

**OWOSSO MIDDLE SCHOOL**  
**Student-Parent Handbook**  
**2015-2016**

Owosso Middle School  
219 N. Water Street  
Owosso, Michigan 48867

(989) 723-3460    Main Office  
(989) 729-5760    Fax

Principal:        Rich Collins  
Assistant Principal:    Ed King  
Dean of Students:    Cathy Dwyer  
IB Coordinator:       Lance Little

THIS STUDENT PLANNER IS THE PROPERTY OF:

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**WELCOME TO OWOSSO MIDDLE SCHOOL!**

Owosso Middle School is committed to creating a safe, supportive student-centered learning community by a collaborative, dedicated staff who provides challenging and developmentally appropriate learning opportunities. Owosso Middle School students are empowered to become life-long learners and respectful, contributing citizens.

On behalf of the staff of Owosso Middle School, have a great year!

Richard A. Collins  
OMS Principal  
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***IB Mission Statement***

*The International Baccalaureate Organization aims to develop inquiring, knowledgeable and caring young people who help to create a better and more peaceful world through intercultural understanding and respect.*

*To this end the IBO works with schools, governments and international organizations to develop challenging programmes of international education and rigorous assessment.*

*These programmes encourage students across the world to become active, compassionate and lifelong learners who understand that other people, with their differences, can also be right.*

## **PRIMARY OFFICES**

There are four primary offices serving OMS students, their parents, and the Owosso community:

**Dean of Students Office** **729-5707**

Hours: 7:00 AM – 4:00 PM daily  
Location: Go to main office for directions  
Services: Athletics, Behavior & Academic Interventions  
Personnel: Cathy Dwyer

**Assistant Principal Office** **729-5709**

Hours: 7:00 AM – 4:00 PM daily  
Location: Go to main office for directions  
Services: Attendance, Discipline, & Special Education  
Personnel: Ed King, Assistant Principal  
Cindy Knight , Secretary

**IB Coordinator** **729-5708**

Hours: 7:35 AM – 3:00 PM daily  
Location: Go to main office for directions  
Services: IB Coordination, Scheduling, and Testing  
Personnel: Lance Little, IB Coordinator (729-5341)

**Main Office** **Fax: 729-5760** **Phone : 723-3460**

Hours: 7:00 AM – 4:00 PM daily and during most holiday breaks.  
Location: East entrance of the Middle School near the auditorium  
Services: Curriculum, Personnel/Staffing, Budgeting & Communication  
Personnel: Rich Collins, Principal  
Linda Dignan, Secretary

### **• STUDENT – PARENT HANDBOOK •**

The O.M.S. Student-Parent Handbook is the official manual of regulations and requirements covering all aspects of student life at Owosso Middle School. It outlines expectations of students and their rights and responsibilities.

As the need arises for the administration and staff to develop new or change existing policies, students will be informed of the new policies and will be expected to follow these policies even though they are not included in this edition of the Student-Parent Handbook.

Students must sign an acknowledgement of receipt when they are issued a planner with handbook at the start of the school year or upon enrollment. The first planner with handbook is issued for free; replacement planners are \$5.00.

Parents are highly encouraged to review the Student-Parent Handbook with their student.

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## **I. COMMUNICATION**

Communication between home and school regarding a student's education is essential. School communication includes, but is not limited to:

1. OMS Student Handbook
2. Report cards and Power School
3. Parent-Teacher Conferences
4. School Open Houses
5. Registration

### **REPORT CARDS AND PROGRESS REPORTS**

There are four 9-week marking periods per school year. Progress reports can be accessed through Power School at any time. Report cards are issued to students at the end of each 9-week marking period. Approximate distribution dates for report cards are mid-November, mid-January, mid-April, and June.

## **II. GENERAL SCHOOL POLICIES**

### **A. AFTER-SCHOOL ACTIVITIES**

A teacher-sponsor must be present at all after-school activities including play practices, club/class meetings, dances, athletic contests, etc. The teacher-sponsor may leave when all students under his/her supervision have left the school building or grounds.

### **B. ASSEMBLIES**

Throughout the school year, assemblies for enrichment activities or sporting events are held during the school day. Students are expected to be courteous and attentive at all times and remain seated until dismissed.

### **C. ATTENDANCE POLICY**

This policy is intended to create positive classroom attendance habits by all students. It is aligned with our mission statement, educational beliefs, and student exit outcomes. This policy is based on current best practices regarding principles within the instructional process, grounded in the belief that learning is interrupted when students are absent from school. The school day starts at 7:45 a.m. and ends at 2:40 p.m.

An approved absence by a student's parent/guardian; this includes absences due to illness, funeral, religious observance, or medical appointments. Parent/guardian must notify the school by 12:00 noon the day following the absence to be considered verified. **Absence verification number: 729-5757. Written notes must be sent with the students when they return. The following information must be given:**

1. Student's first and last names as well as grade level
2. Day(s) and dates absent, and telephone number
3. Reason for absence
4. Parent/guardian signature or name

### **Tardy Policy**

Students will have two tardy vouchers administered by the I.S.S instructor at the beginning of each semester.

Students are permitted tardy to any class with a pass from school personnel. The I.S.S. instructor is expected to inform students of the number of tardies the student has when a tardy occurs.

Teachers will mark the tardy students.

Students are considered tardy when the tone sounds to begin the hour.

Students arriving to class late with a pass from a teacher, counselor, or other staff member are not to be considered tardy.

Students who will be tardy to a class due to an outside appointment, must present a note from the appointment location or their parent/guardian verifying the absence and subsequent tardy, to the attendance office prior to attending class. If the appointment is not verified, the time missed is considered an unverified absence or an unexcused tardy based on the time of arrival to class.

- **STUDENTS WILL BE MADE AWARE OF CUMULATIVE TARDY CONSEQUENCES EITHER VERBALLY OR BY POSTING.**

**D. BACKPACK USAGE**

Backpacks brought to school must be taken directly to and left in the student's locker until the end of the school day.

Students that play a sport must take their athletic equipment bags to a location in the athletic area as determined by the athletic director and/or principal.

**E. WORK – IT PAYS**

Students participate in the MEAP assessment in the fall. We encourage students to be the best they can be. Academics and citizenship are rewarded with Student of the Month, and the Student Council Trip. Good habits begin at OMS and will help ensure success at Owosso Middle School and beyond.

**F. BEHAVIOR CODE AND CONSEQUENCES**

The Behavior Code and Consequences serves to maintain a safe and orderly learning environment at Owosso Middle School. Administrative staff reserves the right to amend the handbook as necessary.

**Behavior Code**

OMS students are responsible for the following:

- Attending school on a regular and punctual basis.
- Understanding and complying with the school's rules and regulations.
- Respecting the authority of teachers and other school personnel; fellow students and their personal belongings; and the school's facilities, equipment and property.
- Demonstrating proper behavior in class, at school functions and activities, on school property and en route to and from school.
- Contributing to class in an active and attentive manner while excelling in each course of study.
- Wearing appropriate attire in school and during school activities and functions, while practicing the standards of good health and cleanliness.

**Behavior Consequences**

*Inappropriate student behavior will be subject to the following:*

- Consistent with board policy regarding student due process, an administrator will conduct an investigation and review all facts to consider the circumstances when applying consequences to a student's overall behavior.
- Appropriate consequences will be administered as a result of inappropriate student behavior.
- Students will be counseled to elicit a behavior change.
- When appropriate, a larger community of support services may be used to aid the student.
- Teachers may be consulted in cases involving extenuating circumstances.
- All violations are cumulative over a student's middle school career.
- Students accumulated behavior record may result in an Owosso Board of Education referral for expulsion.
- When a student's infraction results in an assignment to Saturday detention, ISS, or an out-of-school suspension, the student will receive the appropriate notification form. It is the student's responsibility to give the form to his or her parent.
- Community service may replace an out-of-school or in-school suspension when there is a mutual agreement between the school official and parent, and when a community service project is available.

Community service formula:

3 hours of community service = 1 day of out-of-school suspension

2 hours of community service = 1 day of in-school suspension

Community service must be completed when school is not in session. The school must receive verification that community service has been completed. If the community service is not completed within a designated period of time, the original consequence will be reinstated.

The following behaviors are serious in nature and are cause for immediate removal from school for corrective action and can result in a recommendation to the Owosso Board of Education for immediate expulsion:

**Infraction :**

Alcohol **	Profanity/Vulgarity (person-directed)
Arson*****	Rape*****
Assault on a staff member*****	Sexual Harassment
Bomb Threat	Theft
Drugs**	Tobacco Products (use or possession of)
Explosives	Unauthorized demonstration
False Alarm	Vandalism* (over \$100)
Fighting	Violation of State or Federal Law
Gross Misbehavior (administrative determination)	Weapons***
Inciting a riot	

**Consequences for infraction include, but are not limited to:**

<b>First Offense:</b>	Up to 5 days of out-of-school suspension
<b>Second Offense:</b>	Up to 10 days of out-of-school suspension
<b>Third offense:</b>	Possible school board for expulsion

*	Full restitution to be made is required for all offenses
**	Administer present board policy
***	Automatic expulsion by law
****	Expulsion recommendation to school board
*****	Possible Board referral

The following behaviors can result in immediate suspensions:

**Infraction:**

Cafeteria misconduct	Hall pass violation
Cheating	Improper identification
Closed campus	Inappropriate hall behavior
Driving/parking violations	Insubordination
Disrespect	Intimidation
Disruptive behavior	Non-attendance for detention
Misuse of Electronic Devices	Non-dress for PE
Excessive display of affection (including hand-holding)	Profanity/vulgarity (non-person directed)
Food in academic area	Selling items
Forgery (written/telephone)	Trespassing
Gambling	Unauthorized area
	Vandalism* (under \$100)

**Consequences for infraction include, but are not limited to:**

<b>First offense:</b>	Saturday detention and/or ISS (8th hour, teacher, lunch)
<b>Second offense:</b>	Saturday detention and/or ISS (8th hour, teacher, lunch)
<b>Additional offenses:</b>	Saturday detention and/or ISS Out-of-school suspension

**Glossary of Discipline Terms**

**Cheating-** Giving, copying, or receiving information to/from another student or source, unless otherwise authorized by a staff member.

**Closed campus-** Leaving school grounds at any time without receiving approval from the office via an "out pass."

**Disruptive behavior-** Actions, objects or words that interfere with a safe and orderly educational process including but not limited to: rubber bands, lighters, snowballs, cosmetics, perfumes, etc. Items may be confiscated and held in the main office for parents to pick up.

**Electronic devices-** Communication devices, such as iPads, cellular phones, iPods, CD players, headphone equipment, MP3 Players, etc.

**Forgery-** Deceitfully writing or signing a note or pass; deceitfully making a telephone call for fraudulent purposes.

**Gross misbehavior-** Any action or behavior that disrupts the safe and orderly management of the school or school programs.

**Hallway behavior-** Students are expected to refrain from loud conversation, running and other behaviors that are disruptive or could result in injury. Students are permitted to be in the hallway with an official hall pass only.

**Improper Identification-** Refusing to identify one's self properly when requested by school personnel

**Inappropriate dress-** Clothing that advertises alcohol, drugs, or tobacco products; sexually suggestive or vulgar clothing; halter tops, tube tops, tank tops or bare midriff tops; any top which does not cover student's shoulders; Sagging pants that show undergarments; hats or caps of any type; non-prescription shaded glasses, scarves, or shorts that are not at least fingertip length.

**Insubordination-** Refusing a reasonable request by any staff member, back talking or mocking a staff member after a reasonable request.

**Lying-** Intentionally giving false or misleading information, or intentionally making false or misleading statements to school authorities.

