



January 5, 2021

Ms. Madeline Black
madeline.black@wayprogram.net
Ms. Michelle Sarkody
Michelle.sarkody@wayprogram.net
WAY Academy of Flint
817 E Kearsley
Flint, MI 48503

Dear Ms. Black and Ms. Sarkody:

RE: Final Fall 2020 Board Policies Updates

It has been a pleasure working with you and WAY Academy of Flint's Board of Directors to prepare the Fall 2020 Board Policies updates for your school. We know that each update takes time and thoughtful review to make sure that every policy is the right fit. At the Institute, we believe that this is time well-spent. We hope that you share in this belief and that the experience was valuable to you.

Our team at the Institute has finalized your Board's policies for you. Final copies of updated policies are attached, as well as an updated copy of your complete Board Policies Manual for your convenience. Also, to ensure that everyone at your school has easy access to them so they can provide clear direction and guidance for your school, your policies are available anytime through Epicenter. Please do not hesitate to contact us if you need help signing onto your Epicenter account, I have provided the Board login below.

Username: wayofflint
Password: gowayflint!

As always, please know that we're always here to support you. Please don't hesitate to call your associate, Mr. Neil Hartman, or me if you ever need our support or if we can be of assistance with your next board retreat or planning session. We would be honored to help out.

Again, thank you for your work with the Institute. We look forward to our continued work together.

Sincerely,

A handwritten signature in black ink that reads "Michelle Wilson". The signature is written in a cursive, flowing style.

Michelle Wilson
Board Services Coordinator
National Charter Schools Institute

Enclosures

**WAY ACADEMY OF FLINT
FINAL FALL 2020 UPDATES**

REMOVE (and discard):

Table of Contents, all

Index 5000, all
Policy #5610, all
Policy #5611, all

Index 7000, all
Policy #7440, all

Index 8000, all

ADD

Table of Contents, all revised 11/19/20

Index 5000, all, revised on 11/19/20
Policy #5610, all, revised on 11/19/20
Policy #5611, all, revised on 11/19/20

Index 7000, all, revised on 11/19/20
Policy #7440, all, revised on 11/19/20

Index 8000, all, revised on 11/19/20
Policy #8450.02, all, adopted on 11/19/20

If you have any questions, please feel free to call me. Thank you for the opportunity to be of service.

0000 BOARD OPERATING POLICY

0100	Definitions	LC
0110	Official Description	
0111	Name	BP ¹
0112	Purpose	BP
0115	Address	BP
0120	Powers and Philosophy	
0121	Authority	BP
0122	Board Powers	LC
0130	Functions	
0131	Legislative	
0131.1	Charter Contract Bylaws and Board Operating Policies	BP
0132	Executive	BP
0132.1	Selection of Educational Service Provider	BP
0132.2	Administrative Procedures	BP
0133	Judicial	BP
0140	Membership	BP
0141	Number	BP
0142	Appointment	BP
0142.1	Term	BP
0142.2	Oath	BP
0142.3	Vacancies	BP
0142.31	Filling a Board Vacancy	BP
0142.4	Orientation	BP
0143	Authority	BP
0143.1	Public Expression of Board Members	LR
0144	Operations	BP
0144.1	Compensation	BP
0144.11	Reimbursement of Expenses	LR
0144.2	Board Member Ethics	BP
0144.3	Conflict of Interest	LC
0144.4	Indemnification	BP
0145	Discriminatory Harassment	LC
0150	Organization	
0151	Annual Organizational Meeting	LR
0152	Officers	BP
0154	Annual Organizational Meeting Agenda (Motions)	BP
0155	Committees	BP

¹ Many of the board operating policies are also required by the Charter Contract, and are generally contained in the bylaws in the Charter Contract. The bylaws enshrined the Charter Contract always take precedence over these board operating policies. Each contract should be reviewed to consider whether these policies are required by contract, even if not required by law.

Legend:

L = Legally Required (if applicable)
LC = Legal Content
BP = Best Practice

0160	Meetings	
0161	Parliamentary Authority	BP
0162	Quorum	LC
0163	Presiding Officer	BP
0164	Call	BP
0164.1	Regular Meetings	LC
0164.2	Special Meetings	LC
0164.3	Emergency Meetings	LC
0165	Notice	LC
0165.1	Posting Notice of Regular Meetings	LC
0165.2	Change of Regular Meetings	LC
0165.3	Posting Notice of Special Meetings	LC
0165.4	Posting Notice of Emergency Meetings	LC
0165.6	Cancellation	BP
0166	Agenda	LC
0166.1	Consent Agenda	LC
0167	Conduct	
0167.2	Closed Session	LR
0167.3	Public Participation at Board Meetings	LR
0167.4	Administrative Participation	BP
0167.5	Use of Electronic Mail	BP
0167.6	Use of Social Media	BP
0168	Minutes	BP
0168.1	Open Meeting	LR
0168.3	Committee Meetings	LC
0169	Student Disciplinary Hearings	LC
0169.1	Closed Session Requested	LC
0169.2	Open Hearing	LC
0170	Duties	
0171	Officers	
0171.1	President	LC
0171.2	Vice-President	LC
0171.3	Secretary	LC
0171.4	Treasurer	LC
0172	Legal Counsel	BP
0173	Independent Auditor	BP
0175	Association Memberships	BP
0175.1	Board Conferences, Conventions, and Workshops	BP
1000	ADMINISTRATION	
1110	Assessment of Academy's Goals	
1130	Conflict of Interest	LR
1210	Board/Educational Service Provider/School Leader Relationship	BP
1217	Weapons	LR
1220	Employment of the School	BP
1230	Responsibilities of the Educational Service Provider/School Leader	BP
1230.01	Development of Administrative Procedures	BP

