

# Landmark Academy

## ANNUAL PARENTAL POLICY NOTICES



### Limited English Proficiency (LEP) Parent Involvement (pol. 2112)

In accordance with federal law, parents of LEP students will be provided notice regarding their child's placement in and information about the School's LEP program. Parents will be notified about their rights regarding program content, participation and the right to remove the child from an LEP program and to place the child in a regular program.

### American Indian and Children Residing on Indian Lands Parent Involvement

In accordance with federal law, parents will be afforded the opportunity to present their views on programs provided to their students.

### Migrant Education Program (MEP) Parent Involvement

Parents of students in the MEP will be involved in the development, implementation, operation, and evaluation of the program.

### Nondiscrimination id Education (pol. 2260)

Landmark Academy hereby agrees that it will comply with federal laws prohibiting discrimination and with all requirements imposed by or pursuant to regulations of the U.S. Department of Education. Therefore, it shall be the policy of the school that no person, on the basis of religion, race, color, national origin, sex, disability, or age, shall be discriminated against in its programs, activities, or employment.

Further, it is the policy of this school to provide an equal opportunity for all students regardless of gender, religion, race, color, national origin or ancestry, age, disability, marital status, and/or other legally protected characteristic, to learn through the curriculum offered in this school.

### Section 504 in Michigan (pol.2260.01)

Section 504 eligibility has changed in the last few years, and the OCR states that many students who did not qualify prior to January 1, 2009, including those who had individualized health plans, may now qualify under the expanded interpretations under the ADA amendments. Any student with a disability will qualify. Here is what that means:

If your student has a mental or physical disability which substantially limits one or more major life activity, then your student is eligible to be protected under the 504 Civil Rights Law. A major life activity is something in your student's life that is substantially limited in performance compared to most people in the general population. A few examples of major life activities are feeling, breathing, thinking, interacting with others, etc.

Students with mental or physical disabilities who are taking mitigating measures, such as medication, assistive technology devices, psychotherapy or physical therapy will not be considered for eligibility per the new laws.

If you believe your student should be considered for evaluation per Section 504 Law, please contact the school and let us know.

### Parent Participation in Title I Programs (pol. 2261.01)

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

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

- Involve parents in the program, inviting their participation in the development of the plan;
- Conduct meetings with parents, using flexible scheduling; offering whatever assistance the Academy may be able to give parents to better ensure their attendance at meetings; and provide information on school and parent programs, meetings and other activities to Title I parents in a language and format the parents can understand;
- At meetings, review and explain the curriculum, means of assessment, and the proficiency levels students are expected to achieve and maintain;
- Provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision making about the program and revisions in the plan;
- Involve parents in the planning, review, and improvement of the Title I program;
- Inform parents about the Academy's performance profiles and their child's individual performance;
- Assist parents in helping their children to achieve the objectives of the program by ensuring regular attendance; monitoring television-watching; providing adequate time and the proper environment for homework; guiding nutritional and health practices; and the like;
- Give timely response to parental questions, concerns and recommendations;
- Provide coordination, technical assistance, and other support necessary to assist Title I staff to develop effective parental participation activities to improve academic achievement;
- Conduct with parents an annual evaluation of the parental involvement plan, identifying any barriers to greater parental involvement (such as limited English, limited literacy, economic disadvantage, disability, migrant status, etc.) and devising strategies to improve parental involvement;
- Coordinate the parental involvement plan with other programs, such as Head Start, Reading First, Even Start, Parents as Teachers, and Home Instruction for Preschool Youngsters; the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers to encourage and support greater parental involvement;
- Conduct other activities as appropriate to the plan and State and Federal requirements;
- Provide such reasonable additional support for parental involvement activities as parents may request.