**Profanity/Vulgarity-** Obscene words or gestures, racial slurs, and ethnically slanderous language, oral or written

**Selling items-** Any items sold which are not part of a school organization or club fundraiser; items which have not been approved by OMS administration

**Sexual harassment-** Making unwelcome sexual advances, engaging in improper physical conduct, and making improper sexual comments, which create an intimidating, hostile, offensive, or uncomfortable school environment.

**Smoking-** The possession, use, or sale of any tobacco product

**Theft-** Taking, borrowing, or using the property of another without permission

**Trespassing-** Being on school property while on suspension is considered trespassing as per City of Owosso ordinance; visiting or loitering at or near other school buildings in the district.

**Unauthorized area-** Being present in the parking lots or other area of the building or grounds during the school day without a valid pass

**Unauthorized demonstration-** Organizing students for any purpose without the consent of administration

**Vandalism-** Destroying or defacing personal or school property

**Violence-** Physical contact with the intent to do harm to another

### **G. BUS TRANSPORTATION**

Students are eligible for bus transportation to and from school and school-related activities. Students are expected to follow transportation guidelines; failure to do so may result in disciplinary action and denial of bus privileges.

1. Follow the bus driver's directions.
2. Follow classroom conduct guidelines
3. Do not enter or exit a bus at the elementary school for any reason.
4. Vandalism to a bus will be charged to the student/parent.
5. Smoking, possession of tobacco or flammable products is not permitted on the bus; bus privileges will be denied.
6. Students eligible for a city bus stop will be issued a bus pass and are responsible for showing the bus pass to their driver.
7. Non-bussing students will be permitted to ride the bus in emergency situations. A parent note endorsed by the principal is required.
8. Students or parents should contact the Transportation Department (725-7665) if pick up is not necessary on the country routes.

For additional information, please contact the **Transportation Supervisor at 725-7665**.

### **H. CAFETERIA OPERATIONS**

The cafeteria serves breakfast daily, 7:15 – 7:45 AM. Lunch is served daily during three, thirty minute lunch periods.

All Owosso students have Free lunch at Owosso Middle School.

### **I. CLOSED CAMPUS**

Owosso Middle School operates a closed campus. Students are not authorized to leave the school grounds between the first and last scheduled class except for such approved special activities as authorized by the building administration.

During lunch students may not disrupt classes or leave the school grounds, if they do they will be subject to disciplinary action.

### **J. DETENTION - SATURDAY**

Saturday detention is held from 8:00 AM – 12:00 PM as a consequence for student behavior that does not warrant a suspension. Students assigned to detention receive written notification, indicating the infraction and length of detention, which they are to give to their parents. Students assigned to Saturday detention are expected to adhere to the following:

1. Be on time – Students who arrive late may not be permitted to serve or may be assigned an additional Saturday detention.
2. Bring class work or other material to keep occupied for the entire period of detention.
3. Students are assigned one student per table with all students facing the same direction; students must remain seated the entire time.
4. Talking and sleeping are not permitted.
5. Food and drink are not permitted.
6. One student at a time may use the restroom, with the supervisor's permission; other breaks are not given.
7. Students are not allowed to go to their lockers.
8. Inappropriate behavior may result in a more severe penalty, including suspension.
9. When a student is unable to attend detention due to an illness or family commitment, the student must submit a parent note the next day school is in session. Failure to do so will result in the student being reassigned to detention. When a student misses a second detention and does not submit a parent note, he/she may be suspended for 3 days. Saturday employment or athletic events/practice are not acceptable reasons to miss detention.



**K. DRESS CODE**

Student dress is a factor in establishing a positive educational atmosphere. Students will not be allowed to attend school if his or her personal hygiene or attire endangers his own health or safety; the health and safety of others or interferes in any way with another person's right to an education.

Individuals or groups that represent the school (performing musical groups, athletic squads, cheerleaders, etc.) are subject to a more definitive dress code.

The final determination of whether a student's dress is appropriate or inappropriate rests with the administration.