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1240	Evaluation of the Educational Service Provider	BP
1241	Termination of the Educational Service Provider	BP
1400	Job Descriptions	
1420	Academy Administrator and School Leader Evaluation	LC
1421	Criminal History Record Check	LR
1422	Nondiscrimination and Equal Employment Opportunity	LR
1422.01	Drug-Free Workplace	LR
1422.02	Nondiscrimination Based on Genetic Information of the Employee	LC
1439	Administrator Discipline	LC
1613	Student Supervision and Welfare	LC
1623	Section 504/ADA Prohibition against Disability Discrimination in Employment	LR
1662	Anti-Harassment	LR
2000	PROGRAM	
2105	Mission of the Academy	BP
2110	Statement of Philosophy	BP
2111	Value Statements for Board, Staff and/or Educational Service Provider, and Students	BP
2112	Parent and Family Engagement	LR
2120	School Improvement	LC
2132	Educational Process Goals	BP
2210	Curriculum Development – Approved Courses	LC
2210.01	Right to Inspect Instructional Materials	LC
2220	Adoption of Courses of Study	LC
2221	Mandatory Courses	LC
2225	Students with Limited English Proficiency	BP
2231	Curriculum	LC
2240	Controversial Issues	BP
2250	Innovative Programs	BP
2260	Nondiscrimination and Access to Equal Educational Opportunity	LR
2260.01	Section 504/ADA Prohibition Against Discrimination Based on Disability	LR
2261	Title I Services	LR
2261.01	Parent and Family Member Participation in Title I Programs	LR
2261.02	Title I – Parent's Right to Know	LC
2261.03	Academy and School Report Card	LR
2266	Nondiscrimination on the Basis of Sex in Education Programs Or Activities	LR
2270	Religion in the Curriculum	BP
2271	Postsecondary (Dual) Enrollment Option Programs	LC
2280	Physical Education	BP
2330	Homework	BP
2340	Field and Other Academy-Sponsored Trips	BP
2370	Educational Options	BP

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2370.01	On-Line/Blended Learning Program	LC
2410	Prohibition of Referral or Assistance	LR
2411	Guidance and Counseling	BP
2412	Homebound Instruction Program	LC
2413	Health Education Program	LC
2414	Reproductive Health and Family Planning	LR
2416	Student Privacy and Parental Access to Information (FERPA)	LR
2417	Comprehensive Health Education	LC
2418	Sex Education	LR
2430	Academy-Sponsored Clubs and Activities	LC
2430.01	Managing Heat and Humidity in Interscholastic Athletic Programs	LC
2460	Education of Children with Disabilities	LR
2460.02	Least Restrictive Environment (LRE) Position Statement	LR
2521	Selection of Instructional Materials and Equipment	LC
2531	Copyrighted Works	BP
2605	Program Accountability and Evaluation	BP
2623	Student Assessment	LR
2628	State Aid Incentives	BP
2700	P.A. 25 Annual Report	LC
3000	STAFF	
3000	Educational Service Provider Statement	
3220	Teacher Evaluation	LC
5000	STUDENTS	
5111	Admission of Students	LR
5111.01	Homeless Students	LR
5111.02	Educational Opportunity for Military Children	LR
5111.03	Children and Youth in Foster Care	LR
5112	Entrance Age	LC
5114	Foreign and Foreign-Exchange Students	LR
5130	Withdrawal from the Academy	LC
5136	Personal Communication Devices	BP
5200	Attendance	LC
5215	Missing and Absent Children	LC
5223	Absences for Religious Instruction	LC
5230	Late Arrival and Early Dismissal	BP
5310	Health Services	LR
5320	Immunization	LC
5330	Use of Medications	LR
5330.01	Epinephrine Auto-Injectors	LR

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5331	Students with Special Dietary Needs	BP
5340	Student Accidents	BP
5340.01	Concussions and Athletic Activities	LR
5341	Emergency Medical Authorization	BP
5350	Student Suicide	LC
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5430	Class Rank	BP
5451	Student Recognition	BP
5460	Graduation Requirements	LC
5463	Credits from Nonpublic Schools	BP
5464	Early Graduation	BP
5500	Student Conduct	LC
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5512	Use of Tobacco by Students	LC
5513	Care of School Property	BP
5514	Student Use of Bicycles	BP
5514.01	Student Use of Motor Vehicles	BP
5515.01	Safe Operation of Motorized utility Vehicles by Students	BP
5516	Student Hazing	LC
5517	Anti-Harassment	LR
5517.01	Bullying	LR
5520	Disorderly Conduct	BP
5530	Drug Free Environment	LR
5532	Performance-Enhancing Drugs/Compounds	LR
5540	Interrogation of Students	LC
5600	Student Discipline	LC
5610	Emergency Removal, Suspension and Expulsion of Nondisabled Students	LR
5611	Due Process Rights	LR
5630.01	Student Seclusion and Restraint	LR
5710	Student Grievance	BP
5722	Academy-Sponsored Publications and Productions	LC
5730	Equal Access for Non-school Sponsored, Student Clubs and Activities	LC
5771	Search and Seizure	LR
5772	Possession of Weapons	LR
5780	Student/Parent Rights	LR
5820	Student Government	BP
5830	Student Fund-Raising	LC
5850	Social Events	BP
5895	Student Employment	BP

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6000 FINANCES

6107	Authorization to Accept and Distribute Electronic Records and to Use Electronic Signatures	LC
6110	Grant Funds	LR
6111	Internal Controls	LR
6112	Cash Management of Grants	LC
6114	Cost Principles - Spending Federal Funds	LC
6116	Time and Effort Reporting	LC
6120	Safe Deposit Box	
6144	Investments	LR
6151	Bad Checks	BP
6152	Student Fees, Fines, and Supplies	BP
6210	Fiscal Planning	BP
6220	Budget Preparation	LC
6230	Budget Hearing	LC
6231	Budget Implementation	BP
6320	Purchasing	LR
6325	Procurement - Federal Grants/Funds	LR
6420	Conflict of Interest—Legal Counsel, Advisors, or Consultants	LC
6440	Cooperative Purchasing	BP
6460	Vendor Relations	LC
6470	Payment of Claims	BP
6550	Travel Payment & Reimbursement	LR
6605	Crowdfunding	BP
6620	Petty Cash	BP
6670	Trust and Agency Fund	BP
6680	Recognition	LC
6700	Fair labor Standards Act (FLSA)	LR
6800	System of Accounting	LC
6850	Public Disclosure and Reporting	LR

7000 PROPERTY

7217	Weapons	LR
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	LR
7420	Hygienic Management	BP
7430	Safety Standards	LC
7434	Use of Tobacco on Academy Premises	LR
7440	Facility Security	BP

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7440.01	Video Surveillance and Electronic Monitoring	LC
7450	Property Inventory	LR
7530	Lending of Board-Owned Equipment	BP
7540	Technology	LC
7540.01	Technology Privacy	LC
7540.02	Web Accessibility, Content, Apps and Services	LC
7540.03	Student Education Technology Acceptable Use and Safety	LR
7540.04	Staff Technology Acceptable Use and Safety	LR
7540.05	Electronic Mail	BP
7540.07	Personal Internet Account Privacy – Students	LC
7540.08	Personal Internet Account Privacy – Staff	LC
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP
7542	Access to Academy Technology Resources and/or Information Resources From Personal Communication Devices	BP
7543	Utilization of Academy Website and Remote Access to the Academy's Network	BP
7544	Use of Social Media	LC
7545	Electronic Communications	BP
8000	OPERATIONS	
8120	Iran Economic Sanctions Act Compliance	LR
8142	Criminal History Record Check	LR
8142.01	Weapons	LR
8210	Academy Calendar	LC
8220	School Day	BP
8310	Public Records	LR
8310.01	Enhanced Access to Public Records	LR
8315	Information Management	BP
8320	Personnel Files	BP
8321	Criminal Justice Information Security	LR
8330	Student Records	LR
8340	Letters of Reference	LR
8350	Confidentiality	LR
8351	Breach of Confidential Information	BP
8390	Animals on Academy Property	LR
8400	Academy Safety Information	LR
8401	Fire Safety and Fire Department Notification	LR
8402	Emergency Operations Plan	LR
8405	Environmental Health and Safety Issues	LC
8405.01	Integrated Pest Management	LC
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	LC
8431	Preparedness for Toxic Hazards and Asbestos Hazard	LR
8442	Reporting Accidents	BP

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8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8450.02	Protective Facial Coverings During Pandemic/Epidemic Events	BP
8452	Automatic External Defibrillators (AED)	LC
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	LC
8462	Student Abuse and Neglect	LC
8500	Food Services	LR*
8510	Wellness	LR
	8510 Appendix A: Specific Goals for Nutrition	
	8510 Appendix B: Specific Goals for Physical Activity	
	8510 Appendix C: Specific Goals for Other Academy-Based Activities Designed to Promote Student Wellness	
	8510 Appendix D: Specific Goals for Nutrition Promotion	
	8510 Appendix E: Nutrition Guidelines for All Foods Available On Campus During the School Day	
8531	Free and Reduced–Priced Meals	LC
8540	Vending Machines	LR*
8660	Transportation by Private Vehicle	BP
8710	Insurance	LC
8800	Religious/Patriotic Ceremonies and Observances	LC
8900	Anti-Fraud	BP
9000	RELATIONS	
9111	Telephone Communications	BP
9120	Academy Information Program	BP
9130	Public Complaints	BP
9150	Academy Visitors	BP
9160	Public Attendance at Academy Events	LC
9250	Parent/Legal Guardian Review of Instructional Materials and Observation of Instructional Activities	LR
9500	Relations with Educational Institutions and Organizations	BP
9555	Partnerships with Business	BP
9700	Relations with Special Interest Groups	BP
9700.01	Advertising and Commercial Activities	BP

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9710 Volunteers

BP

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

Adopted 9/2/14

Revised 4/16/15; 6/10/15; 4/13/16; 11/17/16; 1/26/17; 8/17/17; 9/26/17; 3/15/18; 9/20/18; 12/20/18;
9/19/19; 4/16/20; 5/21/20; 9/17/20; 11/19/20

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5000 **STUDENTS**

5111	Admission of Students	LR
5111.01	Homeless Students	LR
5111.02	Educational Opportunity for Military Children	LR
5111.03	Children and Youth in Foster Care	LR
5112	Entrance Age	LC
5114	Foreign and Foreign-Exchange Students	LR
5130	Withdrawal from the Academy	LC
5136	Personal Communication Devices	BP
5200	Attendance	LC
5215	Missing and Absent Children	LC
5223	Absences for Religious Instruction	LC
5230	Late Arrival and Early Dismissal	BP
5310	Health Services	LR
5320	Immunization	LC
5330	Use of Medications	LR
5330.01	Epinephrine Auto-Injectors	LR
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5341	Emergency Medical Authorization	BP
5350	Student Suicide	LC
5410	Promotion, Placement, and Retention	BP
5420	Reporting Student Progress	BP
5421	Grading	BP
5430	Class Rank	BP
5451	Student Recognition	BP
5460	Graduation Requirements	LC
5463	Credits from Nonpublic Schools	BP
5464	Early Graduation	BP
5500	Student Conduct	LC
5510	Students-Sex Offender Registry; Criminal Convictions	BP
5511	Dress and Grooming	BP
5512	Use of Tobacco by Students	LC
5513	Care of School Property	BP
5514	Student Use of Bicycles	BP
5514.01	Student Use of Motor Vehicles	BP
5515.01	Safe Operation of Motorized utility Vehicles by Students	BP
5516	Student Hazing	LC
5517	Anti-Harassment	LR
5517.01	Bullying	LR
5520	Disorderly Conduct	BP
5530	Drug Free Environment	LR
5532	Performance-Enhancing Drugs/Compounds	LR
5540	Interrogation of Students	LC
5600	Student Discipline	LC
5610	Emergency Removal, Suspension and Expulsion of Nondisabled	

	Students	LR
5611	Due Process Rights	LR
5630.01	Student Seclusion and Restraint	LR
5710	Student Grievance	BP
5722	Academy-Sponsored Publications and Productions	LC
5730	Equal Access for Non-school Sponsored, Student Clubs and Activities	LC
5771	Search and Seizure	LR
5772	Possession of Weapons	LR
5780	Student/Parent Rights	LR
5820	Student Government	BP
5830	Student Fund-Raising	LC
5850	Social Events	BP
5895	Student Employment	BP

Adopted 9/2/14

Revised 4/16/15; 6/10/15; 4/13/16; 11/17/16; 1/26/17; 8/17/17; 9/26/17; 3/15/18; 9/20/18;
12/20/18; 9/19/19; 4/16/20; 5/21/20; 9/17/20; 11/19/20

EMERGENCY REMOVAL, SUSPENSION, AND EXPULSION OF STUDENTS

Reference: M.C.L. 380.1301, 380.1309, 380.1310d, 380.1311
20 U.S.C. 3351
State Board of Education, Resolution to Address School Discipline Issues
Impacting Student Outcomes, Adopted June 12, 2012

The Board of Directors is continually concerned about the safety and welfare of Academy students and staff and, therefore, will not tolerate behavior that creates an unsafe environment, a threat to safety or undue disruption of the educational environment.

Factors to be Considered Before Suspending or Expelling a Student

The Board of Directors also recognizes that exclusion from the educational program of the academy's is a severe sanction that should only be imposed after careful and appropriate consideration. Except as otherwise noted below with respect to possession of a firearm in a weapon free school zone, if suspension or expulsion of a student is considered, the School Leader shall consider the following factors prior to making a determination of whether to suspend or expel:

- A. the student's age
- B. the student's disciplinary history
- C. whether the student has a disability
- D. the seriousness of the violation or behavior
- E. whether the violation or behavior committed by the student threatened the safety of any student or staff member
- F. whether restorative practices will be used to address the violation or behavior
- G. whether a lesser intervention would properly address the violation or behavior

The School Leader will exercise discretion over whether or not to suspend or expel a student. In exercising that discretion for a suspension of more than ten (10) days or expulsion, there is a rebuttable presumption that a suspension or expulsion is not justified unless the Board can demonstrate that it considered each of the factors listed above. For a suspension of ten (10) days or fewer, there is no rebuttable presumption, but the School Leader will still consider these factors in making the determination.

Restorative Practices

The School Leader shall consider using restorative practices as an alternative to or in addition to suspension or expulsion. If the Academy determines that it will utilize restorative practices in addition to or as an alternative to suspension or expulsion of a student, it will engage in restorative practices which emphasize repairing the harm to the victim and academy community caused by the student's misconduct.

Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption and harassment and cyberbullying.

If the School Leader decides to utilize restorative practices as an alternative to or in addition to suspension or expulsion, the restorative practices may include victim-offender conferences that:

- A. are initiated by the victim;
- B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;
- C. are attended voluntarily by the victim, a victim advocate, the offender, members of the academy community, and supporters of the victim and the offender (the "restorative practices team");
- D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these.

The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.

Due Process

The Board recognizes exclusion from the educational programs of the Academy, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without appropriate due process, since exclusion deprives a child of the right to an education. The Board also recognizes that it may be necessary for a teacher to remove a student from class for conduct disruptive to the learning environment, and that such removals are not subject to a prior hearing, provided the removal is for a period of less than twenty-four (24) hours. However, if an emergency removal may result in a suspension, then due process must be ensured.

In all cases resulting in short-term suspension, long-term suspension or expulsion, appropriate due process rights described in Policy 5611 and AG 5610 must be observed. The School Leader shall check to make sure the student is not classified as disabled under Section 504. Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under Federal law.

For purposes of this policy, suspension shall be either short-term (not more than ten (10) days) or long-term (for more than ten (10) days but less than permanent expulsion) removal of a student from a regular Academy program. The School Leader may suspend a student for a period not to exceed 10 school days.

For purposes of this policy, unless otherwise defined in Federal and/or State law, expulsion is defined as the permanent exclusion of a student from the Academy. Students who are expelled may petition for reinstatement as provided below.

