that may affect the Academy be sent to the Academy by zoning authorities in the county, townships, and cities within the Academy attendance area it being understood, however, that only the State Superintendent of Public Instruction is authorized, by law, to approve building and site plans for a public school.

Approved:

LEGAL REF: *Charter Township of Northville, et al. v Northville Public School*, 469 Mich 285; 666 NW2d 213(2003).

Section 9000 – General Public and Organizational Relations

9620 Relations with Political Organizations (Cf. 7760)

9620

Political candidates or political parties shall be prohibited from promoting candidates or political party activities in the building during school hours except as they might be invited to speak, either as part of a class project or as part of the instructional program, as provided in the policy on controversial speakers.

Such organizations may use Academy facilities according to Board policy.

The circulation of petitions is not permissible when done during an employee's assigned working hours or student's instructional hours.

Approved:

Section 9000 – General Public and Organizational Relations

9670 Relations with Federal Governmental Authorities

9670

The Board shall make every effort to keep its members informed of federal legislative proposals that may affect the Academy. The Board may take positions on such issues and communicate such positions to congressional representatives and U.S. senators either directly or through its state association. Copies of positions sent to congressional representatives and U.S. senators may be sent to the Michigan Association of School Boards as a matter of record. The Board shall encourage its members to take an active role in influencing federal legislation affecting charter academy school.

Approved:

Section 9000 – General Public and Organizational Relations

9710 Relations with Parental/Guardian Organizations (Cf. 9730)

9710

Each parental/guardian organization should request official recognition by the Board, and in so doing, present its purposes and goals, along with its constitution and bylaws, to assist the Board in its deliberations as to whether or not the organization should be recognized as a bona fide community/school group supported by the Board. Once recognized, such organizations shall work closely with the Board and personnel in the building or the department that they represent in any projects carried on for the benefit of the Academy or Academy programs.

The Board encourages active support and cooperation with parental/guardian organizations by the Director, teachers, and other employee groups.

Approved:

Section 9000 – General Public and Organizational Relations

9720 Parent(s)/Guardian(s) and School Partnerships (Cf. 7175)

9720

The Board encourages parent(s)/guardian(s) involvement in the school through programs and activities designed to increase parent(s)/guardian(s)-school communications and to involve parent(s)/guardian(s) in the development and implementation of educational policies and school programs.

Approved:

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Section 9000 – General Public and Organizational Relations

9730 Relationship with Booster Organizations (Cf. 9710)

9730

All Academy-associated organizations, such as booster groups, that are formed to promote and assist in the financing of a given activity for the improvement of student education or extracurricular activities, must be approved and recognized by the Board officially before claiming any affiliation with the Academy. These organizations must keep a record of officers, bylaws, mailing addresses and other pertinent information as may be required by the Director on file in the Director's office.

Booster organizations shall handle their own accounting and bookkeeping procedures and maintain their own separate accounts for income and expenditures. However, each organization shall be required to submit, at a minimum, an annual financial report to the Board giving a full accounting of their financial dealings for the year including money raised and expended. No member or officer of any Academy-associated organization shall draw a salary or receive wages of any kind in connection with their work with any Academy-associated organization with the exception that members or officers may be reimbursed for personal expenditures made on behalf of the organization to a maximum of \$1,000.00 per year as verified by actual receipts. Any organization failing to Submit an annual financial statement as required by this policy shall be subject to having their Board approval withdrawn and will no longer be allowed to raise funds on behalf of the Academy or use the name of the Academy in any way to imply or infer that they are an Academy-associated organization.

All purchases by such organizations shall be billed directly to them and sent to their mailing addresses and not to the Academy.

Expenditures shall be made in such a way so that equal consideration is given to the needs of both boys' and girls' academic programs, sports, and activities. Equipment and material purchased by these organizations and presented to the Academy shall become the property of the Academy and under the control of the Board.

Approved:

Section 9000 – General Public and Organizational Relations

9820 Intermediate Academy Relations (Cf. 1300)

9820

The Board is committed to cooperating with its authorizing agency, the Washtenaw County Intermediate School District, in special programs and services provided by the Intermediate District. The Director shall assume the responsibility of evaluating the various programs and services provided, alerting the Board to such services and recommending to the Board participation in various services and programs.