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

- Convene an annual meeting at a convenient time to which parent of participating children are invited to explain the parents' rights to be involved and the Academy's obligations to develop an involvement plan;
- Devise a flexible meeting schedule and assistance to encourage parental involvement, such as childcare, transportation, home visits, or similar aid;
- Involve parents in an organized, on-going, and timely way in the development, review and improvement of parental involvement activities;
- Provide participating students' parents with the following:
  - Timely information about the Title I programs;
  - An explanation of the curriculum, the forms of academic assessment and the proficiency levels expected;
  - Regular meetings, upon request, to make suggestions and receive response regarding their student's education;

- Develop jointly with parents and Academy-parent compact, outlining the responsibilities of the school staff, the parents and the student for academic improvement, including the following:

- The Academy's responsibility to provide high quality curriculum. And instruction in a supportive, effective learning environment;
- Parents' responsibility for such things as regular attendance, homework completion, participation in extracurricular activities, excessive television watching; parent volunteers in the classroom;
- The importance of parent-teacher communication on an ongoing basis through at least annual parent-teacher conference to discuss achievement and the compact; frequent progress reports to the parents; reasonable access to the staff; and opportunities to observe and participate in classroom activities.

### Notification of Health Education Program and the Program on Reproductive Health and Family Planning (pol. 2413)

The Board of Directors has adopted a comprehensive Health Education Program which will prepare students to maintain good health and enable them to adapt to changing health problems of our society. It is designed to provide an appropriate means for students to acquire the knowledge, skills, and attitudes necessary to maintain good health.

In compliance with State law and with its desire to maintain effective communication with parents and the community, the Board has made arrangements for the programs and instructional material to be available for review by any parent or interested member of the community.

If you wish to review any or all of the programs, please contact your building administrator. After reviewing the programs, if you wish to discuss them, please contact your building administrator. The Board recognized that this program, like others the school offers, may contain content and/or activities that some parents find objectionable. The school shall notify the parents in advance of the instruction and as to the content of the course, giving the parents an opportunity to review the materials to be used. Upon written request a parent/legal guardian may excuse their child, without penalty, from those materials in the course that they deem to be objectionable.

In implementing these programs, the School Administrator/Administrative Team may use whatever school and outside resources, including Department of Education and ISD guidelines and consultants, she/he deems appropriate.

### Student Privacy & Parental Access to Information (pol. 2416)

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

- Political affiliations or beliefs of the student or his/her parents;
- Mental or psychological problems of the student or his/her family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals or other individuals with whom respondents have close, family relationships;
- Legally-recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or his/her parents;
- or income (other than that required by law to determine eligibility for participation in a program or receiving financial assistance under such a program).'

### Disclosure of Personal Information to the Military (pol. 2416)

The Family Educational Rights and Privacy Act (FERPA) provides for disclosure of a student's personal information to military recruiters upon request unless parents have advised us that they do not want their student's information disclosed without their prior written consent.

If a parent or adult student does not want Landmark Academy to disclose personal information from a student's education records to military recruiters without prior written consent, the building administration must be notified in writing no later than the last Friday of September.

### Notification of Rights under FERPA for Elementary and Secondary Schools (pol.2416)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the school receiving a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent 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 or eligible student believes is inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. In writing, notify the school principal (or appropriate school official), clearly identifying the part of the record to be changed, and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise him/her of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee or assisting another school official in performing his or her tasks. A school official has legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district 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  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

### Title I Services (pol. 2661)

The Boards of Directors elects to augment the educational program of educationally disadvantaged students by the

use of Federal funds and in accordance with Title I of the Elementary and Secondary School Secondary Education Act of 1965, as amended.

The School Administrator/Administrative Team shall prepare and present to the State Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff.

Members and parents of students, who will be served by the plan. The school will periodically review and revise the plan, as necessary.

### Assessment

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

### Scope

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

### Participation

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

### Comparability of Services

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

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

To achieve comparability of services, the School Administrator/Administrative Team shall assign teachers, administrators, and auxiliary personnel and provide curriculum materials and instructional supplies in such a manner as to ensure equivalence throughout the school.

### Professional Development

Members of the professional staff may participate in the design and implementation of staff development activities that meet the requirements of the law.

### Title I Programs (pol 2261)

- Assistance to parents in understanding Title I, including providing information in a language understandable to the parents, if practicable;
- Parent notification of Title I student selection and criteria for selection;
- Information regarding child's achievement and progress;
- A provision for input by Title I staff at regularly scheduled parent-teacher conferences and any additional communication as requested by the Title I staff or parents;
- Opportunities to enhance parent capacity to work with children in the home on school learning;
- Professional development opportunities for teacher and staff to enhance their understanding of effective parent involvement strategies;
- Ongoing communication between the school and parents;
- Other appropriate activities (i.e. Family Math Nights, parent sessions, science, theatre, etc.)

If the School is a recipient of Title I funds, it hereby adopts the following policy statements regarding the development of a plan for parental involvement in the development of a Title I plan, and directs the administration to:

- Involve parents in the development of the plan;
- Develop a plan that provides for the activities of the school;
- Provide the necessary technical, research, staff and administrative support to school in the planning and implementing of effective parent involvement activities to improve student academic achievement and school performance;
- To integrate and coordinate the plans/policies for parental involvement in Title I programs, including but not limited to Head Start (if applicable);
- To review and evaluate the school's plan annually and to share the results of that review and evaluation with the School Board;
- To assure that the policy/plan contains a compact that outlines how parents, school staff and students will share the responsibility of improved student achievement;
- To distribute the school plan to parents of participating children and to the local community.

### Parent and Family Member Participation in Title I Programs

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

Each year the School Administrator/Administrative Team shall work with parents and family members of children served in Title I programs in order to jointly develop and agree upon a proposed written parent and family engagement policy to establish expectation for the involvement of such parents and family members in the education of their children. The proposed policy shall be reviewed and approved annually by the Board of Directors and distributed to the parents and family members of children receiving Title I services. The proposed policy must establish the school's expectation and objectives for meaningful parent and family engagement, and describe how the school will:

## ANNUAL PARENTAL POLICY NOTICES (continued)

### Parent and Family Member Participation in Title I Programs (continued)

- A. Involve parents and family members in the development of the School's Title I plans and any State-mandated comprehensive support and improvement plans;
- B. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of all patiating academies in planning and implementing effective parent involvement activities to improve student achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;
- C. Coordinate and integrate parent and family engagement strategies, to extent feasible and appropriate, with other Federal State, and local laws and programs;
- D. With meaningful involvement of parents and family members manually evaluate the contact and effectiveness of the parent and family engagement policy in improving the academic quality of schools, including:
  1. Identifying barriers to greater parent participation (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
  2. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
  3. Strategies to support successful school and family interactions.
- E. Use the findings of the above-referenced evaluation to:
  1. Design evidence-based strategies for more effective parental involvement; and,
  2. Revise the parent and family engagement policy, if necessary;
- F. Involve parents in the activities of the School's Title I, which may include establishing a parent advisory board that may be charge with developing, revising and reviewing the parent and family engagement policy;
- G. Provided opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency and/or disabilities, and parents and family members of migratory children), including providing information and school reports in a format, and to the extent practicable in a language, such parents can understand;
- H. Conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;
- I. Develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- J. Provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- K. Involve parents in the planning, review, and improvement of the Title I program;
- L. Communicate information concerning school performance profiles and their child's individual performance to parents;
- M. Assist parents in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- N. Provide timely responses to parental questions, concerns, and recommendations;
- O. Coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent participation activities to improve academic achievement;
- P. Conduct other activities as appropriate to the Title I plan and State and Federal requirements.

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

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

The School Administrator/Administrative Team must also assure that each Title I participating school develops a specific written plan, with parental involvement and agreement, which includes provisions regarding the following:

- A. Each School Administrator/Administrative Team must convene an annual meeting at a convenient time to which all parents of participating children are invited and encouraged to attend to explain the parents' rights to be involved and the school's obligations to develop a parent and family engagement policy.
- B. Meetings with parents of children receiving Title I services must be scheduled at flexible times with assistance such as childcare, transportation, homes visits, or similar aid offered to parents to encourage their involvement.
- C. Parents must be involved in an organized, on-going and timely way in the development, review, and improvement of parent involvement activities, including the planning, review and improvement of the school parent and family engagement policy, and the joint development of the schoolwide program plan, if appropriate.
- D. Parents of participating student must be provided with:
  1. Timely information about the Title I program & the school's parent and family engagement policy;
  2. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels expected;
  3. Regular meeting, upon request, for parents to make suggestions and to participate as appropriate, in decisions relating to the education of their children, and receive responses regarding the parents' suggestions about their students' education as soon as practicably possible.
- E. If the written plan is not satisfactory to the parents of the participating children, the school must submit any parents' comments when it presents the plan to the School Administrator/Administrative Team.

- F. As a component of the school-level parent and family engagement policy, the School Administrator/Administrative Team for each school shall coordinate the development of a school-parent compact jointly with parents of children served under Title I which outlines how the school staff, the parents and the students will share responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help students achieve the State's high standards. The compact must:
  1. Describe the school's responsibility to provide a high-quality curriculum and instruction in a supportive, effective learning environment;
  2. Describe the ways in which each parent is responsible for supporting their child's learning environment such as monitoring attendance, homework, extra-curricular activities and excessive television watching; volunteering in the classroom; and participating, as appropriate, in decisions relating to the education of their children and their positive use of extra-curricular time;
  3. Address the importance of parent/teacher communication on an on-going basis through as least annual parent teacher conferences to discuss the child's achievement and the compact; frequent progress reports to the parents on their child's progress; reasonable access to the staff and to observe and participate in classroom activities and regular two-way meaningful communication between family members and school staff, and to the extent practicable, in a language that family members can understand.
- G. Parents of children receiving Title I services must be notified about their school's parent and family engagement policy in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. These policies must also be made available to the community.
- H. School-level parent and family engagement policies must be updated periodically to meet the changing needs of parents and the schools.

In order to involve parents in the education of their children and to support a partnership among the school, parents and the community for improving student academic achievement, the School Administrator/Administrative Team and building principals must include provisions in the school and parent and family engagement policies regarding:

- A. Assisting parents of children served under Title I in understanding such topics as the State academic standards, State and local academic assessments, Title I, and how to monitor their child's progress and how to work with educators to improve their child's achievement;
  - B. Providing materials and training to help parents work with their children to improve achievement, such as literacy training and using technology (including education about the harms of copyright privacy);
  - C. Educating teachers, specialized instructional support personnel, School Administrators/Administrative Teams (including principals), and other staff, with the assistance of parents, about the values and utility of contributions of parents, how to reach out to, communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;
  - D. To the extent feasible and appropriate, coordination and integration of parent involvement programs and activities with other Federal, State and local programs (including public preschool programs), and conducting other activities that encourage and support parents more fully participating in the education of their children (e.g. parent resource centers);
  - E. Providing information related to school and parent programs meetings, and other activities to parents of participating children in a format, and to the extent practicable, in a language the parents can understand;
  - F. Providing such reasonable support for parent involvement activities as parents may request.
- In order to build the school's capacity for parent involvement, the School Administrator/Administrative Team and building principals may also:
- A. Involve parents in the development of training for teachers and administrators and other educators to improve the effectiveness of such training;
  - B. Provide necessary literacy training from Title I funds if the school has exhausted all other reasonably available sources of funding for such training;
  - C. Pay reasonable and necessary expenses associated with parental involvement activities to enable parents to participate in school related meetings and training sessions, including transportation and childcare costs;
  - D. Train parents to enhance the involvement of other parents;
  - E. Arrange school meetings at a variety of times, or conduct in-house conferences between teachers or other educators who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
  - F. Adopt and implement model approaches to improving parental involvement;
  - G. Establish a school parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
  - H. Develop appropriate roles for community-based organizations and business in parental involvement activities.

### Anti-Harassment (pol.5517.01)

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

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

### Other Violations of the Anti-Harassment Policy

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

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

### Definitions

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

**School community:** means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Complainant:** is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

**Respondent:** is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

**Third Parties:** include, but are not limited to, guests, and/or visitors on School property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School community at School-related events/activities (whether on or off School property).

**Day(s):** unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays)

### Bullying

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

- |                          |                            |  |
|--------------------------|----------------------------|--|
| A. Teasing               | B. Threats                 | C. Intimidation                            |
| D. Stalking              | E. Cyberstalking           | F. Cyberbullying                           |
| G. Physical violence     | H. Theft                   | I. Sexual, religious, or racial harassment |
| J. Public humiliation or | K. Destruction of property |  |

### Harassment

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

- A. Places a student or School employee in reasonable fear of harm to his/her person or damage to his/her property/
- B. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits or an employee's work performance; or
- C. Has the effect of substantially disrupting the orderly operation of the school.

### Sexual Harassment

For the purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964 "sexual harassment" is defined as: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made wither implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity;
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual;
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

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

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes, unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videotapes, posters, audio recordings or literature, placed in the work or educational environment, which may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or talking about, sexual fantasies, sexual preferences, or sexual activities;
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, which has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. In appropriate boundary invasions by an employee or other adult member of the school community into a student's personal space and personal life.
- M. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

# ANNUAL PARENTAL POLICY NOTICES (continued)

## Sexual Harassment (continued)

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent, such that it adversely affect, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to or has the effect of denying or limiting a student's ability to participate in or benefit from the educational program or activities.

## Race/Color Harassment

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

## Religious (Creed) Harassment

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

## National Origin Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; or creating an intimidating, hostile, or offensive working and/or learning environment, or of interfering with one's ability to participate in or benefit from a class or an education program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

## Disability Harassment

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

## Anti-Harassment Compliance Officers

The following individual(s) shall serve as the School's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

Administrator – 4800 Lapeer Road – Kimball, MI 48074

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

The Compliance Officer(s) are responsible for coordinating the school's efforts to comply with applicable Federal and State laws and regulations, including the school's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

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

Compliance Officer(s) shall accept reports of unlawful harassment directly from any member of the school community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other School official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal for formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the compliance Officer(s) will prepare recommendations for the Educational Service Provider or will oversee the preparation of such recommendations by a designee. All Educational Service Provider employees must report incidents of harassment that are reported to them to the Compliance Officer(s) within two (2) days of learning of the incident.

Any Educational Service Provider employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Educational Service Provider employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Educational Service Provider employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age of eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

## Reports and Complaints of Harassing Conduct

Members of the School community along with Third Parties are encouraged to promptly report incidents of harassing conduct to the School's Anti-Harassment Compliance Officer(s) so that the School's Anti-Harassment Compliance Officer(s) may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other School official who receives such a report shall file it with the Compliance Officer(s) within two (2) days of receiving the report of harassment.

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

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the School Administrator believes that the reported misconduct may

have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the School Administrator will report the act of bullying, aggressive behavior and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer(s) investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the School Administrator shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer(s) shall keep the Educational Service Provider informed of the status of the investigation and provide the Educational Service Provider with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Educational Service Provider with the determination of responsibility that results from the Policy 2266 grievance process.

## Investigation and Complaint Procedure

Except for Sexual Harassment that is covered by Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, any student who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through either of the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

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

The procedures set forth below are intended to interfere with the rights of a student to pursue a complaint of unlawful harassment of retaliation with the United States Department of Education Office for Civil Rights.

## Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes she/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complain process but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process. The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving an Educational Service Provider employee, any other adult member of the school community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing conduct is unwelcome and must stop. The Complainant should address the alleged harassing conduct as soon after it occurs as possible. The Compliance Officer(s) are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file an informal or formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer(s) may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Educational Service Provider; and/or (3) directly to one of the Compliance Officer(s).

All informal complaints must be reported to one of the Compliance Officer(s) who will either facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Board's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not limited to, one or more of the following:

- Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- Distributing a copy of this anti-harassment policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- If both parties agree, the Compliance Officer(s) may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Office(s)/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint, the Complainant process may proceed to file a formal complaint and, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

## Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, principal, or other School official at the student's school, the Compliance Officer(s), educational Service Provider, or another School Employee who works at another school. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known, and potential witnesses are available. If a Complainant informs a teacher, principal, Educational Service Provider, or other School office, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer(s)/designee within two(2) business days.

Through the course of the process, the Compliance Officer(s) should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above the

Compliance Officer(s) shall ask for such details in an oral interview. Thereafter, the Compliance Officer(s) will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reposted charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer(s) will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule to the Complainant and/or Respondent. In making such a determination, the Compliance Officer(s) should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer(s) may still take whatever actions deemed appropriate in consultation with the Educational Service Provider.

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

Simultaneously, the Compliance Officer(s) will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

- Interviews with the Complainant;
- Interviews with the Respondent;
- Interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- Consideration of any documentation or other information presented by the Complainant, Respondent, or any witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer(s)/designee shall prepare and deliver a written report to the Educational Service Provider that summarized the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. The Compliance Officer's recommendations must be based upon the totality of the circumstances. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer(s) may consult with the Board's legal counsel before finalizing the report to the Educational Service Provider.

Absent extenuating circumstances, within ten (10) days of receiving the report of the Compliance Officer(s)/designee, the Educational Service Provider must either issue a written decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Educational Service Provider's final decision will be delivered to both the Complainant and the Respondent.

If the Educational Service Provider requests additional investigation, the Educational Service Provider must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the Educational Service Provider shall issue a written decision as described above.

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

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

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

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

## Privacy/Confidentiality

The school will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

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

## Sanctions and Monitoring

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

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

## Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil

## ANNUAL PARENTAL POLICY NOTICES (continued)

### Anti-Harassment (pol. 5517.01) continued

#### Retaliation (continued)

rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person from making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition disciplinary sanction/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above. The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

#### Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

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

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

#### Education and Training

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

#### Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conduction investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- All written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- Any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- Any documentation that memorializes the actions taken by School personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the school's responses to the alleged violation of this policy;
- Written witness statements;
- Narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- E-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- Notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes who content is otherwise memorialized in other documents;
- Written disciplinary sanctions issued to students or employees and other documentation that memorialized oral disciplinary sanctions issued to students or employees for violations of this policy;
- Dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigations, including any consequences imposed as a result of a violation of this policy;
- Documentation of any supportive measures offered and/or provided to the Complainant and/or Respondent, including no contact ordered issued to both parties, the dated the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- Documentation of all actions taken both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- Copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- Copies of the Board policy and/or procedures/guidelines used by the School to conduct the investigation, and any documents used by the School at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks).

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

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

#### Health Services (pol. 5310)

In compliance with law, the Board of Directors may require students to submit to periodic health examinations to

- Protect the school community from the spread of communicable disease;
- Determine that each students' participation in health, safety, and physical education courses meets his/her individual needs;
- Determine that the learning potential of each child is not lessened by a remediable, physical disability.

Any health services program should also include instruction to staff members on the observance of students for conditions

that indicates physical defect or disability.

#### Authorization to Administer Medication (pol. 5330)

Medication includes prescription, non-prescription, over the counter, and herbal medications, and includes those taken by mouth, by inhaler, injection, and those applied as drops to eyes, nose, as well as all medications applying to the skin.

A "Permission Form for Prescribed Medication" can be found on our website at [www.landmarkacademy.net](http://www.landmarkacademy.net). This form must be completed prior to any medication being administered to the student. This form must be renewed each year.

Written instructions from a physician must include the name of the student, name of the medication, dosage of the medication, route of administration, and the time the medication is to be administered to the student and shall be kept on record by the school.

Any adverse reaction to medication, as described on the physician's written instructions, shall be reported to the student's parent/guardian immediately. All medication shall be kept in a labeled container as prepared by the pharmacy, physician or pharmaceutical company with the student's name, the name of the medications, dosage and the frequency of administration. Medication must be brought to the school by the student's parent/guardian. No changes to medication dosage or time of administration will be made except by the written instruction from a physician.

A Middle or High School student who requires the use of an inhaler for relief or prevention of asthma symptoms will be allowed to carry and use the inhaler for self-determined administration only if we have a Medication Permission form, signed by a physician, on file in the Hospitality office as described in the Michigan Revised School Code, Section 380.1179. For further details, please see Board policy 5330.

#### Drug-Free Schools (pol.5530)

In accordance with Federal and State law, the Board of Directors has established a "Drug-Free School Zone" that extends 1000 feet from the boundary of any school property. The Board prohibits the use, possession, concealment, delivery, or distribution of any drug or any drug-related paraphernalia at any time on school property, within the Drug-Free School Zones, or at any school related event.

Furthermore, the Education Service Provider shall take the necessary step to ensure that an individual eighteen (18) years of age or older who knowingly delivers or distributes controlled substance so designated and prohibited by Michigan statute with the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

#### Code of Conduct (pol.5600)

The Board of Directors acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment, which is, in part, reflected in the behavior of students. The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

The Board shall require each student at the school to adhere to the Code of Conduct established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students: conform to reasonable standards of socially acceptable behavior; respect the person and property of others; preserve the degree of order necessary to the educational program in which they are engaged; respect the rights of others; obey constituted authority and respond to those that hold that authority.

#### Search and Seizer (pol. 5771)

The Board of Directors of Landmark Academy has charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search school property such as lockers and desks used by students, or the person or property, including vehicles, of a student.