Inappropriate dress includes that which:

1. Advertises alcohol, drugs, or tobacco products
2. Is suggestive/vulgar or has offensive pictures or slogans
3. Is any type of hat, cap, or hood
4. Is shaded eyeglasses, non-prescription type
5. Heelies (shoes with wheels)
6. Does not completely cover the shoulders
7. Exposes undergarments, excessive amounts of flesh or bare midriff
8. Shorts/skirts that are not at least fingertip length

**L. DRIVER EDUCATION**

Driver Education and behind-the-wheel instruction is offered to students that qualify. The law requires every driver under the age of eighteen to successfully complete a driver program before he/she is permitted to drive on the road. For driver education application cards, contact the main office. Driver Education is offered during the summer only. Eligibility requirements are the same as those for students who participate in the athletic program. Students will not be given their driver education certificate if they have any outstanding fines.

**M. ELECTRONIC EQUIPMENT-CELL PHONES, PAGERS, ETC.**

The misuse of electronic equipment inhibits the learning process; student use is prohibited unless used for instructional purposes. State law prohibits the use of personal pocket pagers by students. Students who misuse electronic equipment (cell phone, pager, CD player, Walkman, iPod, iPads, etc.) in their possession or in their locker may have it confiscated. Misuse of electronic equipment may require a parent to come in and pick up the device and have a meeting with administration. Continued misuse of electronic equipment may result in an administrative consequence.

**N. ENTERING AND EXITING THE BUILDING**

Students may enter the building beginning at 7:35 AM through the doors located at the South of the building. During school hours, entrance can be made only through the main doors located at the East part of the school building near the auditorium; all doors are locked. Students need to be under direct supervision of an administrator, staff member or coach when in the building before or after school. Students are not to be in the building without permission after 3:00 p.m. on school days. Handicapped entrance is located at the South end of the building.

**O. FINES AND FEES-COLLECTION OF**

A cumulative record is kept for all student grades 6-8 who owe money for such items as textbooks, equipment, supplies, etc. All financial debts must be paid prior to students being issued a driver education certificate or admittance to the Spring Fling. Students who transfer out of OMS must pay their financial debts before transcripts or other school records are forwarded to a school or employer.

**P. FOOD AND DRINK IN BUILDING**

Juice, pop and water machines are located in the cafeteria and are not available throughout the day. Beverages are not to be consumed in the classroom and are not allowed in the academic areas unless previously approved by teachers or administrators. Beverages purchased during lunch must remain in the cafeteria.

**Q. GRADES-Procedures for Incompletes (“I”)**

**Incompletes-** Students who do not complete all class work by the end of the marking period or semester may receive an "I" (Incomplete) grade on their report card. Students have a maximum of two weeks to make up the work required to convert the “I” to a letter grade. Students must contact the teacher to obtain the necessary class work. Students who do not complete the class work by the deadline will receive a permanent letter grade for the class based upon the average score of the class work completed. This grade will be calculated into the GPA. Teachers may allot additional time for extenuating circumstances.

**R. ACADEMIC REQUIREMENTS**

To be successful OMS students need to show mastery at his/her present grade level. This positive growth in academics can result in positive social-emotional behavior and growth. Support will be provided to a student who needs more time to successfully complete classroom requirements and mastery of basic skills. Regular and prompt completion of class responsibilities and requirements creates a quality school environment and sets a pattern necessary for the student’s success in future pursuits.

**S. RESPONSIBILITY**

To promote academic success, responsibility must be assumed by the student, parent and staff. Retention will be considered for those students who fail two or more academic classes during the second semester. This decision will be done on an individual basis in consultation with the student, parent, counselor, teacher and administrator.

**T. HALL PASSES**

Students are permitted to be in the hallway during class time for emergencies only and with a pass, signed by school personnel (i.e. teacher, administrator, secretary), located at the back of the planner. Students who do not have a planner will not be allowed to leave the classroom. Using the restroom, drinking fountain, or locker can be completed before school, between classes and during lunch.