The Board shall, through directions to the Director or by specific action, communicate to the Intermediate District its concerns about intermediate organizational services and suggestions or recommendations of services, which, in its judgment, deserve consideration.

Approved:

LEGAL REF: MCL 380.624

Section 9000 – General Public and Organizational Relations

9840 Student Teaching and Internships

9840

The Board may consider the use of student teachers and interns in classes and programs maintained by the Academy upon conclusion of a written contract with Area College and Universities.

Approved:

LEGAL REF: MCL 380.1531b

Section 9000 – General Public and Organizational Relations

9840-R Student Teaching and Internships

9840-R

When placing student teachers and interns in the Academy, the Director and staff shall:

1. Provide for placement of student teachers and interns with outstanding teachers who shall serve as supervisors,
2. Protect students from being overexposed to student teaching, and teachers from excessive supervisory responsibilities toward student teachers and interns,
3. Ensure placement of student teachers and interns without regard to race, color, sex, sexual orientation, age, creed, national origin, or handicap, and
4. Make provisions with higher education institutions to provide for cooperative selection of students to be placed in the Academy's school.

Student Teacher Selection

Prospective student teachers shall complete a standard application form and be interviewed by the Director who shall determine whether the student is acceptable.

Supervising Teacher Selection

The Director shall be responsible in determining those teachers who may be designated as supervising teachers. This shall be done with the prior approval of the teaching staff.

The duties and responsibilities of supervising teachers and the Director regarding student teachers and interns can be found in the appropriate staff/faculty handbooks on file in the Academy office.

If at any time a student teacher or intern becomes unacceptable, the Academy reserves the right to refuse that student teacher or intern further teaching experience within the Academy.

Student teachers shall not be used as substitute teachers in case of teacher illness or other personal reason. However, special arrangements may be made with the universities to allow student teachers or interns to substitute in order to provide the opportunity for the supervising teacher to attend approved in-service programs or workshops.

Section 9000 – General Public and Organizational Relations

9840-R Student Teaching and Internships

9840-R-2

A written contract shall be negotiated with and signed by a duly authorized representative of the university and shall include an agreement whereby the Academy is relieved of its responsibility and liability for Worker's Compensation claims which may result from accidents to student teachers and interns performing their assigned responsibilities within the Academy.

In all instances, the student teacher or intern shall be under the direct supervision of the Director.

Section 9000 – General Public and Organizational Relations

9900 Education Research Agencies

9900

The contributions of appropriate educational research to teaching and school administration are recognized by the Board. The Academy shall cooperate when possible with colleges, universities, and other recognized agencies to promote educational research that shall:

1. Increase professional knowledge of teaching and learning processes and the social setting in which they operate,
2. Sharpen perception of instructional and administrative problems,
3. Establish instructional and management objectives, and
4. Assess progress toward accomplishment of Academy objectives.

All requests for use of Academy staff, students, or facilities for purposes of educational research shall be submitted in writing to the Director. The Director's decision as to the appropriateness and value of the proposed research and whether or not to engage in the research/study shall be final.

Approved:

Section 9000 – General Public and Organizational Relations

9920 School Accreditation

9920

The Board shall make every effort through its policies and decisions to operate an educational program that shall meet the criteria of the Michigan Accreditation Plan as provided by the Michigan State Board of Education and the North Central Association of Secondary School and Colleges. Academy administrators and staff shall cooperate fully with these associations in their periodic evaluations of the Academy program and shall keep the Board informed as to the status of these evaluations. The Director shall keep the Board informed regarding weaknesses that may endanger accreditation and shall make recommendations, which shall be designed to correct such weaknesses.

Approved:

LEGAL REF: MCL 380.1204a

Section 9000 – General Public and Organizational Relations

9950 State Education Agency Relations

9950

The Board seeks to cooperate fully with the rules and regulations of the Michigan State Board of Education and the Michigan State Department of Education.

The Board shall make every effort to keep its members informed of state legislative proposals that affect public charter academy schools. The Board may take positions on such issues and communicate such positions to legislators, legislative committees, or through its state association. Copies of positions sent to legislators and committees may be sent to the Michigan Association of School Boards as a matter of record. The Board shall encourage its members to take an active role in influencing state legislation affecting charter academy school.

Approved: