

# Leelanau Montessori PSA Bylaws & Policies

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# Administration

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**APPROVED 01/03/11**

#### **1001 - DEVELOPMENT OF ADMINISTRATIVE GUIDELINES**

The Board of Education delegates to the Head of School the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the District will operate. These administrative guidelines shall not be inconsistent with the policies adopted by the Board.

The Board itself will formulate and adopt administrative guidelines and rules when required by law, and when the Head of School recommends Board adoption.

The Head of School may also issue such administrative and student handbooks as s/he may consider necessary for the effective administration of the schools and distribute them to staff members and students and/or their parents.

As long as the provisions of these administrative guidelines and handbooks are not inconsistent with Board policies, or with Federal/State law, they will be considered to be an extension of the policy manual and binding upon all staff members and students.

A copy of the District's administrative guidelines manual and a copy of each handbook shall be made a part of the Board's reference materials maintained in the District office.

The Head of School shall maintain a current organizational chart to which immediate reference can be made by the Board or any staff member.

M.C.L.A. 380.132, 380.248

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**APPROVED 01/03/11**

#### **1002 - WHISTLEBLOWER PROTECTION**

The Board of Education expects all staff members to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative guidelines. The Board encourages and requires staff to report possible violations of these Board expectations. Parents, volunteers, contractors and concerned citizens are encouraged to report possible violations, when done in good faith belief.

It is the responsibility of a staff member who is aware of conduct on the part of any Board member or staff member that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of his/her immediate supervisor. If the staff member's immediate supervisor is not responsive or is the staff member whose behavior is in question, the staff member may report to the Head of School. If the reported conduct relates to the Head of School, the report may be filed directly with the Board President.

After such a report is made, the staff member will be asked to put the report in writing. Any staff member making such a report shall be protected from discipline, retaliation, or reprisal for making such report as long as the staff member had a good faith belief as to the accuracy of any information reported. Staff members may be subject to disciplinary action, up to and including a recommendation for termination, for knowingly making a false report under this policy. Staff members may also be subject to disciplinary action, up to and including a recommendation for termination, if they are aware of a violation of Federal, State, or local law involving or relating to the business of the District and they do not make a report confirmed in writing to a supervisor in accordance with this policy.

The Head of School shall develop administrative guidelines necessary for implementation of this policy, including the development of forms upon which such reports may be made.

M.C.L.A. 15.361 et seq.

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#### **APPROVED 1/16/2017 1003 – HEAD OF SCHOOL EVALUATION POLICY**

The Leelanau Montessori Public School Academy Board of Directors recognizes the important role that the Head of School has in achieving our mission of nurturing the whole child in a prepared environment based on respect, individuality, a love of learning, and freedom with responsibility. The role of Head of School, as both administrative leader of the school and superintendent of the public school academy district, faces unique leadership challenges to cultivate robust, creative, and effective educational, social, and emotional experiences for our students, their families, our faculty and staff, and in the communities that we serve. The Board of Education aims to support the Head of School in his or her efforts to provide leadership toward our educational values and goals.

Pursuant to Michigan law, the Board of Directors further recognizes that regular evaluation of the Head of School is one mechanism that can support that aim. To that end, the Board of Directors adopts the following rigorous, transparent, and fair policies that outline the annual evaluation of the Head of School.

1. The Board of Directors shall take any and all appropriate steps to ensure that the evaluation tool and the process of evaluation adhere to applicable state and federal law. At the time of the adoption of these policies, these include:
  - a. An evaluation tool that assigns a rate of highly effective, effective, minimally effective or ineffective to the Head of School in specified dimensions of evaluation
    - i. A rating of Ineffective for three consecutive years constitutes grounds for dismissal
    - ii. A rating of Highly Effective for three consecutive years constitutes grounds for conducting biannual evaluations for that individual
    - iii. A Minimally Effective or an Ineffective rating requires that the Head of School work with the Board of Education to develop an improvement plan to address deficiencies
  - b. An evaluation tool and process that complies with the Open Meetings Act and complies with the Freedom of Information Act
  - c. An evaluation tool that accounts for multiple measures of student growth and assessment in accordance with state and federal guidelines
  - d. An evaluation tool that assesses the Head of School's effectiveness at ensuring implementation and execution of an annual evaluation system, in accordance with the law, for teachers, school administrators and central-office-level school administrators involved in instruction
  - e. An evaluation tool that considers progress toward goals set forth by the Board in the School Improvement Plan
  - f. An evaluation tool that encompasses student, parent and teacher feedback

- g. An evaluation tool that includes other information pertinent by the Board of Directors
2. The Board of Directors will adopt a suitable evaluation tool for evaluating the Head of School that both aligns with applicable state and federal law and with the mission and values of the District. The evaluation tool shall be adopted for a period of three evaluation cycles, with review of the evaluation tool by the Board of Education in the third evaluation cycle.
  3. The Board of Directors will conduct an annual evaluation of the Head of School at its regular board meeting during the month of May every academic year. Prior to, and in preparation for, that meeting, the following steps will occur, in compliance with the Open Meetings Act:
    - a. Annually, during the month of March, the Academic Excellence Committee will convene a committee meeting to begin the evaluation process. During that meeting they will discuss the Head of School performance with regard to the adopted evaluation tool. They will produce an initial draft of the evaluation tool. If a quorum is present that would fall under the Open Meetings Act, pursuant to MCL 15.268(a), Section 8, the Committee will only go into closed session to discuss the evaluation of the Head of School if the Head of School requests a closed session. The Head of School may rescind the request at any time. The committee is encouraged to invite the following individuals to share input and act as non-voting members to this meeting. They may at their discretion, choose to elicit feedback from these individuals using an anonymous feedback system:
      - i. The Head of School
      - ii. Two staff or faculty members
      - iii. Two parents
      - iv. One community member
    - b. Annually, during the month of April, the Academic Excellence Committee will convene a committee meeting to finalize the evaluation tool and recommend it to the whole Board of Education.
    - c. Annually, during the month of May, the Board of Directors shall take action on the evaluation tool as submitted for consideration. Pursuant to MCL 15.268(a), Section 8, the Board will only go into closed session to discuss the evaluation of the Head of School if the Head of School requests a closed session. The Head of School may rescind the request at any time.
    - d. The Board of Directors shall provide timely and constructive feedback to the Head of School within two weeks following the approval of the evaluation by the Board of Directors.
  4. With the guidance of the Head of School, the Board will establish clear approaches to measuring student growth that align with state and federal laws and with the goals and values of the District.
  5. The policies, procedures, and times associated with these policies may be modified at any time, either permanently or temporarily, by the Board of Directors.

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**APPROVED 3/20/2017**

#### **1004 – PROFESSIONAL STAFF EVALUATION POLICY**

The Board of Directors, through the powers derived from the School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, with involvement of professional staff, it delegates to the Head of School the function of establishing and implementing a rigorous, transparent, and fair performance evaluation system that does all of the following:

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

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

- 1. Beginning with the 2016-2017 school year, the portion of a teacher's annual year-end evaluation that is not based on student growth and assessment data shall be based primarily on a teacher's performance as measured by the school as described below.
- 2. Beginning with the 2018-2019 school year, for core content areas in grades and subjects in which state assessments are administered, fifty percent (50%) of student growth must be measured using the state assessments, and a portion of student growth not measured using state assessments must be measured using multiple research-based growth measures or alternative assessments that are rigorous and comparable across classrooms. Student growth also may be measured by student learning objectives or nationally normed or locally adopted assessments that are aligned to state standards, or based on achievement of individualized education program goals.
- 3. The portion of a teacher's evaluation that is not measured using student growth and assessment data or using the evaluation tool developed or adopted by the Board of Directors shall incorporate criteria enumerated in section M.C.L. 380.1248(1)(b)(i) to (iii) that are not otherwise evaluated under the tool. (See Policy 3131)

4. If there are student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent three (3) consecutive school-year period. If there are not student growth and assessment data for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.
- D. Uses the evaluations, at a minimum, to inform decisions regarding all of the following:
1. The effectiveness of employees, so that they are given ample opportunities for improvement.
  2. Promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development.
  3. Removing ineffective employees after they have had ample opportunities to improve and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures.
- E. Provides a mid-year progress report for every certified teacher who is in the first year of probation or has received a rating of minimally effective or ineffective on the most recent annual year-end evaluation.
1. This mid-year report shall not replace the annual year-end evaluation.
  2. The mid-year report shall:
    - a. Be based, at least in part, on student achievement;
    - b. Be aligned with the teacher's individualized development plan;
    - c. Include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.
- F. Includes classroom observations in accordance with the following:
1. Must include review of the lesson plan. State curriculum standards being taught and student engagement in the lesson.
  2. Must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) year-end evaluations.
  3. Observations need not be for an entire class period.
  4. At least one (1) observation must be unscheduled.
  5. The Head of School must conduct at least one (1) of the observations.
  6. Other observations may be conducted by other observers who are trained in the use of the evaluation tool as described below. These other observers may be teacher leaders.
  7. The Head of School shall ensure that, within thirty (30) days after each observation, the teacher is provided with feedback from the observation.
- G. For the purposes of conducting annual year-end evaluations under the performance evaluation system, The Board of Directors will adopt and implement one of the approved evaluation tools for teachers, as directed by the Michigan Department of Education (MDE).
- H. The Board of Directors will post on its public website all of the following information about the measures it uses for its performance evaluation system for teachers:
1. The research base for the evaluation framework, instrument, and process or, if The Board of Directors adapts or modifies and evaluation tool for the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.

2. The identity and qualifications of the author or authors or, if the Board of Directors adapts or modifies and evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified tool.
3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the Board of Directors adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or evaluation process.
4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.
5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
6. A description of the plan for providing evaluators and observers with training.

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

If a non-probationary teacher is rated as ineffective on an annual year-end evaluation, the teacher may request a review of the evaluation and the rating by the Board of Directors. The request for a review must be submitted in writing within twenty (20) days after the teacher is informed of the rating. Upon receipt of the request, the Board of Directors shall review the evaluation and rating and may make any modifications as appropriate based on this review. However, the performance evaluation system shall not allow for a review as described in this subdivision more than twice in a three (3) school-year period.

Evaluations shall be conducted of each professional staff member as stipulated in the Teacher Tenure Act, the revised School Code, and as directed by the Michigan Department of Education. A professional staff member shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

This policy shall not deprive a professional staff member of any rights provided by State law or contractual rights consistent with State law.

# Program

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#### **APPROVED 01/03/11 2001 - SCHOOL IMPROVEMENT**

The Board of Education supports the concept of school improvement as established by the State Board of Education and will seek to create and/or maintain effective schools as defined by State guidelines as a minimum. In addition to adopting a Mission Statement and Educational Philosophy for the District, the Board shall create, as needed, policies, which support the School Improvement process. The Head of School shall establish administrative guidelines, which will ensure that the following objectives can be achieved:

- A. School improvement plans which are developed and implemented by school-based teams that work collaboratively so that both building level and District level goals for students can be identified and correlated, and then achieved through effective planning, problem-solving, and assessment. Each such team is to include professional and support staff, students, parents, and representatives of the community.
- B. A District-wide, school-improvement plan, which provides for building-level decision-making. Each school's improvement plan is to include a mission statement; goals based on academic outcomes; curriculum aligned to the goals; evaluation procedures; staff development; use of community resources and volunteers; decision-making processes; the role of adult and community education, libraries, and community colleges; and other matters as determined by the Head of School.
- C. Periodic review and approval by the Head of School and the Board of each school's modification and improvement of its program based on the school's assessment of student accomplishment of performance objectives and program goals.
- D. Collaboration at both the building and District levels with parents, relevant institutions and groups, especially those in the community, who can support and facilitate school improvement in the District.

Upon approval of a school's initial plan and its later revisions, the Board and Head of School shall fully support, to the extent that resources allow, the school's educational improvement program.  
M.C.L.A. 380.1204(a), 380.1277

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#### **APPROVED 01/03/11** **2002 - CURRICULUM DEVELOPMENT**

The Board of Education recognizes its responsibility for the quality of the educational program of the schools. To this end, the curriculum shall be developed, evaluated, and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the Head of School.

For purposes of this policy and consistent communication throughout the District, curriculum shall be defined as:

- A. the plan for learning necessary to accomplish the educational goals of the District.
- B. all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the District.

The Board directs that the curriculum of this District:

- A. provides instruction in courses required by statute and State Department of Education regulations;
- B. ensures, to the extent feasible, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;
- C. be consistent with the District's philosophy and goals and ensure the possibility of their achievement;
- D. incorporate State-required performance standards for students as the bases for determining how well each student is achieving the academic outcomes for each area of the District's core curriculum;
- E. meets or exceeds state standards by incorporating Montessori pedagogy;

- F. allows for the development of individual talents and interests as well as recognizes that learning styles of students may differ;
- G. provides a strategy for continuous and cumulative learning through effective articulation at all levels, particularly of those skills identified as essential and life-role skills;
- H. utilizes a variety of learning resources to accomplish the educational goals;
- I. encourages students to utilize guidance and counseling services in their academic and career planning;
- J. provides for multi-cultural education by including, at each level, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society, including, but not limited to Euro-Americans, African-Americans, Asian-Americans, Hispanic-Americans, and Native-Americans.

As educational leader of the District, the Head of School shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study. The Head of School shall make progress reports to the Board annually.

The Head of School may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure accomplishment of the District's educational goals.

The Head of School shall report each such innovative program to the Board prior to implementation along with its objectives, evaluative criteria, and costs.

In the absence of Board disapproval, the Head of School may proceed to conduct the program.  
M.C.L.A. 380.1282

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#### **APPROVED 5/5/12** **2003 - ADOPTION OF COURSES OF STUDY**

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

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

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

- A. its applicability to students and an enumeration of those groups of students to be affected by it
- B. the intended learning objective(s), defined in terms of how the learning is applied and how the outcomes match district outcomes
- C. its scope and sequence and a statement of the rationale used to determine the amount and type of instructional time needed to accomplish the objectives at each level
- D. its justification in terms of the goals of this District, especially when it is proposed to take the place of an existing course of study
- E. its instructional methods and learning strategy including the manner in which the learning of democratic principles and ethics is provided for, if appropriate to the content of the course
- F. the resources that its implementation will require, including instructional materials, equipment, specially-trained personnel, etc.
- G. the plan for its continuous assessment which includes criteria and standards
- H. its developmental and operational history as well as data on results, where available

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

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

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

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

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

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

The Head of School shall maintain a current list of all courses of study offered by this District. The list shall include the data on each furnished with the recommendation for its adoption.  
M.C.L.A. 380.1164b, 380.1277, 380.1278, 380.1282, 388.1621

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**APPROVED 4/18/12**  
**2004 - MANDATORY COURSES**

In compliance with the Michigan School Code, the Board of Education directs the Head of School to prepare, implement, and supervise courses of instruction in the following areas:

- A. the Constitution of the United States and Michigan, and in the history and present form of government of the United States, and Michigan and its political subdivisions
- B. the modes by which communicable disease is spread and the best methods for the restriction and prevention of these diseases
- C. instruction in physiology and hygiene with special emphasis on drug abuse prevention
- D. the humane treatment and protection of animals and birds, and the important part they fulfill in the economy of nature

The Head of School shall prepare appropriate guidelines relative to the planning, teaching, and evaluation of these courses.

M.C.L.A. 380.1166, 1169, 1170, 1171

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**APPROVED 01/03/11**  
**2005 - STUDENT WITH LIMITED ENGLISH PROFICIENCY (LEP)**

It is the policy of the Board of Education that all students be provided a meaningful education and access to the programs provided by the District. Limited proficiency in the English language should not be a barrier to equal participation in the instructional or extra-curricular programs of the District.

It is, therefore the policy of this District that those students identified as having limited English proficiency will be provided additional support and instruction to assist them in gaining English proficiency and in accessing the educational and extra-curricular programs offered by the District.

Further, the District will endeavor to assist the student and his/her parents in their access to District programs by sending notices to the parents in a language or format that they are likely to understand.

20 U.S.C. 1701 et seq.

42 U.S.C. 2000d

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#### **APPROVED 01/03/11** **2006 - COURSE GUIDES**

The Board of Education recognizes that there may be a need from time to time to augment one or more segments of a course of study with a guide in order to better accomplish learning results with students.

As appropriate to the course of study, each guide shall contain:

- A. the intended learning outcome(s), defined in terms of how the learning is applied;
- B. alignment with District and program outcomes;
- C. knowledge, skills, attitudes, and values needed to achieve those outcomes;
- D. learning activities needed to achieve the outcome;
- E. appropriate materials and resources;
- F. suggested methods of instruction;
- G. evaluation criteria, standards, and methods which will confirm the extent to which learning outcomes have been achieved;
- H. a list of supplemental materials for the guidance of teachers.

The Head of School shall be responsible for the preparation of course guides and shall establish administrative guidelines related to their preparation.

All new course guides and revisions of existing guides shall be submitted to the Board for approval.

Copies of all current course guides shall be kept on file in the office of the Head of School.  
M.C.L.A. 380.1282

## Leelanau Montessori PSA

### Bylaws & Policies

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**AMENDED 4/18/12**  
**APPROVED 01/03/11**  
**2007 - CORE CURRICULUM**

In order to comply with State law, the Board shall adopt a core curriculum, which is to be based on the Model Core Curriculum developed by the State Board of Education. The Head of School shall prepare administrative guidelines, which will provide for a description of the courses that will comprise the core curriculum as well as the sequence, in grade clusters, in which such courses will be taught.

Should the core curriculum vary from the State model, the description of the core curriculum is to be accompanied by an explanation of the District's variations from the model and shall verify that no attitudes, beliefs, or value systems are included in the curriculum that are not essential in the legal, economic, and social structure of our society and to the personal and social responsibility of citizens of our society.

The school's guidelines shall also provide for an explanation of the means by which the core curriculum will be implemented and evaluated based on the K - 6 Program Standards of Quality established by the State Board of Education.

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

The Head of School is authorized to explore the feasibility of establishing a non-graded, continuous-progress program for grades 1-6 which will best assure that students in these grades are being provided an adequate opportunity to achieve the academic outcomes called for in the core curriculum for these grade levels.

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

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### Bylaws & Policies

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#### **APPROVED 01/03/11** **2008 - INNOVATIVE PROGRAMS**

The Board of Education wishes to promote the continued improvement of the instructional and curricular program of the schools through all appropriate means. The Board will encourage members of the school staff and of the student body who wish to pursue an innovative program for school improvement.

An innovative program design shall address the steps below when appropriate to the project:

- A. rationale
- B. specific objectives
- C. supportive research
- D. budgeting
- E. in-service requirements
- F. plans for broader implementation
- G. methods for evaluation

Each innovative program shall be consistent with the District's objectives and long range plans. Programs designed for disabled students must comply with Federal and State guidelines.  
M.C.L.A. 380.1282

## Leelanau Montessori PSA

### Bylaws & Policies

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**AMENDED 4/18/12**

**APPROVED 01/03/11**

#### **2009 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

The Board of Education does not discriminate on the basis of religion, race, color, national origin, sex, sexual orientation, disability or age in its programs, activities or employment.

Further, it is the policy of this District to provide an equal opportunity for all students, regardless of gender, sexual orientation, religion, race, color, national origin or ancestry, age, disability, marital status, place of residence within the boundaries of the District, or social or economic status, and/or any other legally protected characteristic, to learn through the curriculum offered in this District.

In order to achieve the aforesaid goal, the Board directs the Head of School to:

**A. Curricula Content**

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

**B. Staff Training**

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of any legally protected interest or other bias in all aspects of the program;

**C. Student Access**

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

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

**D. District Support**

ensure that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

**E. Student Evaluation**

ensure that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of any legally protected interest.

The Head of School shall appoint and publicize the compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints regarding discrimination or equal access are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, and Section 504 of the Rehabilitation Act of 1973 is provided to students, their parents, staff members, and the general public.

In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis.

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

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

The Head of School shall develop administrative guidelines as needed for the proper implementation of this policy.

M.C.L.A. 380.1146, 380.1704, 37.1101, et seq., 37.2402, 37.1402

M.C.L.A 37.2101-37.2804

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendments Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

29 U.S.C. Section 794, Rehabilitation Act of 1973

42 U.S.C. Section 2000d et seq., Civil Rights Act of 1964

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990

## Leelanau Montessori PSA

### Bylaws & Policies

**AMENDED 4/18/12**

**APPROVED 01/03/11**

**2010 - SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY**

Pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Education does not discriminate in admission or access to, participation in, or treatment its programs or activities. The District will require that the employment agency with whom the District has contracted does not discriminate in hiring.

As such, the Board's policies and practices will not discriminate against staff members and students with disabilities, will require equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

As used in this policy and the implementing administrative guidelines, "an individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

With respect to employment, a qualified person with a disability means a disabled person who, with reasonable accommodation, can perform the essential functions of the job in question. With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Michigan law to provide educational services to disabled persons; or
- C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

The Head of School is the District's Section 504 Compliance Officer/ADA Coordinator ("Compliance Officer"). The Compliance Officer is responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act ("ADA"). A copy of the Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, including copies of their implementing regulations, may be obtained from the Compliance Officer. The Compliance Officer can be reached at:

BOX 838, 310 S. Elm Street

Suttons Bay, MI 49682

(231) 271-8609

The Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted grievance procedure, and will attempt to resolve the grievances.

The employment agency with whom the District has contracted will oversee the training of staff members in the District so that all staff members understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA as described below:

#### **Discrimination Prohibited**

In accordance with Section 504/ADA, no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any of the District's programs or activities. Further, the Board's contracted employment agency will take positive steps to employ and advance in employment qualified individuals with disabilities. The agency must not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

#### **Reasonable Accommodation**

The Board will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified staff member with a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities.

#### **Facilities**

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

The District is committed to operating its programs and activities so that they are readily accessible to person with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities. The District will meet its obligation through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, alteration of existing

facilities and/or construction of new facilities, or any other method that results in making its programs and activities accessible to persons with disabilities. In choosing among available methods for meeting its obligations, the District will give priority to those methods that serve persons with disabilities in the most integrated setting appropriate.

### **Education**

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who are disabled within the definition of Section 504, regardless of the nature or severity of their disabilities. The Board recognizes and acknowledges that students may be disabled and eligible for services under Section 504 even though they do not qualify for or require special education and/or related services pursuant to the IDEIA. Students eligible for services under the IDEIA will be served under existing special education programs.

If a student has a physical or mental impairment that significantly limits his/her learning, but does not require specially designed instruction to benefit educationally, the student will be eligible for reasonable, but more than standard, accommodations and/or modifications of the regular classroom or curriculum in order to have the same access to an education as students without disabilities. Such accommodations and/or modifications will be provided pursuant to a Section 504 Accommodation Plan (Form 2260.01A F13).

If a student has a physical or mental impairment, but it does not significantly limit his/her learning, the student will not be entitled to a Section 504 Accommodation Plan, but s/he may still be eligible for a "Classroom Accommodation/Checklist" (Form 2260.01A F14).

Parents/guardian/custodian ("parents") are invited and encouraged to participate fully in the evaluation process. If the parents disagree with the determination made by the District's professional staff, they may request a hearing with an impartial hearing officer.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate to the needs of the person with disabilities. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

The District will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and nonacademic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such activities and services to the maximum extent appropriate to the needs of the person with a disability in question.

Notice of the Board's policy on nondiscrimination in employment and education practices and the identity of the District's Section 504/ADA Compliance Officer will be posted throughout the District, and published in the District's recruitment statements or general information publications. The Board directs the Head of School to prepare administrative guidelines for facilitating the prompt, fair and appropriate identification, referral, evaluation and placement of students with disabilities who qualify for accommodations under Section 504.

The Board will provide in-service training and consultation to staff on the education of persons with disabilities, as necessary and appropriate.

The Board will adopt a system of procedural safeguards that will provide for prompt and equitable resolution of complaints alleging violations of Section 504/ADA. Due process rights of students with disabilities and their parents under Section 504 will be enforced.

29 C.F.R. Part 1630

34 C.F.R. Part 104

29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended,

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 4/18/12** **2011 - TITLE I SERVICES**

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

The Head of School 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.