**U. HOMEBOUND AND IN-HOSPITAL EDUCATIONAL SERVICES**

Students who must be absent from school for more than five consecutive school days due to a medical condition or have a doctor’s note indicating they are not physically capable of attending school, will be provided homebound or in-hospital educational services.

Whenever the principal or his designee is notified by a parent of a student’s absence due to illness, injury, or accident, the principal must inquire if the student is expected to be absent more than five consecutive school days. When this is confirmed, the principal must obtain from the parent any necessary information from the attending physician to determine the student’s eligibility for homebound or in-hospital educational services. Eligibility is determined by the attending physician’s statement certifying that the student has a medical condition that requires hospitalization or home confinement during regular school hours for a period longer than five consecutive school days.

Upon parent notification of an upcoming hospitalization of more than five consecutive days, the principal has three days from the date of notification to arrange for in-hospital educational services.

**V. ILLNESS-STUDENT**

Students who become ill during the school day must report to the Main Office. Students are not permitted to go home unless contact is first made with the parents or legal guardian. Parents must make certain that the school has emergency numbers should a student become ill and needs to be sent home.

**W. IN-SCHOOL SUSPENSION (ISS) RULES**

Students assigned to the In-School Suspension (ISS) program are expected to adhere to the following rules:

1. Class work is the only acceptable activity in ISS.
2. Bring all books and materials needed for each class.
3. Remain in assigned seats.
4. Talking is permitted with the direct permission of the ISS supervisor.
5. Sleeping, resting and reclining are not permitted.
6. Drawing, except as a class requirement, is not permitted.
7. Hall passes will not be given--a supervised break is provided.
8. Students are required to make up class work for days assigned to ISS. Students will receive credit.
9. Students may practice, participate in or attend any extra-curricular if they are assigned to ISS.
10. Students absent from school during an ISS assignment are required to make up the time upon return.
11. ISS assignment rests solely with administration.

**X. MEDICATION-DISPENSING TO STUDENTS**

The following guidelines apply to the dispensing of student medication:

- Students may take medication at school when a form indicating the parent or guardian's approval is on file in the assistant principal's office. The note must include the student's name, name of medication, time to be administered, reason for medication, dosage, length of time medication is to be taken and physician's name.
- School personnel are not allowed to administer any medication (including aspirin and other over-the-counter medications) to a student unless written permission from the parent or guardian is on file in the Main Office.
- Students must bring medication to the Main Office before school.
- All medication must be kept in the Main Office.
- A hall pass will be issued if the meds must be taken other than at lunchtime or between classes.
- Medication is administered by school personnel in the Main Office and logged, with a second adult witness present when the medication is administered.

**Y. NON-SCHOOL ORGANIZATIONS-PUBLICITY FOR**

Materials from outside school organizations must be approved by the Superintendent prior to display and must be displayed in designated areas. Any other materials placed in the building without administrative approval will be removed. Posters relating to Owosso Middle School events are to have the expiration date written in the lower left corner of the poster for the purpose of removal. Students and organization sponsor/advisors are expected to remove posters/announcements when the event is completed.

The administration reserves the right to prohibit any poster, brochure, or other material in the building or on the property.

**Z. PARENT -TEACHER CONFERENCES**

Parent-teacher conferences are scheduled at the end of the first marking period. Parents are encouraged to meet their son or daughter's teachers and discuss his or her academic and social progress. Administrators are available to discuss any aspect of student life.

Parents are encouraged to contact their student's counselor or teachers any time they are concerned about his or her progress.

**AA. PASSES FOR LEAVING SCHOOL**

Students are not permitted to leave the school building or grounds during the school day without an "out pass" issued by the Attendance Office.

**BB. STUDENT IDENTIFICATION CARDS**

Students receive a pictured Student ID card which must be carried with them at all times, including school-sponsored events. Failure to show a Student ID card at a school-sponsored event may result in the student being asked to leave. Students must show their Student ID cards at the request of school personnel.