Emergency Removal or Short-Term Suspension

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher for certain conduct as specified in the Code of Conduct, or he/she may be given a short-term suspension by the School Leader. A student so removed may not be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will be entitled to the process for short-term suspensions outlined in AG 5610. A student removed from the same class for more than ten (10) days will be entitled to the process for long-term suspensions outlined in AG 5610. The Board designates the School Leader as its representative at any hearings regarding the appeal of a suspension.

Long-Term Suspension or Expulsion

Due process set out in Policy 5611 and AG 5610 shall be followed in all circumstances in which a student may be expelled or suspended for a period of more than ten (10) days.

The School Leader may act as the hearing officer. The Board may suspend a student for a period longer than ten (10) days or expel a student. An appeal may be made to the Board if there is a claimed violation of substantive or procedural due process rights.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed. In determining whether a student is to be suspended or expelled, the School Leader shall use a preponderance of evidence standard.

The School Leader shall develop procedures to implement this policy that shall include the following:

- A. strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of the Academy's core curriculum;
- B. standards of behavior for all students in accordance with Academy Board policy on student discipline;
- C. procedures that ensure due process; and
- D. provision for make-up work at home, when appropriate.

When making a determination whether or not a student will be expelled or permanently excluded under this policy, the Educational Service Provider and School Leader shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.

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., student records and confidential medical records.

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

Persistent Disobedience or Gross Misconduct/CSC Against Another Academy Student

Any student may be removed from the classroom, and/or, after consideration of the factors identified above, suspended or expelled for persistent disobedience or gross misconduct or if the student commits criminal sexual conduct against another student enrolled in the Academy regardless of the location of the conduct. A student may not be expelled or excluded from the regular academy program based on pregnancy status.

In recognition of the negative impact on a student's education, the Board encourages the Academy's administrators to view suspensions, particularly those over ten (10) days, and permanent expulsions as discipline of last resort, except where these disciplines are required by law. Alternatives to avoid or to improve undesirable behaviors should be explored when possible prior to implementing or requesting a suspension or expulsion.

Physical and Verbal Assault

Unless a different determination is made after consideration of the factors identified above, the Academy shall permanently expel a student in grade six or above if that student commits physical assault at the Academy against a staff member, a volunteer, or a contractor.

Unless a different determination is made after consideration of the factors identified above, the Academy shall suspend or expel a student in grade six or above for up to 180 school days if the student commits physical assault at the Academy against another student.

Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."

Unless a different determination is made after consideration of the factors identified above, the Academy shall suspend or expel a student in grade six or above and may discipline, suspend or expel a student in grade five and below for a period of time as determined at the Board's discretion if the student commits verbal assault at the Academy against a Academy employee, volunteer, or contractor or makes a bomb threat or similar threat directed at an academy building, property, or at an academy-related activity.

Verbal assault is a communicated intent to inflict physical or other harm on another person, with a present intent and ability to act on the threat.

"At the Academy" means in a classroom, elsewhere on academy premises, on an academy bus or other academy-related vehicle, or at an academy-sponsored activity or event whether or not it is held on academy premises.

The Academy may provide appropriate instructional services at home for an expelled student not placed in an Alternative Education Program. The instructional services provided shall be similar to those provided to homebound or hospitalized students and shall be contracted for in the same manner.

Weapons, Arson, Criminal Sexual Conduct

In compliance with State and Federal law, and unless a different determination is made after consideration of the factors identified above, the Academy shall expel any student who possesses a dangerous weapon, other than a firearm, in the Academy's weapon-free school zone (except as noted below), commits either arson or criminal sexual conduct in an academy building or on academy property, including academy buses and other Academy

transportation, or pleads to, is convicted of or is adjudicated of criminal sexual conduct against another student enrolled in the Academy.

In compliance with State and Federal law, the Academy shall expel any student who possesses a firearm in the Academy's weapon-free school zone in violation of State law, unless the student can establish the mitigating factors relating to possession of a dangerous weapon set out below, by clear and convincing evidence.

For purposes of this policy, a "dangerous weapon" is defined by law as a firearm, dagger, dirk, stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles. This definition also includes other devices designed to (or likely to) inflict bodily harm, including, but not limited to, air guns and explosive devices. The term "firearm" is defined as any weapon (including a starter gun) that will, is designed to, or may readily be converted to expel a projectile by the action of the explosive, the frame, or the bearer of any such weapon, as well as a firearm muffler, firearm silencer, or any such destructive device.

The Academy need not expel a student for possession of a dangerous weapon, including a firearm, if the student can establish in a clear and convincing manner the following mitigating factor(s) to the satisfaction of the Board the:

- A. object or instrument was not possessed for use as a weapon, or for direct (or indirect) delivery to another person for use as a weapon; or
- B. weapon was not knowingly possessed; or
- C. student did not know (or have reason to know) that the object or instrument in his/her possession constituted a dangerous weapon; or
- D. weapon was possessed at the suggestion, request, direction of, or with the express permission of the School Leader or the police.

There is a rebuttable presumption that expulsion for possessing the weapon is not justified if the School Leader determines in writing that the student has established that he or she fits under one of the exceptions above by clear and convincing evidence, and that the student has no previous history of suspension or expulsion.

For expulsions for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor, the School Leader shall provide that the expulsion is duly noted in the student's record, the student is referred to the Department of Human Services or Department of Community Health within three (3) school days after the expulsion, and the parents are informed of the referral. Furthermore, if a student who is expelled is below the age of sixteen (16), the School Leader shall ensure notification of the expulsion is given to the Juvenile Division of the Probate Court. In compliance with Federal law, the School Leader shall also refer any student (regardless of age) expelled for possession of a dangerous weapon to the criminal justice or juvenile delinquency system serving the Academy. In addition, the School Leader shall send a copy of this policy to the State Department of Education and shall include a description of the circumstances surrounding the expulsion of the student for possessing a firearm or weapon in the Academy's weapon-free school zone, together with the name of the Academy, the number of students so expelled, and the types of firearms or weapons brought into the weapon-free school zone.

A student expelled under this policy for dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may apply for reinstatement in accordance with the following guidelines:

- A. If the student is in grade five (5) or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.
- B. If the student is in grade five (5) or below at the time of the expulsion and was expelled for a reason other than possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, or emancipated minor may submit a request for reinstatement at any time, but the student may not be reinstated before ten (10) school days from the expulsion date.
- C. If the student is in grade six (6) or above at the time of the expulsion, the parents, legal guardian, adult student, or emancipated minor may submit a request for reinstatement after one hundred and fifty (150) school days from the date of the expulsion, but the student may not be reinstated before one hundred eighty (180) school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the School Leader.
- E. Within ten (10) school days after receiving the petition, the Board shall appoint a committee consisting of two (2) Board members, an academy administrator, a teacher, and an academy-parent representative. During this time period, the School Leader shall prepare and submit for consideration by the committee information concerning the circumstances of the expulsion and any factors mitigating for or against reinstatement.
- F. Within ten (10) school days after being appointed, the committee shall review all pertinent information and submit its recommendation to the Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of the following:
 - 1. extent to which reinstatement would create a risk of harm to students or academy staff;
 - 2. extent to which reinstatement would create a risk of academy or individual liability for the Board or academy staff;
 - 3. age and maturity of the student;
 - 4. student's academy record before the expulsion incident;
 - 5. student's attitude concerning the expulsion incident;

6. student's behavior since the expulsion and the prospects for remediation;
7. The degree of cooperation and support the parent has provided and will provide if the student is reinstated (if the request was filed by a parent), including, but not limited to the parent's receptiveness toward any conditions placed on the reinstatement. Such conditions, for example, might include a written agreement by the student and/or a parent who filed the reinstatement request to accomplish the following:
 - a. abide by a behavior contract involving the student, his/her parents, and an outside agency;
 - b. participate in an anger management program or other counseling activities;
 - c. cooperate in processing and discussing periodic progress reviews;
 - d. meet other conditions deemed appropriate by the committee;
 - e. accept the consequences for not fulfilling the agreed upon conditions.
8. student's behavior since the expulsion and the prospects for remediation.

The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Board's decision shall be final and is not subject to appeal.

In the event a student who has been permanently expelled from another academy requests admission to this Academy, in making its decision, the Board shall follow the same procedure it has established in paragraphs A-F, above, for the reinstatement of a student.

Students expelled for reasons other than dangerous weapons, arson, criminal sexual conduct or assault upon an employee, volunteer or contractor may also petition the Board for reinstatement. The Board may, at its discretion, consider the petition in accordance with the procedures set forth above or upon any standards and with any procedures it determines appropriate under the circumstances.

The School Leader shall ensure Board policies and procedures regarding a student's rights to due process are followed when dealing with a possible suspension or expulsion under this policy.

In-School Discipline

The purpose of this policy is to provide an alternative to out of school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board to support such a program.

In-school discipline will only be offered at the discretion of the School Leader for offenses found in the Student Code of Conduct.

The School Leader is to establish procedures for the proper operation of such a program and to ensure appropriate due-process procedures are followed as applicable. (See Policy 5630.01)

Due Process Rights

The Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Academy's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following:

A. Students Subject to Short-Term Suspension

Except when emergency removal is warranted, a student must be given at least oral notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The School Leader or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the School Leader whose decision will be final.

B. Students Subject to Long-Term Suspension and Expulsion

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and must also be given an opportunity to appear before the Board with a representative to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and the hearing procedure, a list of the witnesses who will provide testimony to the Board, and a summary of the facts to which the witnesses will testify. At the student/parent's request, the hearing shall be held in closed session, but the Board must act publicly. The Board shall act by providing a written decision on any appeal of an expulsion, a request for reinstatement, or a request for admission after permanent expulsion from another academy.

The School Leader shall develop procedures to ensure all members of the staff use the above guidelines when dealing with students. In addition, this statement of due process rights shall be placed in all student handbooks, in a manner that facilitates understanding by students and their parents.

Corporal Punishment

While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Staff shall not use physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or Academy through suspension or expulsion procedures.

Within the scope of their employment, all staff may use reasonable force and apply restraint to accomplish the following:

- A. restrain or remove a student who refuses to comply with a request to behave or report to the office;
- B. quell a disturbance threatening physical injury to self or others;
- C. obtain possession of weapons or other dangerous objects within the control of the student, for either self-defense; or
- D. the protection of persons or property.

In accordance with State law, corporal punishment shall not be permitted. If any staff member (full-time, part-time, or substitute) deliberately inflicts, or causes to be inflicted, physical pain upon the student (by hitting, paddling, spanking, slapping or any other kind of physical force) as a means of discipline, the staff member may be subject to discipline and possibly criminal assault charges. This prohibition also applies to volunteers and those with whom the Academy contracts for services.

The School Leader shall provide guidelines, including a list of alternatives to corporal punishment.

Removal, Suspension, and Expulsion of Students with Disabilities

The Academy shall abide by Federal and State laws in matters relating to discipline, suspension, and expulsion of disabled students.

Adopted 9/2/14

Revised 9/26/17; 12/20/18; 11/19/20

DUE PROCESS RIGHTS

The Board of Directors recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the Academy's disciplinary procedures.

To better ensure appropriate due-process is provided a student, the Board establishes the following guidelines which the School Leader shall use when dealing with students:

A. Students subject to short-term suspension:

Except when emergency removal is warranted, a student must be given oral or written notice of the charges against him/her and the opportunity to respond prior to the implementation of a suspension. When emergency removal has been implemented, notice and opportunity to respond shall occur as soon as reasonably possible. The School Leader or other designated administrator shall provide the opportunity to be heard and shall be responsible for making the suspension decision. An appeal may be addressed to the School Leader whose decision will be final.

B. Students subject to long-term suspension and expulsion:

A student and his/her parent or guardian must be given written notice of the intention to suspend or expel and the reasons therefore, and an opportunity to appear with a representative before the Board to answer the charges. The student and/or his/her guardian must also be provided a brief description of the student's rights and of the hearing procedure, a list of the witnesses who will provide testimony to the Board, and a summary of the facts to which the witnesses will testify. At the student's request, the hearing may be private, but the Board must act publicly. The Board shall act on any appeal, which must be submitted in writing, to an expulsion, to a request for reinstatement, or to a request for admission after being permanently expelled from another district (Policy 5610).

In determining whether disciplinary action set forth in this policy is to be implemented, the School Leader shall use a preponderance of evidence standard. Further, any individual charged with making a disciplinary determination under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.

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) shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the Academy's records retention schedule.

Adopted 12/20/18
Revised 11/19/20

7000 **PROPERTY**

7217	Weapons	LR
7230	Gifts, Grants, and Bequests	BP
7310	Disposition of Surplus Property	LR
7420	Hygienic Management	BP
7430	Safety Standards	LC
7434	Use of Tobacco on Academy Premises	LR
7440	Facility Security	BP
7440.01	Video Surveillance and Electronic Monitoring	LC
7450	Property Inventory	LR
7530	Lending of Board-Owned Equipment	BP
7540	Technology	LC
7540.01	Technology Privacy	LC
7540.02	Web Accessibility, Content, Apps and Services	LC
7540.03	Student Education Technology Acceptable Use and Safety	LR
7540.04	Staff Technology Acceptable Use and Safety	LR
7540.05	Electronic Mail	BP
7540.07	Personal Internet Account Privacy – Students	LC
7540.08	Personal Internet Account Privacy – Staff	LC
7541	Electronic Data Processing/Information System Disaster Recovery Plan	BP
7542	Access to Academy Technology Resources and/or Information Resources From Personal Communication Devices	BP
7543	Utilization of Academy Website and Remote Access to the Academy's Network	BP
7544	Use of Social Media	LC
7545	Electronic Communications	BP

Adopted 9/2/14

Revised 4/16/15; 4/13/16; 11/17/16; 9/26/17; 9/20/18; 4/16/20; 11/19/20

FACILITY SECURITY

Reference: MCL 388.851d

Buildings constitute the greatest financial investment of the Academy. It is in the best interest of the Board of Directors to protect the Academy's investment adequately. The buildings and equipment owned or leased by the Board shall be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Educational Service Provider shall develop and supervise a program for the security of the Academy's students, staff, visitors, academy buildings, academy grounds, and academy equipment in compliance with State and Federal law. Such a program may include the use of video surveillance and electronic monitoring equipment in appropriate public areas in and around the schools and other academy facilities, and on academy buses.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to students, staff, visitors and Board property and may require prosecution of those who bring harm to persons and/or property. The Board will seek repair to rectify the damage or payment of a fee to cover the cost of repair or replacement from the person(s) responsible. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Educational Service Provider is authorized to install metal detectors and video surveillance/electronic monitoring equipment on academy property in order to protect the health, welfare, and safety of students, staff, visitors and Board property, and other security devices that would assist in the detection of guns and dangerous weapons:

- A. in academy buildings;
- B. on academy property;
- C. at Board-sponsored/controlled events.

The School Leader is authorized to install temporary door locking devices as permitted by law in order to protect the health, welfare, and safety of students, staff, visitors and Board property. Notification of the local fire department and law enforcement agency and required inspection in accordance with M.C.L. 388.851d shall be provided before use of the device or system. Training of staff working in the building on the use of the device or system shall be provided and documented.

The Educational Service Provider shall report to the Board, no later than the next Board meeting, any significant incident involving vandalism, theft, personal safety or other security risk and the measures being taken to address the situation.