A. Assessment

The District 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 District's professional staff, that will assist in the diagnosis, teaching, and learning of the participating students.

B. Scope

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

C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members 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 1118 of the Act.

D. Comparability of Services

Title I funds will be used only to augment, not to replace, State and local funds. The Head of School 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 schools that are not receiving Title I assistance. The determination of the comparability of services may exclude, in accordance with Federal regulations, State and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally-disabled students.

The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

In order to achieve comparability of services, the Head of School shall assign teachers, administrators, and auxiliary personnel and provide curriculum materials and instructional supplies in such a manner as to ensure equivalence throughout the District.

#### E. Professional Development

The Head of School shall develop administrative guidelines whereby members of the professional staff participate in the design and implementation of staff development activities that meet the requirements of Section 1119 of the Act and:

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

#### F. Simultaneous Services

In accordance with law, a school offering Title I services may also serve other students with similar needs.

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

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**APPROVED 4/18/12**

#### **2012 - PARENT PARTICIPATION IN TITLE I PROGRAMS**

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 Head of School shall ensure that the Title I plan contains a written statement of guidelines, which has been developed with, approved by, and distributed to parents of participating students. The guidelines shall describe how:

- A. the District expects the parents to be involved in the program, including their participation in the development of the plan;
- B. meetings will be conducted with parents including provision for flexible scheduling and whatever assistance the District may be able to provide parents in order to better ensure their attendance at meetings, and for providing information in a language the parents can understand;
- C. meetings will include review and explanation of the curriculum, means of assessment, and the proficiency levels students are expected to achieve and maintain;
- D. 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;
- E. parents will be involved in the planning, review, and improvement of the Title I program;
- F. information concerning school performance profiles and their child's individual performance will be communicated to parents;
- G. parents will be assisted in providing help to 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;
- H. timely responses will be given to parental questions, concerns, and recommendations;
- I. the District will provide coordination, technical assistance and other support necessary to assist Title I schools to develop effective parental participation activities to improve academic achievement;
- J. an annual evaluation of the parental involvement plan will be conducted with parents, identifying any barriers to greater parental involvement (such as limited

- English, limited literacy, economic disadvantage, disability, etc.) and devising strategies to improve parental involvement;
- K. the parental involvement plan will be coordinated with other programs, such as Head Start, Reading First, Even Start, Parents as Teachers, and Home Instruction for Preschool Youngsters;
  - L. other activities will be conducted as appropriate to the plan and State or Federal requirements.

The Head of School shall also assure that each Title I participating school develops a specific plan, with parental involvement, which:

- A. convenes an annual meeting at a convenient time to which parents of participating children are invited to attend to explain the parents rights to be involved and the schools obligations to develop an involvement plan;
- B. will devise a flexible meeting schedule and describe assistance to encourage parental involvement, such as child care, transportation, home visits, or similar aid;
- C. will involve parents in an organized, on-going and timely way in the development, review and improvement of parent involvement activities;
- D. will provide participating students' parents with:
  1. timely information about the Title I programs;
  2. an explanation of the curriculum, the forms of academic assessment and the proficiency levels expected;
  3. regular meetings, upon request, to make suggestions and receive response regarding their student's education;
- E. develops jointly with parents a school-parent compact which outlines the responsibilities of the school staff, the parents and the student for academic improvement, including:
  1. the school's responsibility to provide high quality curriculum, and instruction in a supportive, effective learning environment;
  2. parent's responsibility for such things as monitoring attendance, homework, extracurricular activities and excessive television watching; volunteering in the classroom;
  3. the importance of parent teacher communication on an on-going basis through at least annual parent teacher conferences 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.

20 U.S.C. 6318 et seq., Elementary and Secondary Education Act of 1965  
34 C.F.R. Part 200 et seq.

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### Bylaws & Policies

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**APPROVED 4/18/12**

#### **2013 - TITLE I - PARENT'S RIGHT TO KNOW**

In accordance with the requirement of Section 1111 of Title I, for each school receiving Title I funds, the Head of School shall make sure that all parents of students in that school are notified that they may request, and the District will provide the following information on the student's classroom teachers:

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

In addition, the parents **shall** be provided:

- E. information on the level of achievement of their child(ren) on the required State academic assessments;
- F. timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

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

20 U.S.C. 6311, Elementary and Secondary Education Act of 1965

34 C.F.R. Part 200 et seq.

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### Bylaws & Policies

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#### **APPROVED 01/03/11 2014 - RELIGION IN THE CURRICULUM**

The Board of Education believes that an understanding of religions and their effects on civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, curriculum may include as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

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

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

The Head of School shall prepare administrative guidelines, which ensure that students are not influenced to accept a particular or any religious belief or point of view.

#### **Alternative Learning Activities For Opt-out Students**

Situations may arise in which the parent has requested that their child not participate in a particular instructional activity. Board policy authorizes that such requests are to be honored if the reason relates to a conflict between the subject matter and religious or philosophical beliefs held by the parents. Requests may not be honored, however, if the reason relates not to subject matter but to pedagogy or other concerns. In such cases, the parent should be referred to the building Head of School.

When a student is to be excused from an activity, the teacher should:

- A. prepare an alternative activity in the general subject area which the student can work at on his/her own to reinforce and/or extend acquired learning of content and/or skill or develop new knowledge or skill;
- B. arrange for a work location for the student that is properly supervised and provides access to help, if and when needed;

- C. try to ensure that there are no repercussions for the student either academically or socially as a result of not participating in the regularly-scheduled activity;
- D. keep a record of the alternative activity for communication with the parents, if such information is requested.

M.C.L.A. 380.1174, 380.1282  
U.S. Constitutional Amendment 1

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 01/03/11**

#### **2015 - FIELD AND OTHER DISTRICT-SPONSORED TRIPS**

The Board of Education recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should:

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

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

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

The Board of Education shall approve those field trips and other District-sponsored trips, which are planned to keep students out of the District overnight or longer or out of the State. The Head of School shall approve all other such trips.

Students may be charged fees for District-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically. Students on all District-sponsored trips remain under the supervision of this Board and are subject to the District's administrative guidelines.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Board or Head of School. No staff member may solicit students of this District for such trips within the facilities or on the school grounds of the District without permission from the Head of School. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the District's Administrative Guidelines for Extended Trips.

The Head of School shall prepare administrative guidelines for the operation of both field and other District-sponsored trips, including athletic trips, which shall ensure:

- A. the safety and well-being of students;
- B. parental permission is sought and obtained before any student leaves the District on a trip;
- C. each trip is properly planned, and if a field trip, is integrated with the curriculum, evaluated, and followed up by appropriate activities which enhance its usefulness;
- D. the effectiveness of field trip activities is judged in terms of demonstrated learning outcomes;
- E. each trip is properly monitored;
- F. student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;
- G. a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge;
- H. A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

M.C.L.A. 380.1282, 380.1331

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#### **APPROVED 4/18/12** **2016 - EDUCATIONAL OPTIONS**

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

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

Such options may include, but not be limited to, tutorial programs, independent study, correspondence courses, educational travel, mentorship programs, summer school, early college entrance, internet, digital broadcasting, or satellite course work offered by the school or any regionally accredited college or Michigan Virtual School.

Credit may be granted to the student upon complete evaluation of the program. The credit shall be placed on the student's transcript. The amount of credit counting toward graduation shall comply with the District graduation requirements.

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

M.C.L.A. 380.1481, 388.1621(b)

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 01/03/11** **2017 - HOMEBOUND INSTRUCTION PROGRAM**

The Board of Education shall provide, pursuant to requirements of the State Board of Education, or shall arrange through the Traverse Bay Area Intermediate School District for individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability.

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

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

Applications must be approved by the Head of School.

The District will provide homebound instruction only for those confinements expected to last at least five (5) days.

The District shall begin the instruction within three (3) days from the date of notification for non-special education students. In the case of students under an I.E.P., the instruction is to begin within fifteen (15) days after notification in order to arrange for a meeting of an I.E.P.C., if necessary.

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

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

- A. the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher;

- B. a parent or other adult in authority is not at home with the student during the hours of instruction;
- C. the condition of the student is such as to preclude his/her benefit from such instruction.

The Head of School shall develop administrative guidelines for implementing the policy.  
M.C.L.A. 388.1606, 388.1709

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 01/03/11 2018 - CRITICAL HEALTH PROBLEMS**

The Board of Education, in compliance with State law, has adopted a comprehensive program of health education, which will prepare students to maintain good health and enable them to adapt to changing health problems of our society.

The Board recognizes that this program, like others the District offers, may contain content and/or activities that some parents find objectionable. The District shall notify the parents, in advance of the instruction, and about the content of the instruction, give the parents an opportunity to review the materials to be used, and advise the parents of their right to have their child excused from the instruction. If after careful, personal review of the program lessons and materials, a parent files a complaint in accordance with Board policy regarding either content or activities that conflict with his/her religious beliefs or value system, the school will honor a written request for his/her child to be excused from particular classes for specified reasons. The student, however, will not be excused from participating in the course and will be provided alternative learning activities during times of parent requested absences.

The Head of School shall prepare administrative guidelines that will ensure:

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

In implementing these programs, the Head of School may use whatever District and outside resources, including Department of Education and ISD guidelines and consultants, s/he deems appropriate.

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

A.C. Rule 388.271 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

**APPROVED 01/03/11**

#### **2019 - STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION**

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

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

The Head of School shall ensure that procedures are established whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation. Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building Head of School.

To ensure the rights of parents, the Board directs building and program administrators to:

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

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

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the Head of School. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term instructional material does not include academic tests or assessments.

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

The Head of School is directed to provide notice directly to parents of students enrolled in the District of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Head of School is directed to notify parents of students in the District, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the items described in A through H above.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

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

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 4/18/12**

#### **2020 - DISTRICT-SPONSORED CLUBS AND ACTIVITIES**

The Board of Education believes that the goals and objectives of this District are best achieved by a diversity of learning experiences, including those that are not conducted in a regular classroom but are directly related to the curriculum.

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

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

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

No curricular-related activity shall be considered to be under the sponsorship of this Board unless it meets one or more of the criteria stated above and has been approved by the Head of School. Such activities, along with extra-curricular activities (not directly related to courses of study), may be conducted on or off school premises by clubs, associations, and organizations of students sponsored by the Board and directed by a staff advisor.

The Board shall allow non-district sponsored, student clubs and activities during non-instructional time, in accordance with the provisions in Policy - Equal Access For Non-district Sponsored, Student Clubs and Activities.

Non-curricular student activities that are initiated by parents or other members of the community may be allowed under the provisions of Policy - Use of District Facilities. The Board, however will not:

- A. assume any responsibility for the planning, conducting, or evaluating of such activities;
- B. provide any funds or other resources;

- C. allow any member of the District's staff to assist in the planning, conducting, or evaluating of such an activity during the hours s/he is functioning as a member of the staff.

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

In addition to the eligibility requirements established by the Michigan High School Athletic Association, to be eligible for any athletic or other extra-curricular activity, a student must have maintained at least a 2.0 grade-point average and/or must not have received a failing grade in any course for the one (1) semester prior to the semester in which s/he wishes to participate. An exception may be made by the Head of School if the student has been participating in an intervention program and has shown satisfactory progress toward achieving the minimum grade-point average.

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

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

M.C.L.A. 380.1282, 380.1316

P.L. 98-377

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 01/03/11**  
**2021 - SPECIAL EDUCATION**

The Board of Education shall enter into an agreement with the Traverse Bay Area Intermediate School District to provide a comprehensive, free, and appropriate educational program to all eligible disabled persons, unable to be serviced through our local district, ages zero (0) through twenty-five (25) which complies with Federal and State laws and guidelines.

The Head of School shall prepare whatever administrative guidelines are necessary to ensure effective implementation of the special education program.

M.C.L.A. 380.1751

A.C. Rule 340.1721A et seq., 340.1861 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 01/03/11**

#### **2022 - LEAST RESTRICTIVE ENVIRONMENT POSITION STATEMENT**

It is the philosophy and position of the Board of Education and its administration that the primary responsibility for the administration and delivery of special education programs and services should be within the District and at the school a student would regularly attend, whenever appropriate.

Further, the Board endorses a commitment to the provision of a continuum of special education programs and services to disabled students in cooperation with the Traverse Bay Area Intermediate District Schools. Placement options shall follow a continuum of services model to ensure that each disabled person is provided a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).

To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments such as: resource rooms, self-contained categorical classrooms, or settings outside of a District school will be considered only after consideration has been given by the IEPC as to the feasibility of placement in the regular classroom.

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

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 01/03/11**  
**2023 - ADOPTION OF TEXTBOOKS**

The Head of School shall approve all textbooks used as part of the educational program of this District. "Textbook", for purposes of this policy, shall mean the school's source of instructional material for any given course of study, in whatever form the material may be presented, that is available or distributed to every student enrolled in the course.

The Head of School shall be responsible for the selection and recommendation of textbooks for Head of School consideration. In considering the approval of any proposed textbook, the Head of School will weigh his/her decisions based on recommendations related to:

- A. suitability for the maturity level and educational accomplishment of the students who will be using the material;
- B. freedom from bias;
- C. relationship to the adopted curriculum;
- D. relationship to a continuous multi-grade program;
- E. impact on community standards;
- F. manner of selection;
- G. cost;
- H. appearance and durability.

The Head of School shall develop administrative guidelines for the selection of textbooks that includes effective consultation with professional staff members at all appropriate levels.  
M.C.L.A. 380.1421 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 01/03/11**

#### **2024 - SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT**

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

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

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

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

M.C.L.A. 380.1274, 380.1277

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 01/03/11**  
**2025 - COPYRIGHTED WORKS**

The Board of Education directs its staff to use copyrighted works only to the extent that the law permits. The Board recognizes that Federal law applies to public school districts and the staff must, therefore, avoid acts of copyright infringement under penalty of law.

In order to help the staff abide by the laws set forth in Title 17 of the United States Code, the Board directs the Head of School to provide administrative guidelines regarding the copying and distribution of copyrighted materials for instructional purposes.  
17 U.S.C. 101 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**AMENDED 4/18/12**  
**APPROVED 01/03/11**  
**2026 - STUDENT ASSESSMENT**

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

Each student's proficiencies and needs will be assessed by staff members upon his/her entrance into the District and annually thereafter. Procedures for such assessments will include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing programs, student portfolios, and physical examinations.

The Head of School shall develop and present to the Board annually, a program of testing and assessment that includes:

- A. the Michigan Education Assessment Program (for grades 3-6) and the Michigan Merit Examination (or other readiness assessment program approved by the State Head of School) administered each year in accordance with the schedule established by statute and the State Department of Education;

The purpose of the Michigan Education Assessment Program and the Michigan Merit Examination (MME) is to assess student performance in mathematics, science, social studies, reading, and English language arts for the purpose of improving academic achievement and establishing a Statewide standard of competency. The MME will include the American College Test (ACT) provided at District expense for all students in Grade 11. ACT scores are used during the college admission process to assess high school students' general educational development and their ability to complete college-level work.

- B. criteria-based written and oral examinations which include use of alternative questions, demonstrations, writing exercises, individual and group projects, performances, portfolios, and samples of best work;
- C. selection of assessment instrument, data, and other District criteria that will be used to assess educational achievement of each student in grades 1-5;
- D. assessment tests;

- E. achievement tests.

The Board requires that:

- A. any assessment tests used shall not be a psychiatric examination, testing, or treatment; or a psychological examination, testing, or treatment in which the primary purpose is to reveal information concerning:
  - 1. political affiliations;
  - 2. mental and psychological problems potentially embarrassing to the student or his/her family;
  - 3. sexual behavior and attitude;
  - 4. illegal, anti-social, self-incriminating, and demeaning behavior;
  - 5. critical appraisals of other individuals with whom respondents have close family relationships;
  - 6. legally-recognized, privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
  - 7. income without the prior consent of the adult student or without the prior written consent of the parent;
- B. any personality testing complies with Department of Education guidelines.

The Board also requires that:

- A. parents be informed of the testing program of the schools and of the special tests that are to be administered to their children;
- B. data regarding individual test scores be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;
- C. the results of each school-wide, program-wide, and District-wide test be made part of the public record.

M.C.L.A. 380.1279, 380.1279g, 390.1451 et seq., 380.1280b, 380.1282a  
A.C. Rule 340.1101 et seq.  
MEAP Test Administration Manuals

## Leelanau Montessori PSA

### Bylaws & Policies

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**AMENDED 4/18/12**

**APPROVED 01/03/11**

#### **2027 - COMBINED P.A. 25 ANNUAL REPORT AND NO CHILD LEFT BEHIND REPORT CARD**

The District must prepare and publicly disseminate the combined P.A. 25 Annual Report and NCLB Report no later than the beginning of each school year to all parents of all students. (If separate reports are published for P.A. 25 and for NCLB, the P.A. 25 report must be published no later than October 15, 2005.) Required information for the District and each individual school building includes the following:

#### **Assessment Data**

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

#### **Adequate Yearly Progress (AYP) Data**

- A. Aggregate information on other indicators (graduation rate and student attendance) used to determine AYP.
- B. AYP information, including number, names, and percentage of Title I schools identified for improvement and how long identified.
- C. Comparison between actual achievement of each group (excluding gender and migrant) and state's annual measurable objectives.
- D. Proficient, meaning students scored in levels 1 or 2 (exceeds Michigan standards or meets Michigan standards) on the MEAP or rated "Surpassed the Performance Standard" or "Attained the Performance Standard" on MI-Access.

- E. Comparison of building, District, and State achievement data on State assessments and other indicators of AYP. Other indicators are attendance rates at the elementary and middle school level and graduation rates for high school.

### **School Programs**

- A. Accreditation status. Public Act 25 (P.A. 25) requires schools to report on State accreditation status, accreditation by the North Central Association commission on Accreditation and School Improvement, or another specialized accreditation authority approved by the US Department of Education (P.A. 25).
- B. District student retention data, in addition to the data on graduation rate referenced earlier (P.A. 25).
- C. Number and percentage of students enrolled in postsecondary programs and/or college level equivalent courses, if the school has a high school (dual enrollment) (P.A. 25).
- D. The status of the core curriculum and the School Improvement Plan (P.A. 25).

### **Staff**

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

### **Parents**

- A. Information on parent-teacher conference attendance rates, a requirement of P.A. 25.
- B. Dissemination of the District's and school's parent involvement policy. (While this requirement is not a part of the NCLB report card, the Department recommends that this be done through the combined report.)
- C. Means of informing parents of the "right to know" provisions of the No Child Left Behind Act regarding teacher qualifications. (While this requirement is not a part of the NCLB report card, the Department recommends that this be done through the combined report.)

The school may include additional data if it chooses.

### **ADDITIONAL REPORT REQUIREMENTS FOR TITLE I PURPOSES**

In any year that the District receives Title I funding, its annual report must also include the following information:

- A. number and percentage of schools identified for school improvement and how long they have been in that category
- B. a comparison of the achievement by the District's students on the State-wide academic assessment to the achievement of students in the State as a whole
- C. for each school 1.) whether it has been identified for school improvement, and 2.) comparison of the school's student achievement on the statewide achievement assessments and other adequate yearly progress indicators to those students in the District and the State as a whole

- D. aggregated achievement information on State assessments in math and reading/language arts
- E. disaggregated achievement information by subgroups (race/ethnicity, disability, socio-economic level, gender, migrant status, English Language Learners, except in cases where numbers are too small to be statistically robust or where individual student results are identifiable)
- F. percentage of students not tested, disaggregated with the same conditions as above
- G. information that can be used to compare actual achievement levels with State objectives for each group
- H. most recent two (2) year trend data in achievement by subject area and grade level in areas where assessments are required
- I. aggregate information on State indicators used to determine adequate yearly progress
- J. information about performance of districts making adequate yearly progress, as well as the numbers and names of schools identified for school improvement under "Consequences for Low-Performing Schools"
- K. teacher qualifications/credentials, including percentage of teachers with emergency credentials and percentage of classes not taught by "highly qualified" teachers, both in the aggregate and disaggregated by high-poverty compared to low-poverty schools

This information must be disseminated annually, not later than the beginning of the school year, to all buildings and all parents, and make the information widely, publicly available through such means as posting on the Internet and distribution to local media and public agencies.

Distribution to parents should be in an understandable format and in a language that parents can understand. This report to parents may be included with the student report cards at the end of the year, if all students receive report cards.

M.C.L.A. 380.1204a(1)  
20 U.S.C. 6311

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 03/20/2017 2028 – TECHNOLOGY POLICY**

Literacy in the 21<sup>st</sup> century requires more than the ability to read, write, and compute. In order to function successfully in the 21<sup>st</sup> century world, every student must develop strong technological skills and continually use and refine them. LMPSA feels strongly that technology resources are integrated across the Montessori curriculum and are used daily for certain areas of instruction. As the students get older, they must be able to use the many forms of technology to access, understand, manage, interpret, evaluate, and create information. They must be able to present this information in a variety of formats, using technology to share the learning that they have accomplished. The board feels strongly that educators face a constant challenge to uphold a strong Montessori curriculum, state-mandated educational standards, as well as the rapid changes in technology. The LMPSA Board of Directors feels that our school must ensure technology resources are integrated across the curriculum and become part of the fabric of instruction in the elementary grades, with an awareness of how technology might support learning for individual students in the primary grades for specific purposes.

The Board of Directors, Administration, and Classroom teachers are all dedicated to the success of each and every student. To achieve this mission, the Board must ensure that all staff at LMPSA have the skills and knowledge to deliver quality curriculum and instruction to meet the varied needs of all students. To meet the demand for, “career and college-ready” students, we feel it necessary to empower our educators and students to be ready to deliver on innovations in the digital content creation, virtual collaboration, and mobile learning that exists today. This is an exciting time in education, where there are so many options and extensions for learning that students and teachers are many times learning together. The Board of Directors at LMPSA realizes the choice that Montessori provides families and how unique the individualization that occurs in the classroom can be augmented by technology use in the elementary classrooms. A technology-rich education produces students with the tools, competencies, and level of sophistication necessary to be successfully employed in an ever-changing global economy. Such an education enables all students to understand and use current and emerging technologies in their personal, academic and future work environments.

The LMPSA 2016-2017 Technology plan addresses the hopes for student and staff outcomes regarding technology within the school. This plan consider the basic skills and various proficiencies at each level the Board of Directors feels are necessary to help our students achieve a level of proficiency and become better able to meet the demands for college and career ready students in Michigan. Students will acquire technology skills as a means to an end, receiving practice in selecting and using various technology applications to accomplish a wide variety of tasks.

#### **Expected student outcomes in 3 year cycles at each level as a result of technology use:**

Basic technology skills that should be developed to prepare for curricular demands at higher levels:

- Select and access technology appropriate to needs.
- Use correct starting and exiting procedures.
- Develop keyboarding skills.
- Operate peripheral devices.
- Use technology independently and cooperatively.
- Use technology safely and ethically.
- Develop research skills.

Proficiencies our students should be working towards at both levels of the elementary:

- Understanding the proficiencies needed by our upper elementary students, every student in lower elementary will be exposed to basic technology literacy, through the use of research skills.
- Every student entering 3<sup>rd</sup> grade will demonstrate basic keyboarding skills which will enable her/him to navigate through a web page and to construct and edit a basic word processing document.
- Every student will have equal access to an online experience on a daily basis.
- Every student will use information technology resources to engage in meaningful real world problem solving experiences.
- Every student in the upper elementary will demonstrate the ability to complete a research project utilizing technology and electronic and/or internet resources.
- Every student in the upper elementary will be able to access core information through a video webcast format.
- Every student in the upper elementary will have multiple experiences presenting information utilizing technology.
- Every student leaving LMPSA after 6<sup>th</sup> grade will demonstrate basic computer competencies around the legal and moral ethics of technological sharing and transfer of information.

### **Expected staff outcomes as a result of technology use:**

The Board of Directors, through the Head of School, will promote and support the technological training for all LMPSA employees.

- All teachers will use technology to review, monitor and structure student learning and progress.
- All teachers will utilize quality software programs allowing teachers to more easily evaluate student performance and present information to parents in an easy to read format.
- All teachers will access current information to supplement teaching resources with electronic sources and on-line services.
- All staff will utilize technology as a primary means of communicating with colleagues and the global community.
- All staff will use technology to remain informed of the latest and most successful teaching practices.
- All teachers will successfully integrate technology into various curriculum areas including virtual field trips.
- All staff will demonstrate a proficiency in the use of multimedia software and Computer Performance Systems.
- All staff will demonstrate basic computer competencies around the legal and moral ethics of technological sharing and transfer of information.
- Provide a web based design application for teachers to design their own webpage.

# Students

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 03/21/11**

#### **5001 - HOMELESS STUDENTS**

Children who meet the Federal definition of "homeless" will be provided a free and appropriate public education in the same manner as all other students of the District and will not be stigmatized or segregated on the basis of their status as homeless. No homeless student will be denied enrollment based on a lack of proof of residency. No Board policy, administrative guideline, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Homeless students will be provided services comparable to other students in the District including:

- A. transportation services;
- B. educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students; and
- E. school nutrition programs.

The Head of School will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Head of School. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

42 U.S.C. 11431 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 06/2013**

#### **5002 - ENTRANCE AGE**

The Board of Education shall establish student entrance age requirements which are consistent with Michigan Law and sound educational practice and which ensure equitable treatment.

A. **Kindergarten**

A child is eligible for entrance into kindergarten if s/he attains the age of five (5) on or before October 1st of the year in which s/he applies for entrance and meets residence requirements. The child may not be placed in an alternative program without permission of the parent.

B. **Preschool Disabled**

Readiness and compensatory education programs may be provided for disadvantaged children of preschool age, if they have been certified in accordance with the rules of the State and are not part of a district's special education program.

Such programs may not be contracted for with nonpublic organizations or institutions nor with nonlicensed public institutions.

M.C.L.A. 380.1147, 380.1561, 388.1636-1639

A.C. Rule 340.4

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 03/21/11**

**5003 - WITHDRAWAL FROM SCHOOL**

The Board of Education affirms that, while Michigan law requires attendance of each student until sixteen (16) years of age, it is in the best interests of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a student wishes to withdraw from school, efforts should be made to determine the underlying reason for such action and the resources of the District should be used, when and as appropriate, to assist the student in reaching his/her career goals. No student under the age of eighteen (18) will be permitted to withdraw without the written consent of a parent and the documented awareness of the Head of School.

The Head of School shall develop administrative guidelines for withdrawal from school which:

- A. make counseling services available to any student who wishes to withdraw;
- B. help the student define his/her own educational life goals and help plan the realization of those goals;
- C. assure the timely return of all District-owned supplies and equipment in the possession of the student.

M.C.L.A. 380.1561, 388.1705

## Leelanau Montessori PSA

### Bylaws & Policies

**APPROVED 03/21/11**

#### **5004 - WIRELESS COMMUNICATION DEVICES**

Students may possess wireless communication devices (WCDs) in school, on school property, during after school activities (e.g. extra-curricular activities) and at school-related functions, provided that during school hours stored out of sight.

A "wireless communication device" is a device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor. The following devices are examples of WCDs: cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), BlackBerrys/Smartphones, Wi-Fi-enabled or broadband access devices, two-way radios or video broadcasting devices. "Students may use WCDs while riding to and from school on a school bus or other vehicle provided by the Board or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher, or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated."

Also, during after school activities when directed by the administrator or sponsor, WCDs shall be powered completely off (not just placed into vibrate or silent mode) and stored in his/her locker. The requirement that WCDs must be powered completely off will not apply in the following circumstances when the student obtains prior approval from the building principal:

- A. The student has a special health circumstance (e.g. an ill family member, or his/her own special health condition).
- B. The student is using the WCD for an educational or instructional purpose (e.g. taking notes, recording a class lecture, writing papers) with the teacher's permission and supervision. The preceding prohibitions do not apply to Board-owned and issued laptops, PDAs or authorized assistive technology devices.

Students are prohibited from using WCDs to capture, record or transmit the words (i.e. audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal.

WCDs, including but not limited to those with cameras, may not be possessed, activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to locker rooms, shower facilities, restrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The building principal has authority to make determinations as to other specific locations and situations where possession of a WCD is absolutely prohibited.

Violations of this policy may result in disciplinary action and/or confiscation of the WCD. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the WCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other

disciplinary consequences that are imposed. Any WCD confiscated by District staff will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian. WCDs in District custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with the policy on Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a WCD to school for a designated length of time or on a permanent basis.

A person who discovers a student in possession of or using a WCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their WCDs. The Board assumes no responsibility for theft, loss, damage, or vandalism to WCDs brought onto its property, or the unauthorized use of such devices.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

M.C.L.A. 380.1303

## Leelanau Montessori PSA

### Bylaws & Policies

#### **APPROVED 01/16/17 5005 – ATTENDANCE POLICY**

The Leelanau Montessori Board of Directors, as an agency of the State, is required to enforce the regular attendance of students. The Board of Directors, Administration, and teaching staff all recognize the educational value of regular attendance at school and how that allows for the student to participate in instruction, class discussions, and other related activities. As such, regular attendance and classroom participation are integral to student academic achievement. Attendance shall be required of all students, except those exempted under another policy or by other provisions of State law, during the days and hours that the school is in session. Leelanau Montessori Public School Academy recognizes that attendance in class is the responsibility of the parents or guardians and the student.

This attendance policy applies to all students and is set by the Leelanau Montessori Board of Directors:

- A. A child is tardy if he/she is not in his/her classroom ready to learn at 8:20 a.m.
- B. The child will be considered half-day AM absent if they arrive at school after 8:45 a.m. The child will be considered half-day PM absent if they leave school before 2:40 p.m.
- C. Three tardy A student who accumulates three tardies will have one absence added to their total for reporting requirements.
- D. The parent may take any extenuating circumstances that pertain to this policy directly to the Head of School for consideration.

Our board has defined the following as acceptable reasons for a child's absence from school:

- A. Illness
- B. Recovery from accident
- C. Required court attendance
- D. Professional appointments
- E. Death in the immediate family
- F. Observation or celebration of a cultural holiday
- G. Extended excused absences following appropriate Planned Extended Absence procedure\* (must be approved, in advance, by the Head of School)

\* Attendance need not always be within the school facilities, but a student will be considered to be in attendance if the Planned Extended Absence procedure is followed.

#### Planned Extended Absence Procedure

- School attendance must be such that it meets the State of Michigan requirements to be counted in the biannual student head count
- Faculty collaboratively makes a plan with family for the Planned Extended Absence
- Teachers inform parents that important lessons may be missed and a possibility that they can't be made up
- Teacher develops signed agreement based on collaborative plan
- Teacher, parent(s), child, and Head of School all sign collaborative plan
- Teacher sets a meeting date/time upon child's return to determine completion
- Completion of plan by meeting date determines whether absences will be excused or unexcused

#### LEELANAU COUNTY SCHOOL AND COURT TRUANCY PROGRAM

The Head of School (HOS) at Leelanau Montessori Public School Academy, by board directive, is the designated "Truancy Officer" for the school. The HOS will work in conjunction with the teaching staff to monitor attendance for chronic absenteeism. The HOS will work to identify impending truancy issues and then work with parents on the circumstances that may be contributing to the chronic nature of the attendance.

Absences in excess of 5 days/semester and/or 10 tardies without a valid excuse is an alert to examine the youth's attendance for possible truancy issues, especially if other warning signs exist, such as repeated patterns of absences/tardies in the previous semester or past school year. The following steps will be followed in these situations:

The Head of School will send the first letter to the parent or guardian of the child, indicating there is an attendance problem and requesting that a meeting be scheduled to discuss the absences. It will be sent via certified mail, as well as by regular mail. It may also be personally served to the parent or guardian. Each parent or guardian will receive their own copy of the letter.

This initial meeting will be held with the child's parent or guardian. A Corrective Action Plan (CAP) will be discussed and decided upon that speaks to future attendance. Consequences for not following the plan will also be discussed in the event truancy remains a problem (see below).

The Head of School will give the child's teacher a copy of the letter sent to the parents and the CAP so attendance can be monitored and reported as outlined in the CAP.

The Board of Directors has outlined the following consequences for the Head of School to follow: If the child misses two times in the next 30 days or 3 more in the next three months, the Head of School will request a Truancy Action Meeting with the Leelanau County Family Court Official. The HOS (or designated individual) will contact the Leelanau County Family Court Official to set up a date and time to meet. The Head of School will send a second letter to the parent(s)/guardian. The Leelanau County Family Court Official, Head of School, and any other needed individual will meet with the parent(s) or guardian.

If the parent fails to comply after the Truancy Action Meeting, the Head of School may file a complaint with the Leelanau County Truancy Coordinator /Prosecutor's Office. The Prosecutor will review the complaint. The Prosecutor could file misdemeanor truancy charges against the parent or guardian, and if found guilty, the Court may recommend for the parent(s) or guardian(s)

participate in parenting class and/or other recommended services or impose a jail sentence or fine.

## Leelanau Montessori PSA

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**APPROVED 03/21/11**

**5006 - ABSENCES FOR RELIGIOUS INSTRUCTION**

The Board of Education desires to cooperate with those parents who wish to provide for religious instruction for the children but also recognizes its responsibility to enforce the attendance requirements of the State.

Upon the signed request of a student's parent, the Board will allow exceptions to the student's continuous attendance at school:

- A. for religious instruction outside the school building for no more than two (2) class hours per week;
- B. for attendance at confirmation classes provided the child is between the ages of twelve (12) and thirteen (13) and the instructional period is no longer than five (5) months.

A student must be properly registered and a copy of such registration must be filed with the principal.

The time for release for religious instruction or education shall be arranged by the Head of School in keeping with the regulations of the State Board of Education. S/He will also assure the appropriate continuance of the instructional program in the public school during such release times.

No solicitation for attendance at religious instruction shall be permitted on District premises. No member of the staff shall encourage nor discourage participation in any religious instruction program.

M.C.L.A. 380.1561(3c)

A.C. Rule R340.71, R340.74

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 4/11/11** **5007 - IMMUNIZATION**

The Board of Education believes that immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the Board requires that all students be properly immunized at the time of registration or not later than the first day of school pursuant to the provisions of the State Health Department regulations.

Students must meet the immunization requirements set by State for attendance at school in order to enroll or attend.

Students who do not meet the immunization requirements on the opening day of school shall be suspended from school by the Head of School in accordance with District administrative procedures. Transfer students shall be permitted up to four (4) weeks of attendance without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

- A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify the contraindication the appropriate form.
- B. The parents hold religious or philosophical beliefs against receiving a vaccination. The parents must submit Form 5320 F3 before a waiver is granted.
- C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet.

M.C.L.A. 333.9201 et seq., 380.1177, 380.1177a

A.C. 325.176

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**APPROVED 03/21/11**

#### **5008 - USE OF MEDICATIONS**

The Board of Education shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or the child is disabled and requires medication to benefit from his/her educational program.

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, and/or remedies.

"Treatment" refers both to the manner in which a medication is administered and to health-care procedures, which require special training, such as catheterization.

Before any medication or treatment may be administered to any student during school hours, the Board shall require the authorization of the parent. These documents shall be kept on file in the administrative offices.

Only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be administered. Parents, or students authorized in writing by their physician and parents, may administer medication or treatment.

Staff members are to administer medication or treatment only in the presence of another adult, except in the case of an emergency that threatens the life or health of the student. Staff licensed as professional registered nurses are exempt from this requirement.

All staff authorized to administer medication or treatment will receive training on this policy and the Head of School's guidelines, as well as appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with both knowledge of the District's policy and procedures and the administration of medications or treatment. Where possible, this training should be provided by a licensed registered nurse, a licensed physician's assistant, or a licensed physician.

All medication shall be kept in a secure area in the school office.

The Board shall permit the administration by staff of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician and the staff member has completed any necessary training.

Students who may require administration of an emergency medication may have such medication in accord with the Head of School's administrative guidelines.

Students may possess and self-administer a metered dose or dry powder inhaler for relief of asthma, or before exercise to prevent onset of asthma symptoms, while at school, on school-sponsored transportation, or at any school-sponsored activity in accord with the Head of School's guidelines, if the following conditions are met:

- A. There is written approval from the student's physician or other health care provider and the student or parent/guardian (if student is under eighteen (18)) to possess and use the inhaler (ask for form)

and

- B. the building administrator has received a copy of the written approvals from the physician and the parent/guardian

and

- C. there is on file at the student's school a written emergency care plan prepared by a licensed physician in collaboration with the student and his/her parent/legal guardian. The plan shall contain specific instructions on the student's needs including what to do in the event of an emergency.

Students with a need for emergency medication may also be allowed to self possess and self-administer such medication, provided that they meet the same conditions established above. Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self possess and administer the medication if they meet the conditions stated above.

This policy and the administrative guidelines developed to establish appropriate procedures shall be implemented in such a manner to comply with District's obligations and the student's needs under any Individualized Education Plan, Section 504 Plan, or other legally required accommodation for individuals with disabilities.

The Head of School shall prepare administrative guidelines to ensure the proper implementation of this policy.

M.C.L.A. 380.1178, 380.1178a, 380.1179

Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School, Policy on Management of Asthma in Schools

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**APPROVED 03/21/11**

#### **5009 - STUDENT SUICIDE**

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the schools, and a student who has attempted self-destruction poses a danger both to himself/herself and to other students.

The Board directs all school personnel to be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

The Head of School shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure, which includes the following:

- Step 1           -       Stabilization
  
- Step 2           -       Assessment of the Risk
  
- Step 3           -       Use of Appropriate Risk Procedure
  
- Step 4           -       Communication with Appropriate Parties
  
- Step 5           -       Follow-up

The Head of School may implement instruction for students on the dangers of depression and suicide through age appropriate programs. Such instruction shall focus on:

- A.       awareness of the risks and warning signs;
  
- B.       access to appropriate prevention services;
  
- C.       prevention of suicidal behaviors among students.

Parents/Guardians shall be notified of any suicide prevention instruction provided their children at a particular building.

Throughout any intervention, it is essential that Board policies and District guidelines regarding confidentiality be observed at all times.

M.C.L.A. 380.1171

Kelson V City of Springfield, 767 F 2d 651 (9th Cir. 1985)

## Leelanau Montessori PSA

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**APPROVED 03/21/11**

**5010 - STUDENT CONDUCT**

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the schools of this District.

The Head of School shall establish procedures to carry out Board policy and philosophy, and shall hold all school personnel, students, and parents responsible for the conduct of students in schools, on school vehicles, and at school-related events.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct. This Code of Conduct shall be reviewed annually.

M.C.L.A. 380.1261, 380.1300, 380.1311, 380.1312

## Leelanau Montessori PSA

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**APPROVED 03/21/11**

**5011 - CARE OF DISTRICT PROPERTY**

Basic to the philosophy of the Board of Education is a respect for the rights of others. Students are urged to exercise this respect in regard to the belongings of others, including District property. Each student should realize that vandalism to District property is costly to repair and is directly related to increased school taxes.

Attempts should be made to teach students respect for property which can be done in connection with the care of textbooks and the use of District materials and equipment.

In accordance with law, students who cause damage to District property shall be subject to disciplinary measures, and they or their parents shall be financially liable for such damage to the extent of the law.

The Board authorizes the imposition of fines for the loss, damage, or destruction of District equipment, apparatus, musical instruments, library materials, textbooks, and for damage to District buildings.

The Head of School may report to the appropriate authorities any student whose damage of District property has been serious or chronic in nature.

The Head of School shall develop administrative guidelines to implement this policy.

M.C.L.A. 600.2913

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 03/21/11**

#### **5012 - HARASSMENT OF STUDENTS**

Harassment of students is prohibited, and will not be tolerated. This includes inappropriate conduct by other students as well as any other person in the school environment, including staff members, Board members, parents, guests, contractors, vendors and volunteers. It is the policy of the District to provide a safe and nurturing educational environment for all of its students. This policy applies to all activities on school property and to all school sponsored activities whether on or off school property.

Harassment is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional wellbeing. This would include harassment based on any of the legally protected characteristics, such as sex, race, color, national origin, religion, height, weight, marital status, sexual orientation or disability. This policy, however, is not limited to these legal categories and includes any harassment that would negatively impact students. This would include such activities as stalking, name-calling, taunting, and other disruptive behaviors.

Harassment through any means, including electronically transmitted methods (e.g., internet, telephone or cell phone, personal digital assistant (PDA), computer or wireless hand held device), may be subject to District disciplinary procedures. Such behavior is considered harassment whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle if it is considered to have a negative impact on the school environment.

Any student that believes s/he has been or is the victim of harassment should immediately report the situation to the teacher and the Head of School. If it involves the Head of School the victim may report it directly to the Board President.

Every student should, and every staff member **must** report any situation that they believe to be improper harassment of a student. Reports may be made to those identified above.

If the investigation finds harassment occurred it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for staff member, exclusion for parents, guests, volunteers and contractors, and removal from any officer position and/or a request to resign for Board members.

Retaliation against any person for complaining about harassment, or participating in a harassment investigation, is prohibited. Suspected retaliation should be reported in the same manner as harassment. Intentionally false harassment reports, made to get someone in trouble, are also prohibited. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

The following definitions are provided for guidance only. If a student or other individual believes there has been harassment, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

## Harassment

- A. submission to such unwelcomed conduct or communication is made either an explicit or implicit condition of utilizing or benefiting from the services, activities, or programs of the School District;
- B. submission to, or rejection of, the unwelcomed conduct or communication is used as the basis for a decision to exclude, expel or limit the harassed student in the terms, conditions or privileges of the School District;
- C. the unwelcomed conduct or communication interferes with the student's education, creates an intimidating, hostile or offensive environment, or otherwise adversely affects the student's educational opportunities. This may include racial slurs, mocking behavior, or other demeaning comments.

**Sexual Harassment**, may include, but is not limited to:

- A. verbal harassment or abuse;
- B. pressure for sexual activity;
- C. repeated remarks with sexual or demeaning implications;
- D. unwelcome touching;
- E. sexual jokes, posters, cartoons, etc.;
- F. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

**Note: Any administrator, teacher, coach, other school authority who engages in sexual or other inappropriate physical contact with a student may be guilty of criminal "child abuse" as defined in State law. M. C. L. A. 722.621 et. seq.**

## Confidentiality

Every reasonable effort will be made to maintain confidentiality during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure names and allegations.

## Notification

Notice of this policy will be **annually** circulated to all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires of the District will be required to review and sign off on this policy and the related complaint procedure.

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et. seq.  
42 U.S.C. 2000e et. seq.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et. seq.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.794

The Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.

The Handicappers' Civil Rights Act, M.C.L.A. 37.1101 et. seq.  
The Elliott-Larsen Civil Rights Act, M.C.L.A. 37.2101, et. seq.  
Child Protection Act, M.C.L.A. 722.621 et. seq.  
Policies on Bullying, Michigan State Board of Education, 7-19-01  
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006

## Leelanau Montessori PSA

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**AMENDED 4/20/15**

**AMENDED 5/21/12**

**APPROVED 03/21/11**

#### **5013 - BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS**

The Leelanau Montessori Public School Academy Board of Directors recognizes that a school that is physically and emotionally safe and secure for all students promotes good citizenship, increases student attendance and engagement, and supports academic achievement. To protect the rights of all students and groups for a safe and secure learning environment, the Board of Directors prohibits acts of bullying, harassment, and other forms of aggression and violence. Bullying or harassment, like other forms of aggressive and violent behaviors, interferes with both a school's ability to educate its students and a student's ability to learn. All administrators, faculty, staff, parents, volunteers, and students are expected to refuse to tolerate bullying and harassment and to demonstrate behavior that is respectful and civil. It is especially important for adults to model these behaviors (even when disciplining) in order to provide positive examples for student behavior. "Bullying" or "harassment" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e., cyberbullying, through the use of internet, cell phone, personal digital assistant (pda), computer, or wireless handheld device, currently in use or later developed and used by students) that is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress and may be motivated either by bias or prejudice based upon any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic, or is based upon association with another person who has or is perceived to have any distinguishing characteristic. Bullying and harassment also include forms of retaliation against individuals who report or cooperate in an investigation under this policy. Such behaviors are considered to be bullying or harassment whether they take place on or off school property, at any school-sponsored function, or in a school vehicle or at any time or place where a child's imminent safety or over-all well being may be at issue.

"Bullying" is conduct that meets all of the following criteria:

- is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- is directed at one or more pupils;
- is conveyed through physical, verbal, technological or emotional means;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing emotional distress; and,
- is based on a pupil's actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

“Harassment” is conduct that meets all of the following criteria:

- is reasonably perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- is directed at one or more pupils;
- is conveyed through physical, verbal, technological or emotional means;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district’s or public school’s educational programs or activities because the conduct, as reasonably perceived by the pupil, is so severe, pervasive, and objectively offensive as to have this effect; and,
- is based on a pupil’s actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

The scope of this policy includes the prohibition of every form of bullying, harassment, and cyber-bullying/harassment, whether in the classroom, on school premises, immediately adjacent to school premises, when a student is traveling to or from school (portal to portal), or at a school-sponsored event, whether or not held on school premises. Bullying or harassment, including cyber-bullying/harassment, that is not initiated at a location defined above is covered by this policy if the incident results in a potentially material or substantial disruption of the school learning environment for one or more students and/or the orderly day-to-day operations of any school or school program.

The Leelanau Montessori Public School Academy Board of Directors expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Leelanau Montessori Public School Academy Board of Directors believes that a student-centered approach helps students attain knowledge and skills vital to school success, a productive workforce and good citizenship. Critical skills include anticipating consequences of choices, making informed decisions, communicating effectively, resolving conflicts, and developing cultural competency.

The Leelanau Montessori Public School Academy Board of Directors recognizes that in order to have the maximum impact, it is critical to provide a minimum of annual training for school employees and volunteers who have significant contact with pupils on school policies and procedures regarding bullying and harassment. Training will provide school employees with a clear understanding of their roles and responsibilities and the necessary skills to fulfill them.

The Leelanau Montessori Public School Academy Board of Directors believes that standards for student behavior must be set through interaction among the students, parents and guardians, staff, and community members of the school district, producing an atmosphere that encourages students to grow in self-discipline and their ability to respect the rights of others. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, parents, and community members.

The Leelanau Montessori Public School Academy Board of Directors believes that the best discipline for aggressive behavior is designed to (1) support students in taking responsibility for their actions, (2) develop empathy, and (3) teach alternative ways to achieve the goals and solve the problems that motivated the aggressive behavior. Staff members who interact with students shall apply best practices designed to prevent discipline problems and encourage students’ abilities to develop self-discipline and make better choices in the future.

Since bystander support of bullying and harassment can encourage these behaviors, the district prohibits both active and passive support for acts of harassment or bullying. The staff should encourage students not to be part of the problem; not to pass on the rumor or derogatory message; to constructively attempt to stop them; to report them to the designated authority; and to reach out in friendship to the target. Periodic classroom meetings should be conducted to teach bystanders how and when to respond to bullying and harassment incidents. Informal classroom discussions and activities designed to provide awareness and increase student connectedness promote a positive shift in peer norms that will support empowered bystanders. When bystanders do report or cooperate in an investigation, they must be protected from retaliation with the same type of procedures used to respond to bullying and harassment.

The Leelanau Montessori Public School Academy Board of Directors requires its school administrators to develop and implement procedures that ensure both the appropriate consequences and remedial responses to a student or staff member who commits one or more acts of bullying and harassment. The following factors, at a minimum, shall be given full consideration by school administrators in the development of the procedures for determining appropriate consequences and remedial measures for each act of harassment or bullying.

#### Factors for Determining Consequences

- Age, development, and maturity levels of the parties involved
- Degree of harm (physical and/or emotional distress)
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

Note: In order to ensure students' perception of fair and impartial treatment, a student's academic or athletic status is not a legitimate factor for determining consequences. Consequences must be perceived as fair and impartial.

#### Factors for Determining Remedial Measures

##### *Personal*

- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Traits
- Interests
- Hobbies
- Extra-curricular activities
- Classroom participation
- Academic performance

##### *Environmental*

- School culture
- School climate and lack of connectedness
- Student-staff relationships and staff behavior toward the student
- Level of consistency in staff responses to bullying or harassing behaviors
- Level of consistency in application or severity of consequences given to students
- Staff-staff relationships witnessed by students
- General staff management of classrooms and other educational environments
- Staff ability to prevent and de-escalate difficult or inflammatory situations
- Social-emotional and behavioral supports
- Social relationships

- Community activities
- Neighborhood culture
- Family situation
- Range and number of opportunities for student engagement, involvement, and recognition for achievement (beyond academics and athletics)

Consequences and appropriate remedial actions for a student or staff member who engages in one or more acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, in the case of a student, or suspension or termination in the case of an employee, as set forth in the Board of Directors's approved code of student conduct or employee handbook. School employees will also be held accountable for bullying or harassing behavior

directed toward school employees, volunteers, parents, or students.

Consequences for a student who commits an act of bullying and harassment shall vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the Board of Directors's approved code of student conduct. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. Effective discipline uses a situational approach and appropriate consequences for offenses. The consequences and remedial measures may include, but are not limited to, the examples listed below:

#### Examples of Consequences

- Admonishment
- Participation in a guided reflection process designed to teach alternative behavior
- Temporary removal from the classroom
- Loss of privileges
- Classroom or administrative detention
- Referral to disciplinarian
- In-school suspension during the school week or the weekend, for students
- Out-of-school suspension
- Legal action
- Expulsion or termination

#### Examples of Remedial Measures

##### *Strategies for Individual Behavioral Change:*

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Restitution and restoration
- Transformative conferencing/restorative justice practices
- Supervised peer support group
- Corrective instruction or other relevant learning or service experience
- Supportive discipline to increase accountability for the bullying offense
- Supportive interventions, including participation of an Intervention and Referral Services team, peer mediation, etc.
- Behavioral assessment or evaluation, including, but not limited to, a referral to a Child Study Team, as appropriate
- Behavioral management plan, with benchmarks that are closely monitored
- Involvement of school disciplinarian
- Student counseling
- Parent conferences
- Student treatment
- Student therapy

*Strategies for Environmental Change (Classroom, School Building, or School District):*

- Activities or strategies designed to help the student who engaged in bullying or harassment reflect on the offending behavior, maintaining an emotionally neutral and strength-based approach
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying
- Change process to improve school culture
- School climate improvement/improvement in conditions for learning and instructional pedagogy (incorporation of brain-compatible strategies)
- Adoption of research-based, systemic bullying prevention programs
- Modifications of schedules
- Adjustments in hallway traffic
- Modifications in student routes or patterns traveling to and from school
- Increased supervision and targeted use of monitors (e.g., hallway, cafeteria, bus)
- General professional development programs for certificated and noncertificated staff
- Professional development plans for staff in key disciplinary roles
- Disciplinary action for school staff who contributed to the problem
- Parent conferences
- Referral to family counseling
- Increased involvement of parent-teacher organizations
- Increased involvement of community-based organizations
- Increased opportunities for parent input and engagement in school initiatives and activities
- Development of a general bullying/harassment response plan
- Peer support groups
- Increase communication with and involvement of law enforcement (e.g., school resource officer, juvenile officer)
- Engage in community awareness events and planning sessions

The Leelanau Montessori Public School Academy Board of Directors requires the Head of School and/or the Head of School's designee at each school to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the Head of School or the Head of School's designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

The Leelanau Montessori Public School Academy Board of Directors requires the Head of School, or his/her designee, to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Head of School and/or the Head of School's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three school days after a report or complaint is made. The parents of the students involved shall receive written notice from the school on the outcome of the investigation (in compliance with current privacy laws and regulations). All reports on instances of bullying and/or harassment must be recorded by the school for annual data review.

The Leelanau Montessori Public School Academy Board of Directors prohibits reprisal or retaliation against any person who reports an act of bullying or harassment or cooperates in an investigation. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Head of School after consideration of the nature, severity, and circumstances of the act.

The Leelanau Montessori Public School Academy Board of Directors prohibits any person from falsely accusing another as a means of bullying or harassment. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of

bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion. Consequences and appropriate remedial action for a school employee found to have falsely accused another as a means of bullying or harassment shall be in accordance with district policies, procedures, and agreements.

The Leelanau Montessori Public School Academy Board of Directors requires school officials to annually disseminate the policy to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying that occur on school property, at school-sponsored functions, or on a school bus.

The chief administrative officer shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

The school district shall incorporate information regarding the policy against harassment or bullying into each school employee training program and handbook.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 03/21/11**

**5014 - DISORDERLY CONDUCT**

It is the purpose of the Board of Education, acting within the intent and letter of the laws of this State, to provide instruction for students at public expense. Any act of any person(s) to interfere with or to thwart that purpose is unlawful or is in violation of Board policy. Therefore, actions by a student(s) to interfere materially or substantially with the operations of the School District by defacing or destroying school property, by rioting, breaking-in, sitting-in, lying-in, smashing-in, or picketing to force students not to cross picket lines are illegal. Students who engage in such activities may be punished to the full extent of the law and Board policies and District administrative guidelines promulgated there under.

For the purposes of this policy, the term "disorderly conduct" shall mean any unlawful student assemblage; or group act of violence, disruption, vandalism, or building seizure; or interference with the functioning of school personnel or any student or group of students.

M.C.L.A. 380.1300

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 4/18/12**

#### **5015 - DRUG PREVENTION**

The Leelanau Montessori PSA and its Board of Education certifies and pledges it will provide a drug-free workplace and learning environment for staff members and students. This pledge is in compliance with the Federal Drug-Free Workplace Act of 1988.

For purposes of this policy, "drugs" shall mean performance enhancing drugs as determined annually by the Department of Community Health.

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

Furthermore, the Head of School shall take the necessary steps so that an individual eighteen (18) years of age or older who knowingly sells, delivers or distributes controlled substances so designated and prohibited by Michigan statute within the Drug-Free School Zone to another person is prosecuted to the fullest extent of the law.

Students are also advised that the Leelanau Montessori PSA Board of Education has authorized the establishment of an Student Assistance Program that is available to students of the District under Board Policy. Drug counseling is one of the services available through the Student Assistance Program.

The Board and Head of School shall provide to staff members and students information, literature, and supportive services to inform them of the dangers of drug abuse and provide assistance and referral if a problem exists.

A biennial (every two (2) years review) of the District's program will be conducted to determine the program's effectiveness and implement changes to the program if they are needed. The review is also to ensure that the disciplinary sanctions under this program are consistently enforced.

M.C.L.A. 380.1170, 333.26301 et seq., 333.7410, 333.7410A

A.C. Rule R388.271 et seq.

Senate Bill 350.1990

Drug-Free Schools and Communities Act of 1986, 20 U.S.C. 3171 et seq.

20 U.S.C. 3224A

## Leelanau Montessori PSA

### Bylaws & Policies

**APPROVED 03/21/11**

#### **5016 - RELATIONSHIP WITH PUBLIC AGENCIES**

The Board of Education is committed to protecting students from harm that may or may not be directly associated with the school environment but also recognizes its responsibility to cooperate with law enforcement and public children's services agencies.

When law enforcement or other authorities arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the building administrator indicating the nature of their investigation and their desire to question a student or students and notify parents except in cases of suspected familial child abuse/neglect.

#### **Investigation of Child Abuse/Neglect Under the Child Protection Act by a Public Children's Services Agency or Law Enforcement Agency**

Every Board official and staff member who, in connection with his/her position, knows or suspects child abuse or neglect must immediately report that knowledge or suspicion to a public children's services or law enforcement agency.

An official of a public children's services agency or law enforcement agency may interview a student on school property during school hours in order to investigate a claim of child abuse/neglect involving such student or a member of the student's family. If neither the student nor a member of his/her family is the subject of the child abuse/neglect investigation, such agency shall be encouraged to contact the student during non-school hours and investigate the matter off school property, if at all possible.

The Head of School shall attempt to contact the parent prior to questioning, unless the investigator specifically requests that s/he not make such contact due to potential impact on the investigation such as investigations of familial child abuse/neglect.

The Head of School or designated guidance counselor will remain in the room during questioning of the student unless prohibited by the agency investigator.

#### **Investigations of Violations of Law by Law Enforcement Agencies**

Such law enforcement agencies investigating complaints other than under the Child Protection Act should contact a student during non-school hours and investigate alleged violations of the law off school property if at all possible. An investigation can take place immediately on school property during school hours at the request of the building administrator if the alleged violation of law took place on school property, involves other situations affecting school safety, or in emergency situations.

Before the student(s) is (are) questioned as a witness to or suspect in an alleged violation of law, the building administrator shall attempt to contact the parent prior to questioning and shall remain in the room during the questioning unless compelling reasons for exclusion are provided by the law enforcement agency.

In those circumstances when an interrogation may expose a student to criminal charges, the Head of School should also attempt to verify with the officer/investigator that the student(s) has been or will be informed of his/her right to refuse to answer questions, to be informed that anything s/he says may be used against him/her in court, and to consult with and be advised by legal counsel.

#### **Notification and Release of Records**

Attempts to notify the parents regarding investigations of child abuse/neglect and other law enforcement investigations shall be documented.

When an authorized law enforcement officer or the State's children's service agency removes a student, the Head of School shall attempt to notify the parent(s).

No school official may release personally identifiable student information in education records to the police or the State's children's services agency without prior written permission of the parent, a lawfully-issued subpoena, a court order or a health or safety emergency.

This policy shall be distributed annually to State's children's service Agency and Local and State Law Enforcement Agencies that service the District.

M.C.L.A. 722.627

Attorney General's Opinion No. 6869, September 6, 1995

34 C.F.R. 99.36

## Leelanau Montessori PSA

### Bylaws & Policies

**APPROVED 03/21/11**

#### **5017 - STUDENT DISCIPLINE**

The Board of Education acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment, which is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

The Board shall require each student of this District to adhere to the Code of Conduct promulgated by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The Head of School shall promulgate administrative guidelines for student conduct which carry out the purposes of this policy and:

- A. are not arbitrary but bear a reasonable relationship to the need to maintain a school environment conducive to learning;*
- B. do not discriminate among students;*
- C. do not demean students;*
- D. do not violate any individual rights constitutionally guaranteed to students.*

The Head of School shall designate sanctions, excluding corporal punishment, for the infractions of rules, which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

The Board shall attempt to provide, as resources permit, alternative programs and activities for disruptive students as a means to prevent or reduce discipline problems. In planning such programs, the Head of School shall include procedures, which ensure cooperation with those community agencies and organizations which can provide assistance to such students.

The Head of School shall publish to all students and their parents the rules of this District regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Code of Conduct.

Teachers and other staff members of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the schools or threatens the health and safety of others.

No student is to be detained after the close of the regular school day unless the student's parent has been contacted and informed that the student will be detained. No student shall be refused transportation services until the parent has been notified or other suitable transportation arrangements have been made. Notification to the parent is the responsibility of District personnel and should be made prior to the departure of school buses. If a parent cannot be contacted, the child should be detained on another day.

Prior to the departure of staff and student on an overnight fieldtrip; if the behavior exhibited by individual students causes concern among the staff for safe and orderly conduct of this educational fieldtrip, the staff members should devise a behavioral plan for the student designed to help the student understand, accept and follow a code of conduct. This plan should involve the student, parents, support staff, and administration necessary to devise a behavior plan, which is consistent with the policies and procedures of Leelanau Montessori PSA and where applicable, the rules and guidelines set forth in IDEA section 504. The plan should help the student to take responsibility for his/her actions and to understand the effect of his/or actions on other people and property. The plan should include responses and interventions consistent with the actions of the student. Due process rights of the students will be respected, if the plan will include an alternative educational program other than the fieldtrip. The conditions under which this action will be taken will be clearly defined in the process. A period of time under which the student behavior will be monitored for determination of this student's continued eligibility for the educational experience of the fieldtrip shall be consistent with the age, intellectual, and social development of the student. This plan shall be placed in writing and shall be signed by the student, parents, and key staff members involved, as well as the appropriate principal for the grade level of student concerned.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 03/21/11**

**5018 - SUSPENSION/EXPULSION OF STUDENTS WITH DISABILITIES**

In matters relating to the disciplining of students with disabilities, the Board of Education shall abide by Federal and State laws regarding suspension and expulsion.

The Head of School shall establish administrative guidelines and ensure they are properly used when disciplining any student with a disability.

20 U.S.C. Section 1401 et seq

Section 504, 1973 Rehab. Act;

29 U.S.C. 701 et seq.

34 C.F.R. 300.520 et seq

U.S. Supreme Court, Honig v Doe, 56 USLW 4091

M.C.L.A. 380.1311

## Leelanau Montessori PSA

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**APPROVED 3/21/11**

#### **5019 - EMERGENCY REMOVAL, SUSPENSION, AND EXPULSION OF NONDISABLED STUDENTS**

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

For purposes of this policy, "suspension" shall be the short-term (not more than ten (10) days) or long-term suspension of a student from a regular District program.

For purposes of this policy, unless otherwise defined in Federal and/or State law and Policy 5610.01, "expulsion" shall be the permanent exclusion of a student from the schools of this District. Students who are expelled permanently may petition for reinstatement under the provisions stipulated in Policy 5610.01.

The Head of School 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.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed. The Head of School shall check to make sure the student is not classified as disabled under Section 504.

No student, otherwise eligible for attendance, shall be excluded from a District program unless that student has substantially interfered with the maintenance of good order and/or the educational environment, or unless it is necessary to protect that student's or other students' physical or emotional safety and wellbeing.

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 the student may be given a short-term suspension by the Head of School. A student so removed will be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions. The Board designates the Head of School as its representative at any hearings regarding the appeal of a suspension. The Head of School shall develop administrative guidelines to implement this policy, which shall include:

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

M.C.L.A. 380.1301, 380.1309, 380.1311  
20 U.S.C. 3351

## Leelanau Montessori PSA

### Bylaws & Policies

#### **APPROVED 3/21/11**

#### **5020 - PERMANENT EXPULSION**

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

In compliance with State and Federal law, the Board or Head of School shall permanently expel any student who possesses a dangerous weapon in a weapon-free school zone or commits either arson or criminal sexual conduct in a District building or on District property, including school buses and other school transportation.

For purposes of this policy, a dangerous weapon is defined 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" or 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: a.) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of the explosive; b.) the frame or receiver of any such weapon; c.) any firearm muffler or firearm silencer; or d.) any destructive device. Such term does not include an antique firearm.

The Board or Head of School need not expel for possession of a dangerous weapon if the student can establish to the satisfaction of the Board or Head of School that:

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

The above exceptions will not apply to student misconduct involving sexual conduct or arson.

The Board or Head of School shall permanently expel a student in grade six or above if that student commits physical assault at school against a District staff member, volunteer, or contractor. Physical assault is defined as "intentionally causing or attempting to cause physical harm to another through force or violence."

The Board or Head of School shall suspend or expel a student in grade six or above for up to 180 school days if the student commits physical assault at school against another student. The Board or Head of School shall suspend or expel a student in grade six or above for a period of time as determined at the Board's or Head of School discretion if the student commits verbal assault against a District staff member, volunteer, or contractor or makes a bomb threat or similar threat directed at a school building, property, or a school-related activity. Verbal assault is a

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

The student may be enrolled, in lieu of expulsion, in an Alternative Education Program or Adult Education Program upon the Head of School's recommendation. Students enrolled in a program operated for expelled students shall be physically separated at all times during the school day from the general student population.

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

Disabled students under IDEA or Section 504 shall be expelled only in accordance with Board policy 2461 and Federal due process rights appropriate to these students.

The Head of School shall ensure that the expulsion is duly noted in the student's record and that the student has been referred to the County Department of Social Services or Mental Health Department within three (3) school days after the expulsion and the parents have been informed of the referral. Furthermore, the Head of School shall ensure that, if a student who is expelled is below the age of sixteen (16), then notification of the expulsion shall be given to the Juvenile Division of the Probate Court. In compliance with Federal law, the Head of School 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 District. In addition, the Head of School shall ensure that a copy of this policy is sent to the State Department of Education as well as a description of the circumstances surrounding the expulsion of a student for possessing a weapon in a weapon-free school zone together with the name of the school, the number of students so expelled, and the types of weapons that were brought into the weapon-free school zone and other reasons. The decision of the Head of School may be appealed, for good cause to the Leelanau Montessori PSA Board of Education, whose decision is final.

A student who has been expelled under this policy may apply for reinstatement in accordance with the following guidelines:

- A. If the student is in grade 5 or below at the time of the expulsion and was expelled for possessing a firearm or threatening another person with a dangerous weapon, the parents, legal guardian, the adult student, or the 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 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, the adult student, or the 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 6 or above at the time of the expulsion, the parents, legal guardian, the adult student, or the emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.
- D. The parent, adult student, or emancipated minor shall submit the request for reinstatement to the Head of School on District form 5610.01 F1.
- E. The Head of School shall, within ten (10) school days after receiving the form, submit the request, together with any other information s/he deems pertinent to the requested reinstatement, to a Board-appointed committee consisting of two (2) Board members, a District administrator, a teacher, and a parent of a District student.
- F. The committee shall, within ten (10) school days after being appointed, 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:

1. the extent to which reinstatement would create a risk of harm to students or school personnel;
2. the extent to which reinstatement would create a risk of District or individual liability for the Board or District personnel;
3. the age and maturity of the student;
4. the student's school record before the expulsion incident;
5. the student's attitude concerning the expulsion incident;
6. the student's behavior since the expulsion and the prospects for remediation;
7. if the request was filed by a parent, the degree of cooperation and support the parents has provided and will provide if the student is reinstated, including, but not limited to the parent's receptiveness toward possible conditions placed on the reinstatement. Such conditions may, as an example, include a written agreement by the student and/or a parent who filed the reinstatement request to:
  - a. abide by a behavior contract which may involve 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.

The committee may also allow the parent, adult student, or emancipated minor to propose conditions as part of the request for reinstatement.

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

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

The Head of School shall ensure that Board policies and District guidelines regarding a student's rights to due process are adhered to when dealing with a possible expulsion under this policy.

M.C.L.A. 380.1311, 380.1308, 380.1310, 380.1310a, 380.1311, 380.1311a

## Leelanau Montessori PSA

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**APPROVED 3/21/11**

#### **5021 - CORPORAL PUNISHMENT**

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

Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or school through suspension or expulsion procedures.

Professional staff as well as support staff, within the scope of their position, may use and apply reasonable force and restraint to:

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

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

The Head of School shall provide administrative guidelines, which shall include a list of alternatives to corporal punishment.

M.C.L.A. 380.1312

## Leelanau Montessori PSA

### Bylaws & Policies

**AMENDED 1/15/18**

**APPROVED 4/18/12**

#### **5022 - STUDENT SECLUSION AND RESTRAINT**

This policy is intended to provide the framework for organizational supports that result in effective interventions based on team-based leadership, data-based decision-making, continuous monitoring of student behavior, regular universal screening and effective on-going professional development. Leelanau Montessori is committed to investing in prevention efforts and to teach, practice and reinforce behaviors that result in positive academic and social outcomes for students.

In the event that staff members need to restrain and/or seclude students, it must be done in accordance with this policy, which is intended to:

- A. promote the care, safety, welfare and security of the school community and the dignity of each student;
- B. encourage the use of proactive, effective, evidence and research based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all students; and
- C. ensure that seclusion and restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation and reporting by trained personnel.

In furtherance of these objectives, Leelanau Montessori will utilize Positive Behavioral Interventions and Supports (PBIS) to enhance academic and social behavior outcomes for all students. PBIS implemented will include socially valued and measurable outcomes, empirically validated and practical practices, systems that efficiently and effectively support implementation of these practices, and continuous collection and use of data for decision-making.

#### **EMERGENCY SECLUSION**

##### **A. Prohibited Practices and Limitations on Use**

The following practices are prohibited under all circumstances, including emergency situations:

1. confinement of students who are severely self-injurious or suicidal

2. corporal punishment, as defined in M.C.L. 380.1312(1) of the revised school code, 1976 PA 451
3. the deprivation of basic needs
4. anything constituting child abuse
5. seclusion of pre-school children
6. seclusion that is used for the convenience of school personnel
7. seclusion as a substitute for an educational program
8. seclusion as a form of discipline or punishment
9. seclusion as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition

**B. Definition of Emergency Seclusion**

Seclusion means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include the general confinement of students if that confinement is an integral part of an emergency lockdown drill required under Section 19(5) of the Fire Prevention Code, 1941 PA 207, M.C.L. 29.19, or of another emergency security procedure that is necessary to protect the safety of students.

Emergency seclusion is a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the student to regain self-control while maintaining the safety of the student and others.

To qualify as emergency seclusion, there must be continuous observation by school personnel of the student and the room or area used for confinement:

1. must not be locked
2. must not prevent the student from exiting the area should staff become incapacitated or leave that area
3. must provide for adequate space, lighting, ventilation, viewing, and the safety of the student
4. must comply with State and local fire and building codes

C. **Time and Duration** Emergency seclusion should not be used any longer than necessary, based on research and evidence, to allow a student to regain control of his/her behavior to the point that the emergency situation necessitating the use of emergency seclusion is ended, but generally no longer than:

1. fifteen (15) minutes for an elementary school student;
2. twenty (20) minutes for a middle school or high school student

If an emergency seclusion lasts longer than the suggested maximum times above, the following are required:

1. additional support (which may include change of staff, introducing a nurse or specialist, or additional key identified personnel)
2. documentation to explain the extension beyond the time limit

**Additional procedures and requirements applicable to both seclusion and restraint are set out below.**

#### **EMERGENCY RESTRAINT**

##### **A. Prohibited Practices**

The following procedures are prohibited under all circumstances, including emergency situations:

1. mechanical restraint
2. chemical restraint

3. corporal punishment as defined in 380.1312(1) of the revised school code, 1976 PA 451, otherwise known as the Corporal Punishment Act
4. the deprivation of basic needs
5. anything constituting child abuse
6. restraint that is used for the convenience of school personnel
7. restraint as a substitute for an educational program
8. restraint as a form of discipline or punishment
9. restraint as a substitute for less restrictive alternatives, adequate staffing or school personnel training in PBIS
10. when contraindicated based on (as documented in a record or records made available to the school) a student's disability, health care needs, or medical or psychiatric condition
11. any restraint that negatively impacts breathing, including any positions, whether on the floor, facedown, seated or kneeling, in which the student's physical position (e.g., bent over) is such that it is difficult to breathe, including situations that involve sitting or lying across an individual's back or stomach
12. prone restraint (the restraint of a person face down)

**NOTE:** School personnel who find themselves involved in the use of a prone restraint as the result of responding to an emergency must take immediate steps to end the prone restraint.

13. the intentional application of any noxious substance(s) or stimuli that results in physical pain or extreme discomfort

A noxious substance or stimuli can either be generally acknowledged or specific to the student.

14. physical restraint, other than emergency physical restraint

15. any other type of restraint not expressly allowed

**B. Definition of Restraint**

Restraint means an action that prevents or significantly restricts a student's movement. Physical restraint is intended for the purposes of emergency situations only, in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

Emergency physical restraint is a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provide an opportunity for the student to retain self-control while maintaining the safety of the student and others. An emergency situation requires an immediate intervention. Emergency physical restraint may not be used in place of appropriate less restrictive interventions.

There are three (3) types of restraint: physical, chemical, and mechanical.

1. **Physical restraint** involves direct physical contact.

Restraint does not include actions undertaken for the following reasons:

- a. to break up a fight
- b. to take a weapon away from a student
- c. to briefly hold the student (by an adult) in order to calm or comfort him/her
- d. to have the minimum contact necessary to physically escort a student from one area to another
- e. to assist a student in completing a task/response if the student does not resist or if resistance is minimal in intensity or duration
- f. to hold a student for a brief time in order to prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car)

- g. to stop a physical assault as defined in M.C.L. 380.1310
- h. actions that are an integral part of a sporting event, such as a referee pulling football players off from a pile or similar action

2. **Chemical Restraint** is the administration of medication for the purpose of restraint.

Restraint does not include administration of medication prescribed by and administered in accordance with the directions of a physician.

3. **Mechanical Restraint** means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

Restraint does not include the following:

- a. an adaptive or protective device recommended by a physician or therapist (when it is used as recommended)
- b. safety equipment used by the general student population as intended (e.g., seat belts, safety harness on school transportation)

#### C. **Time and Duration**

Restraint should not be used:

1. any longer than necessary, based on research and evidence, to allow students to regain control of their behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended; and
2. generally no longer than ten (10) minutes.

If an emergency restraint lasts longer than ten (10) minutes, all of the following are required:

1. additional support, which may include a change of staff, or introducing a nurse, specialist, or additional key identified personnel

2. documentation to explain the extension beyond the time limit

**Additional procedures and requirements applicable to both seclusion and restraint are set out below.**

### **USE OF EMERGENCY SECLUSION/RESTRAINT**

#### **A. When to Use Emergency Seclusion/Restraint**

Seclusion/restraint must be used only under emergency situations and if essential. Emergency situation means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

#### **B. General Procedures for Emergency Seclusion/Restraint:**

1. An emergency seclusion/restraint may not be used in place of appropriate, less restrictive interventions.
2. Emergency seclusion/restraint shall be performed in a manner that is:
  - a. safe;
  - b. appropriate; and
  - c. proportionate to and sensitive to the student's:
    - 1) severity of behavior;
    - 2) chronological and developmental age;
    - 3) physical size;
    - 4) gender;
    - 5) physical condition;
    - 6) medical condition;
    - 7) psychiatric condition; and
    - 8) personal history, including any history of physical or sexual abuse or other trauma.

3. School personnel shall call key identified personnel for help from within the school building either immediately at the onset of an emergency situation or, if it is reasonable under the particular circumstances for school personnel to believe that diverting their attention to calling for help would increase the risk to the safety of the student or to the safety of others, as soon as possible once the circumstances no longer support such a belief.
4. While using emergency seclusion/restraint, staff must do all of the following:
  - a. involve key identified personnel to protect the care, welfare, dignity, and safety of the student
  - b. continually observe the student in emergency seclusion for indications of physical distress and seek medical assistance if there is a concern
  - c. document observations
  - d. ensure to the extent practicable, in light of the ongoing emergency situation, that the emergency seclusion/restraint does not interfere with the student's ability to communicate using the student's primary mode of communication
  - e. ensure that at all times during the use of emergency seclusion/restraint there are school personnel present who can communicate with the student using the student's primary mode of communication
5. Each use of an emergency seclusion/restraint and the reason for each use shall be documented and reported according to the following procedures:
  - a. document in writing and report in writing or orally to the building administration immediately
  - b. report in writing or orally to the parent or guardian immediately
  - c. a report shall be written for each use of seclusion/restraint (including multiple uses

within a given day) and the written report(s) provided to the parent or guardian within the earlier of one (1) school day or seven (7) calendar days

6. After any use of an emergency seclusion/restraint, staff must make reasonable efforts to debrief and consult with the parent or guardian, or the parent or guardian and the student (as appropriate) regarding the determination of future actions.

### C. **Students Exhibiting a Pattern of Behavior**

If a student exhibits a pattern of behavior that poses a substantial risk of creating an emergency situation in the future that could result in the use of emergency seclusion/restraint, school personnel should do the following:

1. conduct a functional behavioral assessment
2. develop or revise a PBIS plan to facilitate the reduction or elimination of the use of seclusion/restraint
3. develop an assessment and planning process conducted by a team knowledgeable about the student, including at least:
  - a. the parent or guardian
  - b. the student (if appropriate)
  - c. people who are responsible for implementation of the PBIS plan
  - d. people who are knowledgeable in PBIS
4. develop a written emergency intervention plan ("EIP") to protect the health, safety, and dignity of the student. An EIP may not expand the legally permissible use of emergency seclusion/restraint.

The EIP should be developed by a team in partnership with the parent or guardian. The team shall include:

1. a teacher;

2. an individual knowledgeable about legally permissible use of seclusion/restraint; and
3. an individual knowledgeable about the use of PBIS to eliminate the use of seclusion/restraint.

The EIP should be developed and implemented by taking all of the following documented steps:

1. describe in detail the emergency intervention procedures
2. describe in detail the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses
3. inquire of the student's medical personnel (with parent or guardian consent) regarding any known medical or health contraindications for the use of seclusion/restraint
4. conduct a peer review by knowledgeable staff
5. provide the parent or guardian with all of the following, in writing and orally:
  - a. A detailed explanation of the PBIS strategies that will reduce the risk of the student's behavior creating an emergency situation.
  - b. An explanation of what constitutes an emergency, including examples of situations that would fall within and outside of the definition.
  - c. A detailed explanation of the intervention procedures to be followed in an emergency situation, including the potential use of emergency seclusion/restraint.
  - d. A description of possible discomforts or risks.
  - e. A detailed explanation of the legal limits on the use of emergency seclusion/restraint, including examples of legally permissible and prohibited uses.

- f. Answers to any questions.

A student who is the subject of an EIP should be told or shown the circumstances under which emergency intervention could be used.

#### D. **Data Collection and Reporting**

The building administrator shall develop a system of data collection, collect the data and forward all incident reports and data regarding the use of seclusion/restraint to the Superintendent.

The data must:

1. be analyzed to determine the efficacy of the school's school-wide system of behavioral support;
2. be analyzed in the context of suspension, expulsion, and dropout data;
3. be analyzed for the purposes of continuous improvement of training and technical assistance toward the reduction or elimination of seclusion/restraint;
4. be analyzed on a schedule determined by the Michigan Department of Education (MDE);`
5. be reported to the MDE, if and as required;
6. include a list of appropriately trained, identified personnel and their levels of:
  - a. education;
  - b. training; and
  - c. knowledge.

**NOTE:** Leelanau Montessori must report to the MDE on the use of seclusion and restraint periodically. MDE will develop guidelines that outline the process for reporting redacted, aggregated data regarding the emergency use of seclusion and restraint.

#### **Training Framework**

A comprehensive training framework will be implemented which includes the following:

- A. awareness training for all school personnel who have regular contact with students; and

- B. comprehensive training for key identified personnel.

All substitute teachers must be informed of and understand the procedures regarding the use of emergency seclusion and emergency restraint. This requirement may be satisfied using online training developed or approved by MDE and online acknowledgement of understanding and completion of the training by the substitute teacher.

**Comprehensive Training for Identified Personnel**

Each building administrator will identify sufficient key personnel to ensure that trained personnel are generally available for an emergency situation. Before using emergency seclusion or emergency physical restraint with students, key identified personnel who may have to respond to an emergency safety situation must be trained in all of the following:

- A. proactive practices and strategies that ensure the dignity of students
- B. conflict resolution
- C. mediation
- D. social skills training
- E. de-escalation techniques
- F. positive behavioral intervention and support strategies
- G. techniques to identify student behaviors that may trigger emergency safety situations
- H. related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used
- I. instruction in the use of emergency seclusion and emergency physical restraint
- J. identification of events and environmental factors that may trigger emergency safety situations
- K. instruction on the State policy on the use of seclusion and restraint
- L. description and identification of dangerous behaviors
- M. methods for evaluating the risk of harm to determine whether the use of emergency seclusion or emergency physical restraint is warranted
- N. types of seclusion
- O. types of restraint

- P. the risk of using seclusion and restraint in consideration of a student's known and unknown medical or psychological limitations
- Q. cardiopulmonary resuscitation and first aid
- R. the effects of seclusion and restraint on all students
- S. how to monitor for and identify physical signs of distress and the implications for students generally and for students with particular physical or mental health conditions or psychological limitations
- T. ways to obtain appropriate medical assistance

### GLOSSARY OF TERMS

**"Chemical Restraint"** means the administration of medication for the purpose of restraint.

**"De-escalation Techniques"** means evidence- and research-based strategically employed verbal or nonverbal interventions used to reduce the intensity of threatening behavior before, during, and after a crisis situation occurs.

**"Documentation"** means documentation developed by the Michigan Department of Education that is uniform across the State.

**"Emergency Situation"** means a situation in which a student's behavior poses imminent risk to the safety of the individual student or to the safety of others. An emergency situation requires an immediate intervention.

**"Functional Behavioral Assessment"** means an evidence- and research-based systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavioral assessment shall describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.

**"Key Identified Personnel"** means those individuals who have received the mandatory training described in M.C.L. 380.1307G(B)(I) to (XVI), listed under Comprehensive Training for Identified Personnel above.

**"Mechanical Restraint"** means the use of any device, article, garment, or material attached to or adjacent to a student's body to perform restraint.

**"Physical Restraint"** means restraint involving direct physical contact.

**"Positive Behavioral Intervention and Support (PBIS)"** means a framework to assist school personnel in adopting and organizing evidence-based behavioral interventions into an integrated continuum of intensifying supports based on student need that unites examination of the function of the problem behavior and the teaching of alternative skill repertoires to enhance academic and social behavior outcomes for all students.

**"Positive Behavioral Intervention and Support Plan"** means a student-specific support plan composed of individualized, functional behavioral assessment-based intervention strategies, including, as appropriate to the student, guidance or instruction for the student to use new skills as a replacement for problem behaviors, some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and procedures for monitoring, evaluating, and modifying the plan as necessary.

**"Prone Restraint"** means the restraint of an individual face down.

**"Regularly and Continuously Work Under Contract"** means that term as defined in section M.C.L. 380.1230.

**"Restraint"** means an action that prevents or significantly restricts a student's movement. Restraint does not include the brief holding of a student in order to calm or comfort, the minimum contact necessary to physically escort a student from one area to another, the minimum contact

necessary to assist a student in completing a task or response if the student does not resist or resistance is minimal in intensity or duration, or the holding of a student for a brief time in order to prevent an impulsive behavior that threatens

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**APPROVED 3/21/11**

#### **5023 - SEARCH AND SEIZURE**

The Board of Education has charged school authorities with the responsibility of safeguarding the safety and wellbeing of the students in their care. In the discharge of that responsibility, school authorities may search school property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

#### **School Property**

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy as to prevent examination by a school official. The Board directs the Head of School to conduct a routine inspection at least annually of all such storage places. In the course of any search, student's privacy rights will be respected regarding any items that are not illegal or against Board policy.

The Board also authorizes the use of canines, trained in detecting the presence of drugs or devices, when the Head of School has reasonable suspicion that illegal drugs, explosive or firearms may be present in a school. This means of detection shall be used only to determine the presence of drugs, explosives or firearms in locker areas and other places in the school where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities.

#### **Student Person and Possessions**

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. This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

The Head of School is authorized to arrange for a breath-test instrument, according to the school's guidelines, for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the Board has established a zero tolerance for alcohol use.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the Head of School. Provided there is reasonable suspicion, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the Head of School in the presence of the student and a staff member. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened.

The Head of School shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found and the disposition made of them; and any subsequent action taken. The Head of School shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The Head of School shall prepare administrative guidelines to implement this policy.

M.C.L.A. 380.1306

U.S. Constitution, 4th Amendment

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#### **APPROVED 3/21/11**

#### **5024 - WEAPONS**

The Board of Education prohibits students from possessing, storing, making, or using a weapon, as defined in Section 5027, in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle without the permission of the Head of School.

The term "weapon" is defined in policy 5027.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

The Head of School is authorized to establish instructional programs on weapons, which require students to immediately report knowledge of weapons and threats of violence by students and staff to the Head of School. Failure to report such knowledge may subject the student to discipline up to and including suspension or expulsion from school.

The Head of School will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

Policy exceptions include:

- A. weapons under the control of law enforcement personnel;
- B. items pre-approved by the building principal as part of a class or individual presentation under adult supervision, if used for the purpose and in the manner approved;
- C. theatrical props used in appropriate settings;

This policy will be published annually in all District student and staff handbooks. Publication is not a precondition to enforcement of this policy.

M.C.L.A. 380.1311, 380.1312(1), 380.1313  
20 U.S.C. 7151

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#### **APPROVED 3/21/11**

#### **5025 - STUDENT RIGHTS**

The Board of Education recognizes that students possess not only the right to an education but the rights of citizenship as well.

In providing students the opportunity for an education to which they are entitled, the District shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. The District shall, at the same time, guarantee that no student is deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the District.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Parents also have rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

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

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

This policy shall not supercede any rights under the Family Education Rights and Privacy Act. 20 U.S.C. 1232h

# Finances

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#### **APPROVED 05/09/11** **6001 - FEDERAL FUNDS**

It is the objective of the Board of Education to provide equal educational opportunities for all students within the District. Therefore, it is the intent of the Board to be kept apprised of Federal legislation to enhance educational opportunities, the educational environment, and the physical and mental growth for each student.

The Head of School shall review new Federal education legislation and prepare proposals for programs s/he deems would be of aid to the students of this District. The Head of School shall approve each such proposal prior to its submission, and the Board shall approve all grants resulting from such proposals through the budget approval process.

The Board regards available Federal funds of aid to local school districts and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accord with Federal guidelines on discrimination. All Federal funds received by the District will be used in accordance with the applicable Federal law. The Head of School shall require that each draw of Federal monies is as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.

No Federal funds received by the District shall be used (1) to develop or distribute materials, or operated programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds; (3) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution in schools.

Compliance Supplement for Single Audits of State and Local Governments  
20 U.S.C. 7906

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**APPROVED 05/09/11**

**6002 – BORROWING**

Upon the initiative of the Board of Education and with the approval of the Municipal Finance Commission or State Department of Education, the Head of School shall prepare the data and applications regarding the borrowing of funds against State Aid Notes, Tax Anticipation Notes, and Bond Issues. Such borrowing shall be in accordance with the provisions of Section 1225 of the School Code.

Quotations shall be solicited for all short - term loans which the Board has authorized. Funds shall be borrowed from the responsible organization offering the most favorable terms, as approved by the Board.

M.C.L.A. 134.1 et seq., 188.761 et seq., 380.144, 380.1225

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**APPROVED 05/09/11**  
**6003 - TUITION INCOME**

The Board of Education shall assess tuition for attendance in District schools by students who are not entitled to receive a free, public education in this District and whose enrollment has been approved by the Board.

Tuition rates shall represent the cost per student membership within the limits established by law. Rates will be available before the beginning of the school year or before the student's attendance commences. Charges shall be up to the maximum permitted by law.

The Head of School shall be responsible for the assessment and collection of tuition. Tuition billing may be assessed daily in advance of the period for which the billing is made.  
M.C.L.A. 380.1401 et seq., 388.1511 et seq.

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#### **APPROVED 05/09/11** **6004 - BUDGET PREPARATION**

The District's operation and educational plan is reflected in its budgets. Each year, the Board of Education will cause to have prepared and then review and approve the following Fund budgets:

- A. General Fund
- B. Hot Lunch Fund
- C. Preschool Fund
  
- D. Special Budgets as necessary (ie, Construction Fund)

Each budget shall be designed to carry out District operations in a thorough and efficient manner, maintain District facilities properly, and honor continuing obligations of the Board.

In order to provide a strong equity position for the School District, the Board shall proceed as follows in the budgeting process:

- A. The Board shall not allocate for the operating budget, funds contained in the liquid fund balance of the preceding year unless a minimum of the equivalent of seven and one-half (7 1/2%) percent of the preceding year revenue is set aside as an emergency contingency fund.
- B. This emergency contingency fund shall be maintained for these purposes:
  - 1. Six percent (6%) for extraordinary emergency use at the discretion of the Board.
  - 2. One one-half percent (1 1/2%) for unusual expenses greater than those usually budgeted for but less than an amount that would require voter approval.
- C. If there are not enough funds available to meet the seven and one-half percent (7 1/2%) minimum for the contingency fund, the Board shall budget an additional one percent (1%) in the succeeding year's operating budget until the minimum is available.

- D. Liquid Fund Balance shall be defined as General Fund cash, investments and taxes receivable less current liabilities.

A proposed budget requires the critical analysis of every member of the Board prior to approval; once adopted, the budget deserves the support of all members of the Board regardless of their position before its adoption.

The Board directs the Head of School to present the budgets to the Board along with all available information associated with each budget in sufficient time to allow for proper analysis and discussion prior to the hearing.

When presented to the Board for review and/or adoption, the information shall include, as appropriate:

- A. the proposed expenditure and revenue in each financial category for the ensuing year;
- B. the anticipated expenditure and revenue in each financial category for the current year;
- C. the actual expenditure and the revenue in each financial category for the previous year;
- D. an estimate of the student enrollment by grades for the ensuing year;
- E. the amount of fund equity targeted at the end of the current and ensuing year.

M.C.L.A. 141.434 et seq.

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#### **APPROVED 05/09/11** **6005 - BUDGET HEARING**

The annual budget adopted by the Board of Education represents the Board's position on the allocation of resources required to operate an appropriate system of education. All reasonable means shall be employed by the Board to present and explain that position to all interested parties. The public budget hearing will be conducted in accordance with law.

Each member of the Board and the District Head of School shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The budget approved by this Board will be made available to the public in the form and at the places required by law. A simplified form of the budget may also be prepared annually and may be sent to appropriate parties and distributed to each person attending the annual budget hearing.

A simplified budget may include the expenditure in each major category of current expense for the current year and the coming year and a summary of anticipated receipts as well as a brief explanation of significant increases and decreases from the preceding budget.

The final adoption of the proposed annual budget shall be made by the Board after completion of the public hearing.

M.C.L.A. 141.411 et seq.

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**APPROVED 05/09/11**  
**6006 - BUDGET IMPLEMENTATION**

The Board of Education places the responsibility of administering the budget, once adopted, with the Head of School.

The Head of School shall be authorized to proceed with making financial commitments, purchases, and other expenditures within limits provided in the budget, limitations stated in Board policies, and within legal authority expressed in State statutes.

Listings of expenditures, appropriate financial reports, and budget comparison reports shall be submitted quarterly to the Board to keep members informed as to the status of the budget and overall financial condition of the District.

If, during the fiscal year, it appears to the Head of School that actual revenues are less than estimated revenues, the Head of School shall present to the Board recommended amendments to the General Appropriations Act that will prevent expenditures from exceeding the budget for such expenditures. Such recommendations shall be in accordance with requirements of the law and provisions of negotiated agreements.

M.C.L.A. 141.436 et seq., 388.1702

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#### **APPROVED 05/09/11** **6007 – PURCHASING**

It is the policy of the Board that the Head of School adhere to the following:

- A. Seek informal price quotations on purchases that are under fifty percent (50%) of the amount allowed by State statute for a single item, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the School.
- B. When the purchase of, and contract for, single items of supplies, materials, or equipment is in excess of fifty percent (50%) but less than the amount allowed by State statute the Head of School shall whenever possible, require three (3) competitive price quotations.

Purchases in a single transaction that are in excess of the dollar amount permitted by State statute shall require competitive bids and, whenever possible, have at least three (3) such bids for substantiation of purchase and shall require approval of the Board prior to purchase.

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L.A. 18.1263.

Competitive bids are not required for food purchases, unless food purchased in a single transaction costs \$100,000 or more.

Bids shall be sealed and shall be opened by the Business Manager in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:

- A. the quality of the item(s) to be supplied;
- B. its conformity with specifications;
- C. suitability to the requirements of the school;

- D. delivery terms;
- E. past performance of vendor.

In addition to the factors above, the Board may consider and provide a preference to bidders

- A. which, use a Michigan-based business as the secondary contractor.
- B. which, use one (1) Leelanau County based business as the primary contractor when the bid is within five percent (5%) of the lowest bid.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L.A. 18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

- A. have filed a Michigan business tax return showing an allocation of income tax base to Michigan
- B. have filed a Michigan income tax return showing income generated in or attributed to Michigan
- C. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

The Board reserves the right to reject any and all bids.

Contracts may be awarded by the Head of School without Board approval for any single item or group of identical items costing less than the legal amount set by the State. All other contracts require Board approval prior to purchase.

The Board shall be informed of the terms and conditions of all competitive bids and shall award contracts as a consequence of such bids.

The Head of School is authorized to purchase all items within budget allocations.

The Board should be advised, for prior approval, of all purchases of equipment, materials, and services when the purchase exceeds the function by one-half of the legal amount set by the State.

The Head of School is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the school in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

In order to promote efficiency and economy in the operation of the school, the Board requires that the Head of School periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the Head of School shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the school. All purchase orders shall be numbered consecutively. In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

- A. opportunity be provided to as many responsible suppliers as possible to do business with the school;
- B. a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;
- C. where the requisitioner has recommended a supplier, the Head of School may make alternate suggestions to the requisitioner if, in his/her judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order;
- D. upon the placement of a purchase order, the Head of School shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

The Board shall determine the amount of purchase, which shall be allowed without a properly signed purchase order. Staff members may be held personally responsible for anything purchased without a properly signed purchase order or authorization.

The Board may acquire office equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

M.C.L.A. 380.1267, 380.1274 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**

#### **6008 - NEW SCHOOL CONSTRUCTION, RENOVATION**

Before beginning construction of a new school building, or an addition, repair or renovation of an existing school building, except emergency repairs, the Board of Education, shall obtain competitive bids on all the material and labor required for the complete construction of a proposed new building or addition to or repair or renovation of an existing school building which exceeds the State statutory limit.

This policy does not apply to buildings, renovations, or repairs costing less than the statutory limit or to repair work normally performed by District staff members.

The Board shall advertise for the bids required under subsection:

- A. By placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the Department of Management and Budget website on a page on the website maintained for this purpose or on a website maintained by a school organization and designated by the Department of Management and Budget for this purpose.
- B. By submitting the request for bids for placement on the Michigan Department of Management and Budget's website for school organizations, including a link to the District's website.
- C. The advertisement for bids shall do all of the following:
  - 1. specify the date and time by which all bids must be received by the Board at a designated location;
  - 2. state that the Board will not consider or accept a bid received after the date and time specified for bid submission;
  - 3. identify the time, date, and place of a public meeting at which the Board or its designee will open and read aloud each bid received by the Board by the date and time specified in advertisement;

4. state that the bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any staff member of the bidder and any member of the Board or the Head of School of the District. A Board shall not accept a bid that does not include this sworn and notarized disclosure statement.
- D. The Board shall require each bidder for a contract under this policy, to file with the Board security in an amount not less than 1/20 of the amount of the bid conditioned to secure the District from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance, if the bid is accepted by the Board.
  - E. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids as described in subsection C of this policy.
  - F. At a public meeting identified in the advertisement for bids described in subsection C of this policy, the Board or its designee shall open and read aloud each bid that the Board received at or before the time and date for bid submission specified in the advertisement for bids. The Board may reject any or all bids, and if all bids are rejected, shall re-advertise in the manner required by this policy.

In addition to the factors above, the Board may consider and provide a preference to bidders:

1. which use a Michigan-based business as the secondary contractor.
2. which use one (1) Leelanau County based business as the primary contractor when the bid is within five percent (5%) of the lowest bid.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L.A. 18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

1. have filed a Michigan business tax return showing an allocation of income tax base to Michigan
2. have filed a Michigan income tax return showing income generated in or attributed to Michigan
3. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

- G. The competitive bid threshold amount specified in this policy is adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the twelve (12) months ending August 31<sup>st</sup> of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31<sup>st</sup> of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar. The current exempt amount must be confirmed with the Michigan Department of Education prior to issuing contracts for construction, renovation, or repair, which exceed the amount listed in this policy.

M.C.L.A. 380.1267

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**  
**6009 - COOPERATIVE PURCHASING**

The Board of Education recognizes the advantages of centralized purchasing in that volume buying tends to maximize value for each dollar spent. The Board, therefore, encourages the Head of School to seek advantages in savings that may accrue to this District through joint agreements for the purchase of supplies, equipment, or services with the governing body(ies) of other governmental units.

The Board authorizes the Head of School to negotiate such joint purchase agreements for services, supplies, and equipment which may be determined to be required from time to time by the Board and which the Board may otherwise lawfully purchase for itself, with governmental contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

Cooperative or joint purchases require an agreement approved by the Head of School and the participating contracting body(ies) which shall specify the categories of equipment and supplies to be purchased; the manner of advertising for bids and of awarding contracts; the method of payment by each participating party and such other matters as may be deemed necessary to carry out the purposes of the agreement. Such agreements are subject to all legal bidding requirements.

M.C.L.A. 124.1 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**

#### **6010 - LOCAL PURCHASING**

It shall be the intent of the Board to purchase locally- provided goods of equal quality and at competitive prices, when they are available from local suppliers. The Head of School should not feel bound to purchase any item locally that can be secured from outside sources at a savings to the District; nor shall s/he feel bound to purchase locally unless adequate quality, service and delivery can be provided by the local supplier.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**  
**6011 - VENDOR RELATIONS**

The Board of Education shall not enter a contract knowingly with any supplier of goods or services to this District under which any Board member or officer, staff member, or agent of this School District has any pecuniary or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any textbook of which s/he is the author and which has been properly approved for use in the schools of this District.

For the purpose of this policy "beneficial interest" shall be determined in accordance with M.C.L.A. 15.321 et. seq.

Board members and school personnel shall not accept any gifts or favors from vendors which might, in any way, influence their recommendations on the eventual purchase of equipment, supplies, or services.

All sales persons, regardless of product, shall clear with the Head of School's Office before contacting any teachers, students, or other personnel of the School District. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with policies of the Board on the basis of quality, price, and delivery with past service a factor if all other considerations are equal.

M.C.L.A. 15.321 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**  
**6012 - PAYMENT OF CLAIMS**

The Board of Education directs the prompt payment of legitimate claims by suppliers of goods and services to the School District.

Each bill or obligation of this Board must be itemized fully, and verified before a warrant can be drawn for its payment.

When an invoice is received, the Business Office shall verify that a voucher is submitted properly, that acceptable goods were received or satisfactory services rendered, that the expenditure is included in the Board's budget and funds are available for its payment, and that the amount of the invoice is correct.

All payments shall be submitted for Board review in the form of a listing that includes the vendor name; the number and amount of the check; and the description of the item.  
M.C.L.A. 380.1274

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**

**6013 - STUDENT ACTIVITY FUND**

The Leelanau Montessori PSA Board of Education authorizes the establishment and maintenance of Student Activity Accounts to be administered and maintained by the District's Business Office. The Head of School or his/her designee shall be responsible for the proper administration of the financial activities of each Student Activity Account at their level. The District's Business Office shall see that the accounts are administered and maintained in accordance with provisions of the State law and appropriate practices and procedures.

All revenues and expenditures necessary for all Leelanau Montessori PSA student organizations shall be administered and maintained through the Student Activity Account, and all funds shall be expended for the benefit of students. All Student Activity Account revenue shall be deposited in the designated bank for the Student Activity Account. The annual school audit shall include a review of the Student Activity Account. Payment for this review shall be made from the District's General Fund.

All funds from student organizations that are inactive for more than two (2) calendar years, plus all interest earned on the Student Activity Account, shall be retired in the Student Activity Account and shall be dispersed at the discretion of the Head of School.  
A.C. Rule 388.851-4 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**  
**6014 – RECOGNITION**

The purpose of this policy is to permit the Board of Education to honor its staff, former Board members, and other non-staff members with plaques, pins, token retirement gifts and awards, and other amenities.

The Board, upon recommendation of the Head of School, consider, as appropriate, the presentation of token gifts to such individuals and groups who have rendered service to the District for a period of time.

The Board hereby affirms that the expenses incurred as listed above only serve a public purpose. The Board believes that "public purpose" serves for the promotion of education, rapport with the business community, community relations, and the encouragement of nonstaff members to serve as volunteers as well as furthering other interest.

M.C.L.A. 380.634

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 05/09/11**

#### **6015 - SYSTEM OF ACCOUNTING**

It is the policy of the Board of Education that a chart of accounts be established in accordance with the requirements of the State Department of Education for the accounting of all District funds. The Head of School is responsible for an accounting of all capital assets to protect the financial investment of the District against catastrophic loss. Further, the Head of School will establish procedures and regulations necessary to properly account for capital assets and comply with generally accepted accounting principles and ensure that the District's capital assets are properly insured.

The Head of School shall be responsible for the proper accounting of all District funds. S/He shall ensure that expenditures are budgeted under and charged against those accounts, which most accurately describe the purpose for which such monies are to be or have been spent. Wherever appropriate and practicable, salaries of individual staff members, expenditures for single pieces of equipment, and the like shall be prorated under the several accounts which most accurately describe the purposes for which such monies are to be or have been spent.

The Head of School or designee is responsible to implement procedures and practices that will determine: 1) Capitalization policies for District assets (i.e., which assets will be capitalized and depreciated over their estimated useful life versus which assets will be expensed in year of purchase); 2) Methods for calculating annual and accumulated depreciation expense for assets including estimates for asset lives, residual asset values, and depreciation methodology; 3) Procedures for recording gain or loss on sale of capital assets and proceeds from the sale of capital assets in compliance with GAAP Reporting of estimated cash values or replacement values to District insurance providers.

A report of the revenues and expenditures in the General Fund shall be made to the Board on a monthly basis by the Head of School or designee.

The Board's annual financial statements will include information such as: 1) beginning and ending balances of capital assets; 2) beginning and ending balances of accumulated depreciation, 3) total depreciation expense for the fiscal year.

Such reporting shall include description of significant capital asset activity during the fiscal year including: acquisitions through purchase or donation, sales or dispositions including the proceeds and gains or losses on the sale, changes in methods of calculating depreciation expense or accumulated depreciation, such as, estimates of useful life, residual values, depreciation methodology (e.g. straight line or other method).

Before implementing procedures or changing procedures, the Head of School will review the proposed procedure with the CPA appointed by the Board of Education to conduct the Board's

financial audit. The procedures established shall comply with all statutorily required standards and generally accepted accounting procedures.  
M.C.L.A. 41.422 et seq., 141.421 et seq.  
A.C. Rule R340.351 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 05/09/11**

#### **6016 – AUDIT**

The Board of Education requires that, after the close of the fiscal year (June 30th), an audit of all accounts of the District be made annually by an independent, certified public accountant. The audit examination shall be conducted in accordance with generally accepted auditing standards and shall include all funds over which the Board has direct or supervisory control.

The Head of School shall also prepare and submit two (2) copies of the District's single audit report and management letter to the Traverse Bay Area Intermediate School District by October 15th of each year.

The Head of School shall also file a copy of its annual financial audit report including management letter, with the Michigan Department of Treasury by no later than October 31st of each year.

A.C. Rule R340.351 et seq.

# Property

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 07/05/11** **7001 - FACILITIES PLANNING**

The Board of Education recognizes that careful, prudent planning is essential to the efficient operation of the schools and that planning must be grounded on accurate data. In order to assure that future District construction supports the educational program and responds to community needs when applicable, the Head of School will prepare, subject to Board approval, a capital construction plan and will revise that plan as needed thereafter. The plan shall include a thorough description and analysis of local and regional demographic factors, which influence general population growth and public school enrollments.

In order to apprise the Board of the continuing relevance of the Board's capital construction plan, the Head of School shall:

- A. annually report to the Board on the number of students attending school;
- B. report to the Board on the enrollment by grades during the school year each semester;
- C. conduct a "kindergarten roundup" each spring of the number of students who will be enrolled in the schools of the District in September of the year in which the estimate is made and report the results to the Board;
- D. prepare student enrollment projections every year;
- E. and compare the actual enrollment figures to the previously projected figures to detect early, for the benefit of the Board, any changes in enrollment trends.

In planning for the enlargement or modification of its facilities, the Board shall consider not only the number of children whose educational needs must be met, but also the physical requirements of the program it deems best suited to meet those needs. Each school building and site shall provide suitable accommodations to carry out the educational program of the school including provision for the disabled, pursuant to law and regulation.

M.C.L.A. 380.1541

A.C. Rule 29.1 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

**APPROVED 07/05/11**

#### **7002 - WEAPONS**

The Board of Education prohibits visitors from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle without the permission of the Head of School.

State law establishes a "Weapon-Free School Zone" that extends 1,000 feet from the boundary of any school property.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

The Head of School shall refer a visitor who violates this policy to law enforcement officials and may take any necessary steps to exclude the visitor from District property and District sponsored events.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel;
- B. items approved by Head of School as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved;
- C. theatrical props used in appropriate settings;
- D. starter pistols used in appropriate sporting events;

These restrictions shall not apply in the following circumstances to persons who are properly licensed to carry a concealed weapon:

- A. A parent or legal guardian of a student of the school may carry a concealed weapon while in a vehicle on school property, if s/he is dropping the student off at the school or picking up the child from the school.
- B. A county corrections officer, a member of a Sheriff's posse, a police or sheriffs reserve or auxiliary officer, or a State Department of Corrections parole or

corrections officer, a private investigator, a Michigan State Police motor carrier officer or Capitol security officer, a State court judge, a security officer required by the District to carry a concealed weapon while on the premises.

- C. A retired police or law enforcement officer or a retired State court judge.

The Head of School shall take the necessary steps to prosecute for a violation of the Weapon-Free School Zone.

18 U.S.C. 922

M.C.L.A. 28.425o

20 U.S.C. 4141(g)

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 07/05/11**

#### **7003 - GIFTS, GRANTS, AND BEQUESTS**

Whenever gifts, grants, or bequests are offered to the School District, the Board reserves the right to determine in each individual case whether the gift should be accepted or rejected. Notice of all gifts, grants and bequests will come to the Board. When appropriate, Board approval shall be required before money is raised or allocated for a particular gift.

It shall be the general policy of the District to direct those who desire to make contributions to consider equipment or services that are not likely to be acquired from public fund expenditures. Items contributed to the School District become the property of the District and are subject to the same controls and regulations that govern the use of all school-owned property.

It is essential that cooperative planning by staff, Head of School and organization representatives be the accepted method in determining what gifts shall be made if organizations wish to make donations.

M.C.L.A. 380.1210

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 7/18/11** **7004 – MAINTENANCE**

##### **Building and Grounds:**

Student and staff safety is a priority of the Board of Education. As a lessee of our space, facilities repair and conditioning are the responsibility of the lessor, including maintenance of spare parts. However, in the interest of assuring regular and timely attention to the building and grounds, the Head of School will have the responsibility to conduct a continuous program of visual inspection and reporting to the lessor. The lessor shall conduct all inspections required by law or by lease.

##### **School-Owned Equipment, Furnishings and Leasehold Improvements:**

The Board of Education recognizes that the fixed assets of this District represent a significant investment of this community and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection, maintenance, and rehabilitation for the preservation of all LMPSA-owned assets. Wherever possible and feasible, maintenance shall be preventive.

The Head of School shall have the responsibility to develop a maintenance program, which shall include:

- A. a regular summer program of repair and conditioning;
- B. the maintenance of a critical spare parts inventory;
- C. an equipment replacement program;

Such a program should assure the expeditious repair of any conditions which threaten the safety of the staff or students.

Public Act 225 of 1993

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 07/05/11**

#### **7005 - HYGIENIC MANAGEMENT**

The Board of Education recognizes that the health and physical wellbeing of the students of this District depends in large measure upon the cleanliness and sanitary management of the schools. The Board directs that a program of hygienic management be instituted in the schools and explained annually to all staff members.

The Head of School shall request that each facility be inspected for cleanliness and sanitation periodically.

The Head of School shall prepare procedures for the handling and disposal of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomitus, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and any other body parts that contact such matter.

The Head of School shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, school grounds, and school equipment pursuant to law. The cleanliness of the school building shall be the responsibility of the Head of School and our contracted custodial/maintenance service.

A.C. Rule R340.1301

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 07/05/11**  
**7006 - SAFETY STANDARDS**

The Board of Education believes that the staff members and students of this District, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the Board will provide reasonable and adequate protection to the lives, safety, and health of its staff members.

The Head of School shall be responsible for the maintenance of standards in the facilities to prevent accidents and to minimize their consequences. S/He shall designate a staff member who shall conduct periodic audits of health and safety conditions within the facilities of the District in accordance with the Federal OSHA standards adopted by the State, and take appropriate action on any violations thereof to the Head of School. Said staff member shall also have the authority to organize and direct the activities of a District safety committee.

The Head of School shall ascertain that the staff members and students of this District are aware of their rights to a hazard-free environment, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law.

In the event an inspection is made by a representative of the State, the Head of School shall report the results thereof to the Board at the meeting following the receipt of the State report.

M.C.L.A. 380.1288, 380.1300

A.C. Rule 29.1 et seq., 340.1301 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 07/05/11**

#### **7007 - USE OF TOBACCO ON SCHOOL PREMISES**

The Board of Education believes that the right of persons to use tobacco must be balanced against the right of those who do not use tobacco to breathe air untainted by tobacco.

In order to protect students and staff members who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco on District premises, in District vehicles, and in all school buildings owned and/or operated by the District.

For purposes of this policy, "use of tobacco" means a cigar, cigarette, chewing tobacco, pipe, or any other matter or substance that contains tobacco.

Tobacco may not be advertised or promoted on school property or at school - controlled events. Therefore, signs, clothing, bags, accessories, and other items promoting tobacco or containing tobacco branding are prohibited for students and staff members on school property and at school controlled events.

M.C.L.A. 380.1170

20 U.S.C. 6081 et seq.

U.S.D.O.E. Memorandum, 1995

MDE Board Policy on 24/7 Tobacco-Free Schools

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 07/05/11**

#### **7008 - PROPERTY INVENTORY**

As steward of this District's property, the Board of Education recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall maintain a continuous inventory of all District-owned equipment and supplies annually.

For purposes of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles which retains its shape and appearance with use, is nonexpendable, costs at least \$100 to replace and does not lose its identity when incorporated into a more complex unit.

It shall be the duty of the Head of School to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board.

Property records of consumable supplies shall be maintained on a continuous inventory basis. The Business Office shall maintain a system of property records, which shall show, as appropriate to the item recorded, the description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and evaluation in conformity with insurance requirements.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 07/05/11**

#### **7009 - STAFF USE OF CELLULAR TELEPHONES**

Staff member safety is a priority of the Board, and responsible use of cellular telephones includes safe use by the staff member.

Staff members whose job responsibilities include regular or occasional driving and who are issued a cellular telephone are expected to refrain from using their cellular telephone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, staff members are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, staff members are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional topics, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the staff member is driving in an unfamiliar area.

Cellular telephone calls are not secure. Therefore, staff members should use discretion in relaying confidential information, particularly as it relates to students.

#### **Use of a Personal Cellular Telephone While at Work**

Personal calls during work hours can interfere with staff member productivity and be distracting to others, regardless of whether on a cellular or regular telephone. Staff members are expected to use discretion in using personal cellular telephones while at work. Staff members are asked to make personal calls during breaks and lunch period and to see that friends and family members are aware of the Board's policy.

The Board assumes no liability for loss or damage to staff members' personal cellular telephones carried in Board vehicles or left on Board property. Staff members assume the risk of loss or damage to personal cellular telephones carried by staff members during working hours. Violation of this policy may constitute just cause for disciplinary action up to and including termination.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 07/05/11**

#### **7010 - STUDENT NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY**

Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in our society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse, and unique resources available on the Internet. The Board of Education is pleased to provide Internet services to its students. The Board encourages students to utilize the Internet in order to promote educational excellence in our schools by providing them with the opportunity to develop the resource sharing, innovation, and communication skills and tools which will be essential to life and work in the 21<sup>st</sup> century. The instructional use of the Internet will be guided by the Board's policy on Instructional Materials.

The District's Internet system has not been established as a public access service or a public forum. The Board has the right to place restrictions on its use to assure that use of the District's Internet system is in accord with its limited educational purpose. Student use of the District's computers, network, and Internet services (Network) will be governed by this policy and the related administrative guidelines, and the Student Code of Conduct. The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Network. Users have no right or expectation to privacy when using the Network including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity while on the Network.

The Internet is an electronic highway connecting computers and users in the District with computers and users worldwide. Access to the Internet enables students to explore thousands of libraries, databases, and bulletin boards, while exchanging messages with people throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, and foremost, the Board may not be able to technologically limit access to services through the Board's Internet connection to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, will open classrooms and students to electronic information resources which have not been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures which block/filter Internet access to visual displays that are obscene, child pornography or harmful to

minors. The Board utilizes software and/or hardware to monitor online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate and/or harmful to minors. Nevertheless, parents/guardians are advised that a determined user may be able to gain access to services on the Internet that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to information and communications that they and/or their parents/guardians may find inappropriate, offensive, objectionable or controversial.

Parents/guardians assume risks by consenting to allow their child to participate in the use of the Internet. Parents/guardians of minors are responsible for setting and conveying the standards that their children should follow when using the Internet. The Board supports and respects each family's right to decide whether to apply for independent student access to the Internet.

The technology protection measures may not be disabled at any time that students may be using the Network, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any student who attempts to disable the technology protection measures will be subject to discipline.

The Head of School is directed to prepare guidelines which address students' safety and security while using e-mail, chat rooms and other forms of direct electronic communications, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors online.

The Head of School is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Internet. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. All Internet users (and their parents if the users are minors) may be required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Students and staff members are responsible for good behavior on the Board's computers/network and the Internet just as they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The Board does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines. Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Internet through the Board's computers assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by this Board policy and its accompanying guidelines.

The Board designates the Head of School responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to the use of the Network and the Internet for instructional purposes.

P.L. 106-554, Children's Internet Protection Act of 2000

P.L. 110-385, Title II, Protecting Children in the 21st Century Act

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6777, 9134 (2003)

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended

## Leelanau Montessori PSA

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**APPROVED 07/05/11**

#### **7011 - STAFF NETWORK AND INTERNET ACCEPTABLE USE AND SAFETY**

Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in our society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse, and unique resources available on the Internet. The Board of Education is pleased to provide Internet service to its staff. The Board encourages staff to utilize the Internet in order to promote educational excellence in our schools by providing them with the opportunity to develop the resource sharing, innovation, and communication skills and tools which will be essential to life and work in the 21<sup>st</sup> century. The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources. The instructional use of the Internet will be guided by the Board's policy on Instructional Materials.

The District's Internet system has not been established as a public access service or a public forum. The Board has the right to place restrictions on its use to assure that use of the District's Internet system is in accord with its limited educational purpose. Student use of the District's computers, network, and Internet services (Network) will be governed by this policy and the related administrative guidelines, and the Student Code of Conduct. The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Network.

Users have no right or expectation to privacy when using the Network including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity while on the Network.

The Internet is an electronic highway connecting computers and users in the District with computers and users worldwide. Access to the Internet enables staff members to explore thousands of libraries, databases, and bulletin boards, while exchanging messages with people throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges and responsibilities.

First, and foremost, the Board may not be able to technologically limit access to services through the Board's Internet connection to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity to review and screen materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them), access to the Internet, because it serves as a gateway to any publicly available file server in the world, will open classrooms and students to electronic information resources which have not been screened by educators for use by students of various ages.

Pursuant to Federal law, the Board has implemented technology protection measures which block/filter Internet access to visual displays that are obscene, child pornography or harmful to minors. The Board utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors.

The technology protection measures may not be disabled at any time that students may be using the Network, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Any staff member who attempts to disable the technology protection measures will be subject to disciplinary action, up to and including termination.

The Head of School or Technology Director may disable the technology protection measure to enable access for bona fide research or other lawful purposes.

The Head of School is directed to prepare guidelines which address students' safety and security while using e-mail, chat rooms and other forms of direct electronic communication, and prohibit disclosure of personal identification information of minors and unauthorized access (e.g., "hacking"), cyberbullying and other unlawful or inappropriate activities by minors online. Staff members are reminded that personally identifiable student information is confidential and may not be disclosed without prior written parental permission.

The Head of School is responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Internet. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. All Internet users maybe required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines.

Staff members are responsible for good behavior on Board's computers/network and the Internet just as they are in classrooms, school hallways, and other school premises and school sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The Board does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines. Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Internet through the Board's computers assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by this policy and its accompanying guidelines.

The Board designates the Head of School and principals as the administrators responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to the use of the Network and the Internet for instructional purposes.

P.L. 106-554, Children's Internet Protection Act of 2000

P.L. 110-385, Title II, Protecting Children in the 21st Century Act

18 U.S.C. 1460

18 U.S.C. 2246

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20 U.S.C. 6777, 9134 (2003)

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

# Operations

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 08/15/11** **8001 - SCHOOL CALENDAR**

The Board of Education shall adopt a calendar. This calendar shall be posted on the District's web site and distributed to the District's constituents. The calendar shall provide for the instructional program of the schools, for orderly educational planning, and for the efficient operation of the District.

The Board shall determine annually the total number of days when the schools will be in session for instructional purposes. For purposes of receiving State-school aid, the number of days and number of hours will be in accordance with statute. The Board shall ensure that school is not in session before Labor Day.

The Board shall adopt a District calendar that identifies dates for each school year when school will not be in session for at least a winter holiday break and a spring break.

A school session shall not be held on the following public holidays in Michigan Public Schools: January 1st, New Year's Day; the last Monday of May, Memorial or Decoration Day; July 4th, Independence Day; the first Monday in September, Labor Day; the fourth Thursday of November, Thanksgiving Day; and December 25th, Christmas Day.

If one (1) of these days falls on Sunday, the Monday following shall be a public holiday in the public schools.

The District shall provide at least the minimum hours of student instruction required by statute per school year.

The District's Head of School is authorized to work with the Intermediate School District on the development of a common calendar for all of the districts in the ISD.

No more than thirty (30) hours of student instruction lost due to conditions not within the control of the District (e.g., severe storms, fires, epidemics, and health conditions), can be counted as a part of the required minimum hours/days of instruction. All subsequent hours lost for instruction cannot be counted for State school aid, unless they occur after April 1st, are due to unusual and extenuating occurrences resulting from conditions not within the control of the school authorities (such as those conditions described above), and are approved by the State Head of School of Instruction. Hours lost due to strikes by District staff or to teacher conferences shall not be counted as hours of instruction.

The Head of School shall certify to the Department of Education by no later than August 1st of each year, the number of hours of student instruction during the previous school year.

M.C.L.A. 380.1284, 380.1284a, 380.1284b

M.C.L.A. 380.1175, 388.1701

A.C. Rule R340.10 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 08/15/11 8002 - SCHOOL DAY**

The Board of Education authorizes the school day to be arranged and scheduled by the Head of School. It is to offer the maximum education for the time spent within the limitations of school facilities and the laws and regulations of the State.

The Head of School may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. S/He shall prepare rules for the proper and timely notification of concerned persons and parents in the event of any emergency closing of the schools.

The Head of School shall have the authority to determine which school-related activities may be conducted if the school is closed for a period of time. S/He shall prepare appropriate guidelines for communication to students, parents, and others regarding the scheduling and conduct of such activities.

M.C.L.A. 380.1284

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 08/15/11** **8003 - PUBLIC RECORDS**

The Board of Education recognizes its responsibility to maintain the public records of this District and to make such records available to residents of Michigan for inspection and reproduction. The public records of this District include any writing or other means of recording or retaining meaningful content prepared, owned, used, in the possession of, or retained by the District, its Board, officers, or staff members, subject to certain exemptions according to the Michigan Freedom of Information Act (FOIA).

Any person may make a written request for any public records of the District. The person may inspect, copy, or receive copies of the public record requested. The District shall respond to such requests within five (5) working days after receipt unless otherwise agreed to in accordance with the Freedom of Information Act.

An individual may purchase copies of the District's public records upon payment of a fee. No original public record may be removed from the office in which it is maintained except by a Board officer or staff member in the course of the performance of his/her duties. Neither the Board nor its staff members shall permit the release of the social security number of a staff member, student, or other individual.

The Board authorizes the Head of School to provide, upon written request, enhanced i.e. immediate access to any public record, which the District has stored in an electronic database and is not confidential or exempt from disclosure by State or Federal statute. Such a record may be provided by means of a computer disk provided by the requestor, electronic mail, or a modem providing the requestor has paid the fee established for such transmission.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of this District, except student records and certain portions of personnel records.