**School Property:** Random searches of school property and their contents have a positive impact on deterring violations of school rules and regulating proper maintenance of school property. Random searches also provide greater safety and security for students and staff. Administration may search school property at any time without notice. The administration may request the assistance of law enforcement while conducting a search and will supervise all searches.

**Student Person and Possession:** The Board recognizes that the privacy of students or his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

#### Disclosure of Personal Information (pol. 8330)

If you do not want the following information available to the public, notify your building administrator, in writing, before the last Friday in September.

Designation of "Directory Information" a school district may release "directory information" without securing prior written consent of the parent/students, provided the school has given an annual notice regarding the "directory information".

While other information concerning students of the school district remains confidential and will be released only in accordance with the school district's Student Record Policy, the "directory information" listed below will be release to a requesting party unless a parent/guardian or an adult student advises the school administrator that such information should not be so released with respect to that particular student.

In accordance with the Family Education Rights and Privacy Act (FERPA) (20 USC1232[g]), the Board of Directors of Landmark Academy has designated the following information as "directory information": a student's name, address, and telephone number; date and place of birth; major field of study; participation in school activities; dates of school attendance; honors and awards.

The school shall maintain a record of those people to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the records, information disclosed, and date of disclosure.

#### Parent's Right to Inspect and Review Student Records (pol. 8330)

Parents and students may inspect, review and request amendments to the student educational records if the record is inaccurate, misleading, or otherwise in violation of the student's rights.

A request for amendment to the student's records is to be addressed to the school administrator in writing.

Upon receipt of the request for amendment, the school administrator will respond to your request in accordance with the steps outline in Board of Director's Policy 8330, a copy of which is available upon request from the school administrator's office.

#### Use of Pesticides (pol. 8431)

As part of Landmark Academy's pest management program, pesticides are occasionally applied. You have the right to be informed prior to any pesticide application made to the school grounds and building. In certain emergencies, pesticides

may be applied without prior notice, but you will be provided notice following such application.

If you need prior notification, please complete and submit the "Pesticide Prior Notification Request" form to the building administrator by the last Friday in September. The form is located in the student handbook on our website at [www.landmarkacademy.net](http://www.landmarkacademy.net).

#### Asbestos Management (pol. 8431)

Landmark Academy is required by 40 CFR 763.80 to complete an inspection to determine whether any hazardous material was used in the construction of our facility. The inspection was completed in July of 2010 and our facilities do not contain any hazardous building material. Documents pertaining to this inspection have been furnished to the State of Michigan as required. A copy is available upon request from the building administrator.

#### Notification of Blood-borne Pathogens (pol, 8453.01)

Guidelines have been established so that the school can comply with Federal regulations for protecting individuals against exposure to blood-borne pathogens and other infectious materials which can cause Hepatitis B and/or HIV viruses. A plan has been designed to identify likely situations where staff members and students could be exposed, to describe how such situations can be minimized, and the ways in which exposure will be managed. For further details, please see Board policy 8453.

#### Parent's Right to Inspect Instructional Materials (pol. 9130)

Parents and students may inspect, request, suggest, complain, or file a grievance as it relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the school; however, the following procedure must be followed:

The criticism is to be addressed to the school administrator, in writing, and shall include author; title; publisher; the complainant's familiarity with the material objected to; sections objected to by page and item; Reason for objection. Upon receipt of the information, the school administrator will respond to your request in accordance with the steps outlined in Board of Director's Policy 9130, a copy of which is available upon request from the school administrator's office.

#### Visitor (pol. 9150)

The Board of Directors welcomes and encourages visits to school by parents, other adult residents of the community and interested educators in compliance with the following guidelines:

Non-staff access to students and classes must be limited and only in accordance with a schedule which has been determined after consultation with the teacher whose classroom is being visited or by the building administrator. Classroom visitations must be nonobtrusive to the educative process and learning environment and should not occur on an excessive basis.

Parents and visitors are required at all times to sign in at the Hospitality office before entry into any other part of the building and have an identification tag on at all times.

The administrative team has the authority to prohibit the entry of any person to this school or to expel any person when there is reason to believe the presence of such person(s) would be detrimental to the good order of the students and staff. If such an individual refuses to leave the school grounds or created a disturbance, the school administrator is authorized to request removal of the individual by local law enforcement.