Adopted 9/2/14
Revised 11/19/20

8000 **OPERATIONS**

8120	Iran Economic Sanctions Act Compliance	LR
8142	Criminal History Record Check	LR
8142.01	Weapons	LR
8210	Academy Calendar	LC
8220	School Day	BP
8310	Public Records	LR
8310.01	Enhanced Access to Public Records	LR
8315	Information Management	BP
8320	Personnel Files	BP
8321	Criminal Justice Information Security	LR
8330	Student Records	LR
8340	Letters of Reference	LR
8350	Confidentiality	LR
8351	Breach of Confidential Information	BP
8390	Animals on Academy Property	LR
8400	Academy Safety Information	LR
8401	Fire Safety and Fire Department Notification	LR
8402	Emergency Operations Plan	LR
8405	Environmental Health and Safety Issues	LC
8405.01	Integrated Pest Management	LC
8410	Crisis Intervention	BP
8420	Emergency Situations at the Academy	LC
8431	Preparedness for Toxic Hazards and Asbestos Hazard	LR
8442	Reporting Accidents	BP
8450	Control of Casual-Contact Communicable Diseases	BP
8450.01	Pediculosis (Head Lice)	BP
8450.02	Protective Facial Coverings During Pandemic/Epidemic Events	BP
8452	Automatic External Defibrillators (AED)	LC
8453	Direct Contact Communicable Diseases	BP
8453.01	Control of Blood-Borne Pathogens	LC
8462	Student Abuse and Neglect	LC
8500	Food Services	LR*
8510	Wellness	LR
	8510 Appendix A: Specific Goals for Nutrition	
	8510 Appendix B: Specific Goals for Physical Activity	
	8510 Appendix C: Specific Goals for Other Academy-Based Activities Designed to Promote Student Wellness	
	8510 Appendix D: Specific Goals for Nutrition Promotion	
	8510 Appendix E: Nutrition Guidelines for All Foods Available On Campus During the School Day	
8531	Free and Reduced–Priced Meals	LC
8540	Vending Machines	LR*
8660	Transportation by Private Vehicle	BP
8710	Insurance	LC

8800	Religious/Patriotic Ceremonies and Observances	LC
8900	Anti-Fraud	BP

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

Adopted 9/2/14

Revised 4/16/15; 6/10/15; 4/13/16; 11/17/16; 1/26/17; 9/26/17; 3/15/18; 12/20/18; 9/19/19;
4/16/20; 5/21/20; 11/19/20

PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS

During times of elevated communicable disease community spread (pandemic or epidemic), the School Leader will issue periodic guidance through Board of Directors plans/resolution(s) in alignment with public health officials and/or in accordance with government edicts and including any Pandemic Plan developed by the Academy's Pandemic Response Team.

Academy settings can be a source of community spread. Wearing face masks/coverings is especially important during these times and can help mitigate the risk of exposure from person to person.

As such, during times of elevated communicable disease community spread, the School Leader may activate this policy by notifying the academy community, requiring all academy staff, volunteers and visitors (including vendors) to wear appropriate face masks/coverings on academy grounds unless it is unsafe to do so or where doing so would significantly interfere with the Academy's educational or operational processes.

Face masks/shields will be provided by the Academy to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements of this policy as well as any requirements issued by State or local health departments.

In addition, the Board may require that students in 6th grade and higher shall wear a face mask unless they are unable to do so for a health or developmental reason. Efforts will be made to reduce any social stigma for a student who, for medical or developmental reasons, cannot and should not wear a mask.

If face masks/coverings are required, and no exception is applicable, students shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code, and in accordance with policies of the Board and/or may be reassigned by the School Leader to an online/virtual learning environment if the School Leader determines that reassignment is necessary to protect the health and safety of the student or others.

Use of Mask/Face Covering

Cloth face coverings/masks should:

- A. fully cover the mouth, nose, and chin;
- B. fit snugly against the side of the face so there are no gaps;
- C. not create difficulty breathing while worn; and
- D. be held securely through either a tie, elastic, etc. to prevent slipping.

Facial masks/coverings generally should not include surgical masks or respirators unless medically indicated (as those should be reserved for healthcare workers) or masks designed to be worn for costume purposes.

All employee facial masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies. All student facial masks/coverings shall meet the requirements of the

appropriate Student Code of Conduct/Student Discipline Code and Policy 5511 Dress and Grooming.

Any person may be required to temporarily remove a face mask or covering when instructed to do so for identification or security purposes. Failure to comply with such a request violates this policy and may lead to disciplinary or other action.

Exceptions to the use of masks/face coverings include when:

- A. facial masks/coverings in the academy setting are prohibited by law or regulation;
- B. facial masks/coverings are in violation of documented industry standards;
- C. facial masks/coverings are not advisable for health reasons;
- D. facial masks/coverings are in violation of the academy's documented safety policies;
- E. facial masks/coverings are not required when the staff works alone in an assigned work area;
- F. there is a functional (practical) reason for a staff member or volunteer not to wear a facial mask/covering in the workplace;
- G. settings where cloth masks might present a safety hazard (i.e. science labs);
- H. for individuals who have difficulty wearing a cloth face covering; or
- I. to assist with communication for hearing impaired students.

The Board may be required to provide written justification to the local health officials upon request explaining why a staff member is not required to wear a facial covering in the academy. Therefore, if any exceptions are made to the requirement for facial coverings, the request for such exception must be submitted in writing to the individual's supervisor with appropriate documentation provided. A decision on the request will be provided in writing.

Use of Face Shields

Face shields that wrap around the face and extend below the chin may be permitted as an alternative to cloth face masks/coverings with permission of the School Leader as the Board recognizes that face shields may be useful in some situations, including:

- A. when interacting with students, such as those with disabilities, where communication could be impacted;
- B. when interacting with English-language learners or when teaching a foreign language;
- C. settings where cloth masks might present a safety hazard (i.e. science labs); or
- D. for individuals who have difficulty wearing a cloth face covering.

If employees receive approval from the School Leader after discussing their request not to wear a face mask/covering/shield due to a physical, mental or developmental health condition, and/or if wearing a mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, the School Leader may also discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under the ADA.

Academy nurses or staff who care for individuals with symptoms consistent with those of a communicable disease must use appropriate personal protective equipment (PPE), provided by the academy, in accordance with OSHA standards.

When facial masks/coverings are required by the Board, and no exception has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with policies of the Board.

Adopted 11/19/20