The Head of School is authorized to dispose of correspondence on a daily basis including those transmitted by means of voice mail or E-mail, providing the message does not alter existing District records.

The Head of School is responsible for transmission of data contained in the single record student database established by the Michigan Department of Education. The Head of School shall establish administrative guidelines to ensure proper compliance with the intent of this policy and the Freedom of Information Act.

M.C.L.A. 15.231 et seq.

M.C.L.A. 445.81 et seq.

Michigan Federation of Teachers v. University of Michigan, 481 Mich. 657 (2008)

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**

#### **8004 - INFORMATION MANAGEMENT**

The Board of Education recognizes its responsibility, in certain circumstances, to maintain information created, maintained or otherwise stored by the District outside the "Records Retention Schedule". In such situations, a "Litigation Hold" procedure will be utilized to identify and preserve information relevant to a specific matter. "Information" includes both paper documents and electronically stored information ("ESI"). When implementing the "Litigation Hold," the District will identify individuals in possession or custody of paper documents, ESI and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the "Records Retention Schedule". The District will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a "Litigation Hold," which is under the control of the District, must be preserved in a readily accessible form and cannot be disposed of under the "Records Retention and Disposal" requirements. Failure to comply with a Litigation Hold notice may result in disciplinary action, up to and including possible termination. Instances where the Board must maintain information outside the "Records Retention Schedule" include:

- A. when the Board has specific information and/or written notice from an individual, parent or student of an intent to file an appeal of student discipline to State court;
- B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;
- C. when the Board is served with litigation, including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;
- D. when the Board receives specific information and/or written notification from a staff member, labor union, or other person of an intent to file a claim against the Board, its members, staff members or agents at an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, staff members or agents;
- E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, staff members or agents;

- F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation against that third party;
- G. when the Head of School recommends the termination of our educational service provider contract;
- H. when the Board explores, contemplates or initiates litigation.

## Definitions

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, social media, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic media" includes, but is not limited to, hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" – including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the District for Board member or staff member usage or that staff uses for such purpose (even if privately owned by the Board member or staff member) from the date this policy is adopted into the future.

## Initiation and Removal of a "Litigation Hold"

The Board or the Head of School may initiate a "Litigation Hold" under this policy. If the Head of School initiates a "Litigation Hold," s/he or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Head of School may utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure."

A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" once the "Litigation Hold" is removed.

The Head of School shall develop administrative guidelines outlining the procedures to be followed by Board members and staff members when initiating and implementing a "Litigation

Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.  
Federal Rules of Civil Procedure 34, 37(f)

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**APPROVED 08/15/11**  
**8005 - PERSONNEL FILES**

The Board delegates the maintenance of a staff member personal information system to the Head of School and/or Education Service Provider (ESP).

M.C.L.A. 423.501 et seq

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 08/15/11 8006 - STUDENT RECORDS**

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Head of School is responsible for maintaining records of all students attending schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board staff members. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. samples of student work
- C. information obtained from professionally acceptable standard instruments of measurement such as:
  - 1. interest inventories and aptitude tests,
  - 2. vocational preference inventories,

- 3. achievement tests,
- 4. standardized intelligence tests,
- D. authenticated information provided by a parent or eligible student concerning achievements and other school activities which the parent or student wants to make a part of the record
- E. verified reports of serious or recurrent behavior patterns
- F. rank in class and academic honors earned
- G. attendance records
- H. health records
- I. custodial arrangements

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, and designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an Head of School, administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Board staff members (e.g. a 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/her tasks (including volunteers).

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical

and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the Head of School to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this District seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- C. report a crime committed by a child with or without a disability to appropriate authorities and to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and school officials for their consideration;
- D. release de-identified records and information in accordance with Federal regulations;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

- F. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records. The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record,

information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board shall require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

## **DIRECTORY INFORMATION**

Each year the Head of School shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. address;
- C. telephone number;
- D. date and place of birth;
- E. dates of attendance;
- F. awards received;
- G. honor rolls;
- H. scholarships;
- I. telephone numbers only for inclusion in school or PTO directories;

Parents and eligible students may refuse to allow the District to disclose any or all of such "directory information" upon written notification to the District within ten (10) days after receipt of the District's public notice.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Head of School shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

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

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release. This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the District nor its staff members will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Head of School shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Head of School shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;

- B. informing Board staff members of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any Board member, officer, or staff member of this District specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

M.C.L.A. 380.1135

Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education

34 C.F.R. Part 99, 2002

Section 444 of subpart of part C of the General Education Provisions Act

Title IV of Public Law 90-247

20 U.S.C., Section 1232f through 1232i (FERPA)

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act

20 U.S.C. 7165(b)

26 U.S.C. 152

20 U.S.C. 7908

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 08/15/11 8007 - LETTERS OF REFERENCE**

The Board of Education recognizes that any current or former staff member's request to an administrator for a letter of reference is an opportunity to share information about the staff member's performance with a prospective employer. The Board, however, does not require that such references be provided and a current or former staff member should have no expectation that a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator and the Head of School.

If a Head of School opts, however, to prepare such a letter, the Board expects the Head of School to provide specific and truthful comments concerning the staff member's actual performance that can be substantiated by the individual's personnel file. The letter must be reviewed by the Head of School before it may be released.

In accordance with State law, an administrator who, in the scope of his/her supervisory position, provides a letter of reference is entitled to at least a qualified privilege for his/her statements provided such statements were made in good faith without malice.

The Head of School shall develop the administrative guidelines necessary to implement this policy.

This policy does not excuse the District from providing responses to request for information as to Unprofessional Conduct, as required by State law.  
M.C.L.A. 423.452, 380.1230(b)

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**  
**8008 – CONFIDENTIALITY**

It is the policy of the Board of Education that when the District receives in trust from a public agency information identified to be confidential or exempt from disclosure under the Freedom of Information Act, Common Law, Privilege Case Law, or Federal Law, the Board will maintain the confidentiality of said information to the maximum extent permitted by the law.

Further, staff members must not divulge confidential information contained in any records and files of this Board.

Staff members must not divulge confidential information contained in the records and files of this Board, except to other staff members who may need such information in connection with their duties and to authorize parties in accordance with proper departmental procedures.

Neither the Board nor its staff member's shall permit the release of the social security number of a staff member, student, or other individual except as authorized by law. Documents containing social security numbers shall be restricted to those staff members who have a need to know that information or a need to access those documents. When documents containing social security numbers are no longer needed, they shall be shredded by a staff member who has authorized access to such records.

Freedom of Information Act requests shall only be responded to in accordance with the District's Policy.

If a staff member is approached to provide information inappropriately, the staff member must refuse to release the requested information in accordance with applicable procedures, and should refer the requestor to the staff member's immediate supervisor.

Any staff member who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures. In order to prohibit the unauthorized disclosure of information identified as confidential by a sending public agency, the Board may seek to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order;
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

When possible, the Board will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.

Staff members who intentionally violate this policy are subject to discipline, up to and including a recommendation for discharge.

The Head of School shall assure that staff members receive a copy of and have readily available access to this policy.

Freedom of Information Act 1976, paragraph 15.243 et seq.

M.C.L.A. 445.83, 445.84

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**APPROVED 08/15/11**

#### **8009 - SECURITY BREACH OF CONFIDENTIAL DATABASES**

It is the policy of the Board of Education that when unauthorized access or acquisition of data occurs, which would compromise the confidentiality or security of personal information maintained by the District on a database, the District will take appropriate action to assess the risk, and notify the affected individuals in accordance with its legal obligations.

A "security breach" means the unauthorized access and acquisition of data that compromises the security or confidentiality of personal information maintained by the District as part of a database of personal information covering multiple individuals. Unauthorized access may be considered incidental access by a staff member or other individual if the access meets all of the following:

- A. the individual acted in good faith in accessing the data
- B. the access was related to the activities of the agency or person
- C. the individual did not misuse any personal information or disclose any personal information to an unauthorized person

Personal information for purposes of this policy means the persons last name, with either the first name or initial when linked to one or more of the following:

- A. social security number
- B. driver's license or State Personal Identification
- C. demand deposit or other financial account numbers, credit or debit card numbers, when combined with access code, security code or password which would allow access to the financial accounts

Promptly upon determining that a security breach has occurred, the staff member shall notify the chief business officer and the Head of School, in writing.

The Head of School and the chief business officer shall promptly determine and implement the steps necessary to correct the unauthorized access and any legal requirements for notifying those individuals whose personal information may have been compromised.

Staff members who intentionally violate this policy are subject to discipline, up to and including a recommendation for discharge and may be subject to criminal penalties.

The Head of School shall assure that staff members receive a copy of and have readily available access to this policy.

M.C.L.A. 445.61 et seq.

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**APPROVED 08/15/11**

#### **8010 - SCHOOL SAFETY INFORMATION**

The Board of Education is committed to maintaining a safe school environment. The Board believes that school crime and violence are multifaceted problems, which need to be addressed in a manner that utilizes the best resources and coordinated efforts of school district personnel, law enforcement agencies, and families. The Board further believes that school Head of School and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-sponsored activity or while enroute to or from school, or a school-sponsored activity. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s), and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

Michigan law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons, drugs and registered sex offenders. Individuals are prohibited from engaging in these activities at any time on District property, within the Student Safety Zone, or at any District-related event.

The District will work with local officials in arranging signage defining the 1,000 foot boundary. Annually, the Head of School may convene a meeting for the purpose of reviewing the provisions of the *School Safety Information Policy Agreement*, and making modifications as deemed necessary and proper; discussing additional training that might be needed; and, discussing any other such related matters as may be deemed to be necessary by the participants. Participants in this meeting shall include the Head of School, members of the Board of Education, the County Prosecutor or his/her designee, and representatives from the local law enforcement agency. The following may also be invited to participate in the meeting:

- A. Chief Judge of Circuit and/or District Courts his/her designee, including a representative of the family division;
- B. representative from the Intermediate School District (ISD);
- C. representative(s) from county emergency management service agency;
- D. representatives from other school districts within Leelanau County.

The Head of School shall make a report to the Board about this annual review and recommend the approval and adoption of any proposed revisions or additions.

### **District Contact Person**

Furthermore, in accordance with state law, the Board hereby designates the Head of School as the District contact person who shall receive information from law enforcement officials, prosecutors and the court officials. The District contact person shall notify the building staff members who s/he determines have a need to know the information that has been received within twenty-four (24) hours of receipt of that information.

The District contact person or designee shall notify the appropriate law enforcement officials when an adult or a student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement*. Reporting such information is subject to Section 444 of subpart 4 of part C of the General Education Provisions Act, Title IV of Public Law 90-247, 20 U.S.C. 1232g., commonly referred to as the Family Educational Rights and Privacy Act of 1974. If a student is involved in an incident that is reported to law enforcement officials pursuant to the District's *School Safety Information Policy Agreement*, then, upon request by school officials, the student's parent or legal guardian shall execute any waivers or consents necessary to allow school officials access to school, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

### **Required Reporting**

The Head of School shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the District during the preceding school year and the reason for the expulsion.

The Head of School shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at school. At least annually, a copy of the most recent report of incidents of crime shall be made available to the parent or legal guardian of each student enrolled in the District. This report will include at least crimes involving:

- A. physical violence;
- B. gang related acts;
- C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;
- D. trespassing;
- E. property crimes, including but not limited to theft and vandalism, including an estimate of the cost to the District resulting from the property crime.

Each school building shall collect and keep current on a weekly basis the information required from the report of incidents of crime, and must provide that information, within seven (7) days, upon request.

### **Law Enforcement Information Network (LEIN)**

The Board authorizes the Head of School, to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

### **Persistently Dangerous Schools**

The Board recognizes that State and Federal law requires that the District report annually incidents, which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school Head of School is expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Head of School shall discuss this annually so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year or convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Head of School shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option.

In addition, the Head of School shall discuss the school's designation as a persistently dangerous school at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year or convene a meeting of the building Head of School, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

If a school in a neighboring district is identified as persistently dangerous and there is not another school in that district, the District may admit students from that school in accordance with Board Policy 5113.02.

### **Victims of Violent Crime**

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

Title IX, Section 9532 of the No Child Left Behind Act of 2001  
M.C.L.A. 380.1308 and 380.1310a, 771.2a

## Leelanau Montessori PSA

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#### **APPROVED 08/15/11 8011 - EMERGENCY SITUATIONS AT SCHOOLS**

The Board of Education is committed to providing a safe learning and work environment. Unfortunately, natural and man-made disasters do occur. Such emergencies are best met by preparedness and planning.

The Board directs that a system of emergency preparedness be developed that addresses the following goals and/or objectives:

- A. the health and safety of students and staff are safeguarded;
- B. the time necessary for instructional purposes is not unduly diverted;
- C. minimum disruption to the educational program occurs;
- D. students are helped to learn self-reliance and trained to respond sensibly to emergency situations.

All threats to the safety of District facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

Each school shall conduct at least six (6) evacuation/fire drills, two (2) tornado drills and two (2) lock down drills each school year. At least four (4) of the fire drills shall occur in the fall.

The Head of School shall develop administrative guidelines for the handling of emergency situations.

M.C.L.A. 29.19

A.C. 1301:7-7-01, 3301-35-03 (D), 3301-83-15

## Leelanau Montessori PSA

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**APPROVED 10/20/14**

#### **8011a – RESPONSE TO ANAPHYLAXIS EMERGENCIES**

**Definition:** Anaphylaxis is a serious allergic reaction that is rapid in onset and may cause death. A variety of allergens can cause anaphylaxis, but the most common are food, insect bites, medications, and latex. Anaphylaxis typically begins within minutes or even seconds of exposure. Initial emergency treatment is the administration of injectable epinephrine along with immediate summoning of emergency medical personnel and emergency transportation to the hospital.

These guidelines are intended to help schools respond to the challenge of an emergency anaphylaxis situation.

#### **Individuals with Known Allergies:**

For students who have a known severe allergy:

Students may be in possession of their anaphylaxis treatment prescription with written consent from a parent.

All students who have had a prior anaphylactic reaction or have otherwise been identified as at-risk for having a severe allergic reaction will have this addressed specifically in an individualized health care plan and parent/guardian will provide the plan to the school.

At the start of the school year or upon transfer to the school, parent/guardian of a student with known allergies that may be severe enough to cause anaphylaxis will provide the school with student-specific medical orders, a medical management plan, and their own supply of epinephrine.

The parent/guardian of a student with a known serious allergy may be requested to provide an extra epinephrine auto-injector or asthma inhaler to the school for use by authorized personnel in case of emergency.

A school official will notify each of the student's teachers when aware that a student is in valid possession of an epinephrine auto-injector or asthma inhaler in accordance with the school's medication policies.

#### **Individuals with Unknown Allergies:**

For students, staff, and any other individual on school grounds:

Leelanau Montessori will:

1. maintain and stock of at least two epinephrine auto-injector devices at all times regardless of whether or not any students/staff have been diagnosed with allergies,
2. determine the appropriate dose of epinephrine auto-injector based on the student population. (e.i. junior or adult),

3. insure that at least two employees at the school will be trained and authorized to administer an epinephrine auto-injector,
4. maintain documentation of the training course successfully completed by each employee who is authorized to administer epinephrine and make such documentation available upon request,
5. train all school faculty in basic awareness of the major signs of anaphylaxis, know whom to alert in case of an emergency and where the stock epinephrine auto-injectors are located,
6. designate school staff to check the expiration dates of the stock auto-injector devices at least twice per year and discard expired stock in a biohazard sharps container or locate a needle disposal facility and replace any device past its expiration date,
7. store all epinephrine auto-injectors according to manufacturer's directions,
8. report to MDE all instances of administration of an epinephrine auto-injector to a student at school. The reporting shall include at least each of the following:
  - a. number of instances of administration of an epinephrine auto-injector to a student at school in a year,
  - b. number of students when were administered an epinephrine atuo-injector at school that were not previously known to be severely allergic,
  - c. number of students who were administered an epinephrine auto-injector at school using the school's stock of epinephrine auto-injectors.

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**APPROVED 08/15/11**

#### **8012 - PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD**

The Board of Education is concerned for the safety of the students and staff members and will make diligent effort to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction.

#### **TOXIC HAZARDS**

These hazards exist in chemicals, pesticides, and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Head of School or his/her designee will serve as Toxic Hazard Preparedness (THP) Officer and will coordinate with the THP Officer of Suttons Bay Public Schools (SBPS). The THP Officer will be responsible for the following:

**A. Hazard Determination**

Identification of potential sources of toxic hazards in cooperation with material suppliers, who shall supply the Toxic Hazard Preparedness Officer with Material Safety Data Sheets (MSDSs). The Board will rely on MSDSs from material suppliers to meet hazard determination requirements.

**B. Labeling**

Ensuring that all incoming materials are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party, and that any containers to which the materials are transferred are also properly labeled.

**C. Material Safety Data Sheets**

Maintaining a current file of MSDSs for all hazardous materials present on District property. The MSDS files will be kept in the office, additional copies for staff members' use will be located at the building maintenance offices.

MSDSs will be available for review to all staff members. Copies will be available upon request to the Toxic Hazard Preparedness Officer. Posters identifying the person responsible for monitoring MSDSs and where MSDSs are located at the building maintenance offices. Posters notifying staff members when new MSDSs are received will be located in the same location. The Toxic Hazard Preparedness Officer shall contact the supplier, in writing, if a required MSDS is not received, and promptly procure the MSDS before releasing the material for use.

If s/he is unable to obtain an MSDS from a supplier, s/he should contact MIOSHA's Occupational Health Division (OHD) or General Industry Safety Division (GISD) for assistance in obtaining the MSDS.

**D. Multi-Employer Work Sites - Informing Contractors**

Informing contractors and their staff members of any hazardous substances to which they may be exposed; measures to be employed to control or eliminate exposure; container and pipe labeling system used on-site; and where applicable MSDSs can be reviewed or obtained. Whenever District staff members may potentially be exposed to hazards brought on site by contractors, the THP Officer will obtain information from the contractor pertaining to chemicals brought on-site, and measures that should be taken to control or eliminate exposure to chemicals.

**E. Staff Member Information and Training**

Providing information to and conducting a training program for all District staff members on such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the District's plan for communication, labeling. Records of each staff member's hazardous communication training should be maintained and all new staff members should receive training regarding any hazardous chemicals they may potentially come in contact with as part of their job.

The information should include:

1. regulations of MIOSHA's hazardous communication standard;
2. all operations in staff member's work area where hazardous chemicals are present;
3. location and availability of written hazardous communication program (i.e. the policy), the list of hazardous chemicals and the MSDSs.

Training should include:

1. techniques used to detect presence or release of hazardous chemicals in work area;
2. physical and health hazard of hazardous chemicals;
3. the measures the staff member should take to protect themselves from these hazards;

4. details of the hazardous communication program including an explanation of labeling system and MSDSs and how staff members can obtain and use hazard information.

Staff members shall also be informed of

how he/she can contact OHD or GISD for assistance in obtaining an MSDS if s/he is unable to obtain the MSDS from the District.

- F. Hazardous non-routine tasks (optional) - before a staff member is required to start a non-routine task (e.g. enter confined space) the staff member will be given information about the hazards of the area or procedure including specific chemical hazards, protection or safety measures the staff member can take to lessen hazard, and measures the District has taken to eliminate or control hazard.

Any staff member or contractor who applies pesticides on District property shall meet the appropriate requirements as well as the requirements established by the State. S/He shall provide written notification each year, prior to any application, to all parents and staff members:

- A. that a pesticide is to be applied;
- B. the type of pesticide and its potential side effects;
- C. the location of the application;
- D. the date of the application.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

## **ASBESTOS**

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), Michigan Occupational Safety and Health Act (MIOSHA), and the Asbestos Abatement Contractors' Licensing Act, the Board recognizes its responsibility to:

- A. inspect all District buildings for the existence of asbestos or asbestos-containing materials;
- B. take appropriate actions, in accordance with State law and EPA regulations, based on the inspections;
- C. establish a program for dealing with friable asbestos, if found;
- D. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos;

- E. comply with EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Head of School shall appoint a person to develop and implement the District's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The Head of School shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Asbestos Abatement Contractors' Licensing Act.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent act, or a deliberate act beyond the control of the Board or its officers and staff members.

The District may provide, however, legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of negligence or alleged negligence of those persons responsible for inspecting, monitoring, removing, treating asbestos or material containing asbestos, or supervising these activities, provided the staff member was performing the duties while in the course of his/her duties or while acting within the scope of his/her authority. The District reserves the right to deny representation and indemnification in those circumstances wherein the staff member's actions demonstrate gross negligence or willful and wanton misconduct.

M.C.L.A. 324.8316, 380.1256

29 C.F.R. 1910.1200

15 U.S.C. 2601

20 U.S.C. 4022

20 U.S.C. 4014

20 U.S.C. 4011

20 U.S.C. 4011 et seq.

Asbestos Hazard Emergency Response Act (AHERA)

Asbestos School Hazard Abatement Act of 1984

Asbestos School Hazard Abatement Reauthorization Act of 1990

## Leelanau Montessori PSA

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**APPROVED 08/15/11**

#### **8013 - CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES**

The Board of Education recognizes that control of the spread of communicable disease spread through casual-contact is essential to the wellbeing of the school community and to the efficient District operation.

For purposes of this policy, "casual-contact communicable disease" shall include diphtheria, scarlet fever and other strep infections, whooping cough, mumps, measles, rubella, and others designated by the Michigan Department of Public Health.

In order to protect the health and safety of the students, District personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling communicable disease spread through normal interaction in the school setting.

On the recommendation of the county health nurse, the teacher may remove from the classroom and the Head of School may exclude from the building or isolate in the school any student who appears to be ill or has been exposed to a communicable disease, except that the teacher or principal may act independently if the county health nurse is not present in the building when the decision needs to be made.

The Head of School shall develop administrative guidelines for the control of communicable disease which shall include:

- A. instruction of professional staff members in the detection of these common diseases and measures for their prevention and control;
- B. removal of students from District property to the care of a responsible adult;
- C. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. filing of reports as required by statute and the State Department of Health.

M.C.L.A. 380.1169

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**APPROVED 08/15/11**

#### **8014 - STUDENT ABUSE AND NEGLECT**

The Board of Education is concerned with the physical and mental wellbeing of the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Each professional staff member employed by this District who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The professional staff member or Head of School in the presence of the staff member shall immediately call the local office of the Department of Social Services.

Any support staff member who has reasonable cause to suspect child abuse or neglect shall immediately report any such case to the Head of School who shall, in turn, immediately notify the Department of Social Services.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting staff member shall not be penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or staff member of the District is a violation of the law and subjects the disseminator to civil liability for resulting damages.

The Head of School should be mindful of the possibility of physical or mental abuse being inflicted on a student by a staff member. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Head of School.  
M.C.L.A. 722.621 et seq.

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**APPROVED 08/15/11**

#### **8015 - STUDENTS – SEX OFFENDER REGISTRY; CRIMINAL CONVICTIONS**

Students who are convicted of criminal conduct which requires their listing on the State's Sexual Offender Registry, shall be prohibited from participating in:

- A. all extracurricular activities;
- B. all in-school activities which deal with younger students, such as tutoring, classroom assistance, coaching, etc.;
- C. after school social activities, such as attendance at school-sponsored clubs, dances, athletic events, musical or theatrical performances, or outside clubs or activities, such as Girl or Boy Scouts, non-school athletics or religious or political groups.

Any exceptions to the above exclusions must be approved by the Head of School.

Any exceptions must be confirmed in writing by the authorizing individual, and must specifically state any requirements for participation, such as parental or adult supervision. The writing shall be provided to the parent, student, and Head of School. Exceptions may be revoked at any time, with cause.

Such students shall only be on school premises as necessary for normal instructional purposes, or as permitted under any exceptions granted by the District. Students shall not arrive earlier than necessary and shall leave promptly upon completion of their approved attendance.

Students who have been convicted of a crime shall be reviewed by the District Head of School for possible limitation of school related activities consistent with the nature of the crime and the interest of the District in maintaining school safety.

M.C.L.A. 28.721 et al.

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**APPROVED 08/15/11**

**8016 – WELLNESS**

As required by law, the Board of Education establishes the following wellness policy for the Leelanau Montessori Public School Academy.

The Board recognizes that good nutrition and regular physical activity affect the health and wellbeing of the District's students. Furthermore, research concludes that there is a positive correlation between a student's health and wellbeing and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

- A. With regard to nutrition education, the District shall:
  1. Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
  2. Nutrition education shall include opportunities for appropriate student projects related to nutrition, involving, when possible, community agencies and organizations.
  3. The lunchroom shall serve as a learning lab by allowing students to apply the knowledge, attitudes, and skills taught in the classroom when making choices at mealtime.
  4. Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.

5. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.
  6. Staff responsible for providing instruction in nutrition education shall regularly participate in professional development activities designed to better enable them to teach the benchmarks and standards.
- B. With regard to physical activity, the District shall:
1. **Physical Education**
    - a. A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the standards and benchmarks established by the State.
    - b. The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
    - c. Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
    - d. Planned instruction in physical education shall include cooperative as well as competitive games.
    - e. Planned instruction in physical education shall take into account gender and cultural differences.
    - f. Planned instruction in physical education shall promote participation in physical activity outside the regular school day.
  2. **Physical Activity**
    - a. Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.
    - b. Schools shall encourage families to provide physical activity outside the regular school day, such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities like bowling, swimming, or tennis.
    - c. All students in grades K-6 shall be provided with a daily recess period at least twenty (20) minutes in duration. Recess shall not be used as a reward or punishment.
- C. With regard to other school-based activities the District shall:
1. The schools shall provide at least twenty (20) minutes daily for students to eat.
  2. The school shall provide attractive, clean environments in which the students eat.

3. Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
4. Students at K-12, elementary, middle school and high school are permitted to have bottled water only in the classroom.
5. Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.
6. The School District encourages parents, teachers, school administrators, students, foodservice professionals, and community members to serve as role models in practicing healthy eating and being physically active, both in school and at home.

Furthermore, with the objectives of enhancing student health and well being, and reducing childhood obesity, the following guidelines are established:

- A. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- B. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well.
- C. All foods available to students in the dining area during school food service hours shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte or from vending machines.
- D. The school food service program may involve students, parents, staff, and/or school officials in the selection of competitive food items to be sold in the schools.
- E. The school shall prepare and distribute to staff, parents, and after-school program personnel a list of snack items that comply with the current USDA Dietary Guidelines for Americans.
- F. All food service personnel shall receive pre-service training in food service operations.
- G. Continuing professional development shall be provided for all staff of the food service program.

The Head of School shall develop administrative guidelines necessary to implement this policy, including, but not limited to, the manner in which the implementation of this policy shall be regularly evaluated by the principal of each school. The Board designates the District Head of School as the individual charged with operational responsibility for verifying that the District meets the goals established in this policy.

The Head of School shall report on the District's compliance with this policy and the progress toward achieving the goals set forth herein when requested to do so by the Board.

42 U.S.C. 1751, Sec. 204

42 U.S.C. 1771

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**

#### **8017 - FREE AND REDUCED-PRICE MEALS**

The Board of Education recognizes the importance of good nutrition to each student's educational performance.

The Board shall provide needy children with breakfast and lunch at a reduced rate or at no charge to the student.

Children, eligible for free or reduced-price meals, shall be determined by the criteria established by the Child Nutrition Program. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the Head of School to determine in accordance with Board standards, the eligibility of students for free and/or reduced-price meals.

The schools shall annually notify all families of the availability, eligibility requirements, and/or application procedure for free and reduced-price meals by distributing an application to the family of each student enrolled in the school and shall seek out and apply for such Federal, State, and local funds as may be applied to the District's program of free and reduced-price meals.

M.C.L.A. 380.1272 et seq.

42 U.S.C. 1751 et seq.

42 U.S.C. 1771 et seq.

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**

#### **8018 - TRANSPORTATION BY PRIVATE VEHICLE**

The Board of Education authorizes the transportation by private vehicle of students of the District. Any such transportation must be approved in advance and in writing by the Head of School in accordance with the Head of School's administrative guidelines.

The parent of the participating student will be given, on request, the name of the driver and the description of the vehicle.

No person shall be approved for the transportation of students in a private vehicle who is not a staff member of this Board or an approved volunteer and the holder of a currently-valid license to operate a motor vehicle in the State of Michigan.

No person shall be permitted to transport students who is not the holder of automobile liability and personal injury insurance in the amount required by District administrative guidelines. The Head of School may withdraw the authorization of any private vehicle driver whose insurance is not adequate.

Any private vehicle used for the transportation of students must be owned by the approved driver or the spouse of the approved driver and must conform to registration requirements of the State.

The responsibility of professional staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not professional staff members are requested to report student misconduct to the Head of School.

Expenses incurred by drivers of private vehicles in the course of transporting students may be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.

A.C. Rule 340.279, 340.282

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**  
**8019 – INSURANCE**

The Board of Education shall purchase with District funds the type and amount of insurance necessary to protect the District from major financial losses.

Insurance purchased shall include, but need not be limited to, the following:

- A. negligent acts or omissions which cause personal injury or wrongful death
- B. fire and extended coverage on buildings and contents
- C. comprehensive bodily injury, property damage on automobiles, buses, and trucks
- D. mechanical systems, if applicable
- E. special coverage for equipment not ordinarily covered under a standard policy
- F. legal liability for Board members and staff members

Insurance for a given coverage shall be obtained at the lowest possible cost, assuming that service and company reliability are satisfactory. The Head of School shall administer the insurance program.

M.C.L.A. 129.51, 380.124, 380.1269, 380.1332

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**

**8020 – BONDING**

The Board of Education recognizes that prudent trusteeship of the resources of this District dictate that staff members responsible for the safekeeping of District monies and property be bonded.

The District shall be indemnified against loss of money and property by bonding of staff members holding the positions and in the amounts determined by the Board and in accordance with State law.

All other staff members handling money shall be covered under a blanket bond to an amount determined by the Board.

The Board shall bear the cost of bonding each staff member required to be bonded by this policy. M.C.L.A. 380.85, 380.124, 380.243, 380.317

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**

#### **8021 - STUDENT ACCIDENT INSURANCE**

The Board of Education recognizes the need for insurance coverage for injuries to students caused by accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the schools. Therefore, at the beginning of each school year, the Board shall offer parents the opportunity to participate in group accident insurance at the expense of the parents.

A signed statement of insurance coverage on the part of the student's parent or guardian shall be a prerequisite for student registration in any school activity having a potential for personal injury. The Head of School shall recommend suitable and qualified insurance carriers and notify all parents of their availability.

M.C.L.A. 380.1522

## Leelanau Montessori PSA

### Bylaws & Policies

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**APPROVED 08/15/11**

#### **8022 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES**

Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously-oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.

District staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. The District shall not function as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on District property by any party shall be in accordance with policies under separate headings.

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting an establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's/person's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

The flag of the United States shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day.

Professional staff members are authorized to lead students in the Pledge of Allegiance at an appropriate time each school day. However, no student shall be compelled to participate in the

reciting of the Pledge. The Head of School shall develop administrative guidelines which ensure that any staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and the privacy of a nonparticipating student.

M.C.L.A. 380.1347, 380.1565

20 U.S.C. 4071 et seq.

M.C.L.A. 380.1347, 380.1565

Gregoire vs. Centennial School District 907 F.2d 1366,(3rd Circuit, 1990)

Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)

## Leelanau Montessori PSA

### Bylaws & Policies

**AMENDED 1-15-2018**

**AMENDED 7-2015**

**APPROVED 6-16-2014**

**8023 – ENROLLMENT (LOTTERY POLICY)**

#### **Definitions**

**Application** – The application form for enrollment/lottery can be obtained by calling the school at 231-271-8609. The application must include: applicant name, requested grade in school, date of birth, mailing address, names of siblings applying for or already attending this school, parent/guardian (caretaker) name, telephone number, email address.

**Applicant** – During the application period, children who make an application to be in the lottery.

**Admitted Students** – Students selected in the lottery.

**Enrollment** – This is the first day a student is in school. It is not the day on which the child applies for admission, nor is it the day when the applicant is selected in the lottery.

**Enrolled Student** – A student who receives and accepts an offer of enrollment, and completes all enrollment tasks by the designated deadline.

**Exempt Applicants** – As allowed for in the Federal Charter School Program guidelines, children of teachers (as defined) may be exempt from the lottery. Five percent (5%) of the total spaces will be held for children of teachers. If the number of children of teachers is less than maximum exemptions permitted and there is space available in the class desired, an exemption from the lottery will be offered. Exempted children of teachers will be admitted. Per Federal lottery guidelines, exempted children of teachers may not make up more than 5% of total enrolled students.

**Final Grade Placement** – The grade requested for an applicant and the final grade placement once the student is enrolled may be different based on the review of report cards/transcripts and/or placement tests.

**Preference Lists** – Groups of applicants who will be given enrollment preference in the lottery. Note that a child of a teacher or a sibling of an enrolled student who was not admitted due to space, but who wishes to be placed on the corresponding Preferred List, must have made an application by the application deadline.

**Teacher Preference List** – This list is comprised of children of teachers (as defined) who were not exempt from the lottery and who were not admitted in the lottery due to space, but who submitted an application prior to the application deadline. These applicants are given first preference to enroll if/when a space in their grade becomes available.

**Sibling Preference List** – Applicants who were in the lottery but were not admitted due to space, but whose sibling was accepted and completed the enrollment tasks by the deadline, and enrolled, will be offered a space in the school based on availability in their grade and on their lottery number. For example: Five applicants are selected and admitted in the lottery. Each of these students has a sibling who wants a space in the Lower Elementary. However, only one Lower Elementary space becomes available. The sibling applying for a Lower Elementary space with the lowest lottery number would get the space. The other students will remain on the Sibling Preference List and will be placed if additional spaces become available. Students on the Sibling Preference List will be given priority to enroll after students on the Teacher Preference List.

**Priority Students** – *Students who were in the lottery but whose number was too high for them to be offered a space in the school. These students are given third priority to enroll, after Teacher Preference List applicants and Sibling Preference List applicants.*

**Registration Package** – Enrollment package provided by the school to students accepted in the lottery.

**Sibling** – A sibling of a currently enrolled student or of an applicant admitted in the lottery.

**Teacher** – Certified to teach in Michigan and has a teaching assignment with the school. Any adult in the classroom acting as a lead teacher, co-teacher, or assistant and/or designated as a highly qualified teacher.

**Preschool applicant** – Three- and four-year olds seeking admittance to a Primary classroom.

**Lower Elementary applicant** – Any student applying for grades 1-3.

**Upper Elementary applicant** – Any student applying for grades 4-6.

#### **Toddler Enrollment**

Enrollment for the Toddler Class will be first-come first-served on an ongoing basis year-round. Enrollment will be limited to 8 students per day of the week. The sibling preferences will not apply to toddlers.

### Reenrollment Schedule

2<sup>nd</sup> Monday in February – Reenrollment application period  
4<sup>th</sup> Friday in February – Close Reenrollment period

All currently enrolled students and their siblings may complete an application during this reenrollment period. In the event that there are more students seeking reenrollment than available spaces, then all students seeking reenrollment will be placed in the Reenrollment Lottery. The Reenrollment Lottery would be held prior to the Open Enrollment Lottery, and these students would be enrolled (or placed on the appropriate waiting/preference list when spaces are filled) ahead of Open Enrollment applicants. This lottery will be held on the designated Lottery Day. Any students eligible to apply during the reenrollment period who fail to submit an application by the close of Reenrollment, may apply during Open Enrollment and will be treated as an Open Enrollment applicant.

During **reenrollment** for Primary, classroom spaces will first be filled by full-time Preschoolers (based on previous year program) and Kindergarteners already enrolled.

In the event that more eligible Preschool and Kindergarten students (currently enrolled students and their siblings) apply during **Reenrollment** than spaces currently exist within Primary classrooms, then all Preschool students will be placed in the Reenrollment Lottery and will be admitted (or placed on a waiting/preference list) in the order described below. The Reenrollment Lottery will be held prior to the Open Enrollment Lottery, and these students will be enrolled (or placed on the appropriate waiting/preference list when spaces are filled) ahead of Open Enrollment applicants.

Order of Admittance **when there are not enough spaces for all Preschool Reenrollment applicants** (currently enrolled students and their siblings):

All eligible full-time preschoolers by date of application (first-come first-served). Note that siblings of Preschoolers will be admitted at the same time if also in Preschool or along with the other siblings of currently enrolled students at the end of reenrollment if in grades K-6, subject to the lottery if space is not sufficient for all K-6 Reenrollment applicants.  
By lottery, remaining part and full-time Preschool Reenrollment applicants.

### Open Enrollment Schedule

2<sup>nd</sup> Monday in March – Open application period  
4<sup>th</sup> Friday in March – Close application period  
4<sup>th</sup> Friday in May – Within five (5) business days in advance of the lottery, the school will communicate the time, date and location of the lottery with caretakers of applicants  
1<sup>st</sup> Friday in June – Lottery Day  
The following Tuesday after the lottery– Caretakers of accepted applicants notified with offer of enrollment  
Within one week from receiving notification– Caretaker deadline to accept offer of enrollment  
3<sup>rd</sup> Friday in July – Caretaker deadline to complete enrollment tasks of accepted applicants

### Enrollment Caps:

20 students (ages 3-6) in Sugar Maple and 16 students in Cedar where two adults staff the room (ensuring a 1:10 ratio for state licensing regulations),

25 students in each Elementary classroom.

### Lottery Policy

**If all applicants are able to be admitted (no lottery needed), then there will be no lotteries and any applicants applying after the close of Open Enrollment will be admitted on a first-come first-served basis.**

As required by Federal Charter School Program, Leelanau Montessori Public School Academy will conduct a lottery if applications exceed the enrollment caps. At the close of the application period, applicants who are age-ineligible will be notified of their ineligibility for enrollment in the school. If the remaining applicants will oversubscribe any of the Preschool, Kindergarten, Primary, Lower Elementary or Upper Elementary caps, a lottery will be conducted. As provided for in the

Federal lottery requirements, children of staff and siblings of applicants admitted in the lottery will be given enrollment preference.

The date, time and location of Lottery Day will be publicized on the LMPSA website ([www.leelanaumontessori.org](http://www.leelanaumontessori.org)). The lottery will be conducted by a SBPS school administrator or Board Member (our authorizer) or a representative from TBAISD and will be attended by an LMPSA board member and one outside observer, as is required by the lottery regulations, and will be open to the public. If a lottery is to be held, caretakers of applicants will be notified of the lottery date, time, and place by email no later than five (5) business days in advance of the lottery.

### **Applicant Selection Process**

All applicants who applied during the application period, and who are eligible to enroll, will be included in the lottery drawing.

If an applicant falls into two categories, LMPSA will use the category most advantageous for the applicant (i.e. a child of a staff member without an exemption would be considered a sibling in the event that his/her sibling was admitted).

If an applicant has a sibling who has been admitted, he/she will be admitted at the same time as his/her sibling if space permits.

**Exemption Lottery:** 5% of the total spaces available school-wide will be held for children of staff. The spaces will be reserved for the exempted children of teachers until the 2<sup>nd</sup> Monday in July at which time they will be released to other applicants as determined by the lottery. If the number of children of teachers seeking exemptions is greater than the maximum allowed, then a drawing will be held to determine which children of staff will receive the exemptions. Those not exempted will be placed in the Open Enrollment Lottery if the application was received during the Open Enrollment period.

Then the lotteries will be conducted by the following in the following order:

**Reenrollment Lottery:** Reenrollment student applicants (currently enrolled students and their siblings & non-exempt children of staff), who submitted a reenrollment application on time.

**Open Enrollment Lottery:** Open Enrollment applicants, who submitted an open enrollment application on time.

In conducting the lottery, LMPSA will follow a family-friendly approach in conducting the lottery. All eligible applicants will receive a lottery number in a random drawing. Beginning with Upper Elementary, as each name is drawn, any siblings of admitted applicants, regardless of grade/class, will be admitted at the same time if space is available. After all spaces are filled, the remaining names for each level will be drawn in order to create prioritized waiting/preference lists. After Upper Elementary, the lottery will then proceed to Lower Elementary and then to Primary.

### **Notification of Acceptance**

Caretakers of applicants accepted in the initial lottery will be notified by email and telephone with an offer of enrollment no later than two (2) business days after the lottery is conducted. These caretakers will then have five (5) business days to respond affirmatively in writing (email is acceptable) to the offer of enrollment or the applicant will forfeit his/her space in the school. After the acceptance of the offer of enrollment, caretakers will have 30 days to complete all enrollment registration tasks, or the applicant will forfeit his/her space in the school. Applicants who forfeit the enrollment slot will be able to place their name at the bottom of the appropriate waiting/preference list, if they are still actively seeking enrollment.

### **Waiting Preference Lists**

The children of teachers in the lottery who were not admitted due to space will be placed on a Teacher Preference List. These applicants will be given the first opportunity to enroll if space becomes available in their class. As with the regular lottery process, applicants on this list with the lowest lottery number will be placed first.

Siblings of admitted applicants, who were not admitted due to space will be placed on a Sibling Preference List. These applicants will be made an offer of enrollment if/when space becomes available in their class, after applicants on the Teacher Preference List have been placed. As with the regular lottery process, applicants on this list with the lowest lottery number will be placed first.

Other applicants who were in the lottery, but who were not admitted due to space, will be placed on a Priority List. If a space becomes available, and there are no applicants from the Teacher Preference List or the Sibling Preference List who accept an offer of enrollment, or who are in the class for which the space is available, then that space will be offered to the applicant on the Priority List in that grade with the lowest lottery number.

**Subsequent Applications**

Applications will be accepted after the Open Enrollment period and throughout the year. All applications received after Open Enrollment will be placed on a waiting list. If all students from the Teacher Preference List, the Sibling Preference List and the Priority List created on Lottery Day are accepted for admission, then students from this Post-Open Enrollment Waiting List will be offered admission until all spaces are filled. Post-Open Enrollment applicants will be placed on the list in the order of application (first-come, first served).

## Leelanau Montessori PSA

### Bylaws & Policies

#### **8024 PARENT PARTICIPATION APPROVED 7-20-15**

The Leelanau Montessori Board of Directors is fully committed to bridging the gap between public funding and the true cost of the full educational experience we all want for our students. Every single student benefits from the Leelanau Montessori Dollar a Day campaign. The Board of Directors recommends parents and guardians participate in our efforts to strengthen the overall sustainability of our school. In order to obtain outside funding sources, it is important to demonstrate commitment on the part of our school community. This can be accomplished through financial or in kind partnerships with our families.

#### ***100% Participation is our Goal!***

The recommended annual donation for the 2017-2018 school year is \$180 (\$1 for every school day). We know that every family situation is different, so the goal of the Dollar a Day campaign is to receive 100% participation from all of our school community in whatever form works for each family.

#### Dollar a Day Campaign

\$180/year = \$1/school day

- One-time payment of \$180
- \$18.00/month (electronic funds transfer over 10 months)
- 34 hours of volunteering (1 hour/week)
- mix of monetary donation/month and volunteering

# Relations

## Leelanau Montessori PSA

### Bylaws & Policies

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#### **APPROVED 05/09/11** **9001 - PUBLIC COMPLAINTS**

Any person or group having a legitimate interest in the operations of this District shall have the right to present a request, suggestion, or complaint concerning District personnel, the program, or the operations of the District. At the same time, the Board of Education has a duty to protect its staff from unnecessary harassment. It is the intent of this policy to provide the means for judging each public complaint in a fair and impartial manner and to seek a remedy where appropriate.

It is the desire of the Board to rectify any misunderstandings between the public and the District by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences, shall more formal procedures be employed.

Any requests, suggestions, or complaints reaching the Board, Board members, and the administration shall be referred to the Head of School for consideration according to the following procedure.

#### **Matters Regarding a Professional Staff Member**

##### **A. First Level**

If it is a matter specifically directed toward a professional staff member, the complainant will be directed to discuss it with that staff member who will make every effort to provide a reasoned explanation or take appropriate action within his/her authority and District administrative guidelines.

This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by school officials prior to approaching the professional staff member.

As appropriate, the staff member shall report the matter and whatever action may have been taken to the supervisor.

##### **B. Second Level**

If the matter cannot be satisfactorily resolved at the First Level, it shall be discussed by the complainant with the staff member's supervisor and in compliance with provisions of a collectively-bargained agreement, if applicable.

**C. Third Level**

If a satisfactory solution is not achieved by discussion with the Supervisor, a written request for a conference shall be submitted to the Head of School. This request should include:

1. the specific nature of the complaint and a brief statement of the facts giving rise to it;
2. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
3. the action which the complainant wishes taken and the reasons why it is felt that such action be taken.

Should the matter be resolved in conference with the Head of School, the Board shall be advised of the resolution.

**D. Fourth Level**

Should the matter still not be resolved, or if it is one beyond the Head of School's authority and requires a Board decision or action, the complainant shall request, in writing, a hearing by the Board.

The Board, after reviewing all material relating to the case, may grant a meeting before the Board or a committee of the Board.

The complainant shall be advised, in writing, of the Board's decision, no more than ten (10) business days following the hearing.

## **Matters Regarding the Head of School**

Should the matter be a concern regarding the Head of School, which cannot be resolved through discussion with the Head of School, the complainant may submit a written request for a conference to the Board. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason that matter was not able to be resolved with the Head of School;

- D. the action which the complainant wishes taken and the reasons why it is felt that such action should be taken.

The Board, after reviewing the request, may grant a hearing before the Board or a committee of the Board or refer the matter to an executive session.

The complainant shall be advised, in writing, of the Board's decision within thirty (30) business days. The Board's decision will be final and not subject to appeal.

The complainant is not to discuss the matter with an individual Board member as a Board member has no authority except when the Board is in session.

### **Matters Regarding a Support Staff Member**

In the case of a support staff member, the complaint is to be directed, initially, toward the person's supervisor, and the matter then brought as required to higher levels in the same manner as prescribed for "Matters Regarding a Professional Staff Member".

### **Matters Regarding District Services or Operations**

If the request, suggestion, or complaint relates to a matter of District procedure or operation, it should be addressed, initially, to the person in charge and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member".

### **Matters Regarding the Educational Program**

If the request, suggestion, or complaint relates to a matter of District program, it should be addressed, initially, to the Head of School and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member".

### **Matters Regarding Instructional Materials**

The Head of School shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their right to inspect instructional materials and the procedure for completing such an inspection.

If the request, suggestion, or complaint relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the District, the following procedure shall be followed:

- A. The criticism is to be addressed to the Head of School, in writing, and shall include:
1. author;
  2. title;
  3. publisher;
  4. the complainant's familiarity with the material objected to;
  5. sections objected to, by page and item;

6. reasons for objection.
- B. Upon receipt of the information, advising the Head of School of the complaint, appoint a review committee which may consist of one (1) or more professional staff members and one (1) or more lay persons knowledgeable in the area.
  - C. The Head of School shall be an ex officio member of the committee.
  - D. The committee, in evaluating the questioned material, shall be guided by the following criteria:
    1. the appropriateness of the material for the age and maturity level of the students with whom it is being used
    2. the accuracy of the material
    3. the objectivity of the material
    4. the use being made of the material
  - E. The material in question may be withdrawn from use pending the committee's recommendation to the Head of School.
  - F. The committee's recommendation shall be reported to the Head of School in writing within fifteen (15) business days following the formation of the committee. The Head of School will advise the complainant, in writing, of the committee's recommendation and advise the Board of the action taken or recommended.
  - G. The complainant may appeal this decision, within thirty (30) business days, to the Board through a written request to the Head of School, who shall forward the request and all written material relating to the matter to the Board.
  - H. The Board shall review the case in public session and advise the complainant, in writing, of its decision within ten (10) business days.

No challenged material, which has been specifically adopted by the Board may be removed from the curriculum except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.  
20 U.S.C. 1232h