**CC. TARDY POLICY- SEE ATTENDANCE POLICY**

**DD. TEXTBOOKS**

Textbooks are furnished by the Board of Education and are distributed to students by their teachers. Students will be fined for lost textbooks or those showing more than normal use and wear.

**EE. VISITORS**

Students are not permitted to bring visitors to school. Non-students are permitted on school grounds or in the building when conducting business with a faculty member or administrator once they have registered in the Main Office. Parents and other adults are always welcomed and are urged to call the school and make arrangements to see the school day in operation.

A City of Owosso ordinance prohibits non-students from loitering on school property.

**FF. CONTROL OF NONCASUAL-CONTACT COMMUNICABLE DISEASES**

In the case of noncasual-contact, communicable-diseases, the school still has the obligation to protect the safety of the staff and students. In these cases, the person in question will have his/her status reviewed by a panel of resource people, including the County Health Department, to ensure that the rights of the person affected and those in contact with that person are respected. The school will seek to keep students and staff persons in school unless there is definitive evidence to warrant exclusion.

Noncasual-contact communicable diseases include sexually transmitted diseases, AIDS (Acquired Immune Deficiency Syndrome), ARC-AIDS Related Complex (condition), HIV (Human-immunodeficiency), HAV, HBC, NCV (Hepatitis A, B, C); and other diseases that may be specified by the State Board of Health.

As required by Federal law, parents will be requested to have their child's blood checked for HIV, HBV, and other blood-borne pathogens when the child has bled at school and students or staff members have been exposed to the blood. Any testing is subject to laws protecting confidentiality.

**GG. PREPAREDNESS FOR TOXIC AND ASBESTOS HAZARDS**

The School is concerned for the safety of students and attempts to comply with all Federal and State Laws and Regulations to protect students 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. A copy of the School District's *Preparedness for Toxic Hazard and Asbestos Hazard Policy* and asbestos management plan will be made available for inspection at the Board offices upon request.

**HH. INDIVIDUALS WITH DISABILITIES**

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act provide that no individual will be discriminated against on the basis of a disability. This protection applies not just to the student, but to all individuals who have access to the District's programs and facilities. To obtain a copy of the district's Section 504 policies and procedures, please contact any building Principal or the district's Section 504 Coordinator, Ed King at 729-5709.

A student can access special education services through the proper evaluation procedures. Parent involvement in this procedure is important and required by Federal (IDEA) and State law. Contact the building Principal through the school's main office to inquire about evaluation procedures and programs.

If you suspect that your child may be a student with a disability who needs either special education or general education with related aids and services, please contact either your building Principal or the district's Section 504 Coordinator, Ed King, at 989-729-5709.

**II. LIMITED ENGLISH PROFICIENCY**

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 program offered by the District. Parents should contact the main office for more information at 723-3460 or to inquire about evaluation procedures and programs offered by the District.

**III. LEGAL-STATE AND FEDERAL POLICIES**

(Including OMS-adopted policies regarding these matters)

**A. ALCOHOL, TOBACCO & OTHER DRUGS – STUDENTS**

The use or possession of alcohol, drugs, tobacco or other controlled substances is prohibited in or on school property; in any school vehicle being used to transport students; at school events; and, *attending school events under the influence of intoxicants is prohibited.*

Any person in violation of the provisions of the above paragraph shall be subject to removal from school property; subject to disciplinary action within the provisions of school regulations; and shall be subject to prosecution in accordance with the provisions of the law.

**Tobacco-free schools Policy**

The Owosso Public Schools maintains tobacco-free grounds and facilities twenty-four hours a day, seven days a week. Owosso Public Schools enforces PA 1993, No. 140 and will promote practices which aid students and employees in abstaining from all tobacco products; intervene early when use is detected; take corrective disciplinary action when necessary; and make accessible after-care support for students and staff.

**Alcohol and Drug-Free School Policy**

The use, distribution, dispensation and/or manufacturing of controlled substances or alcohol by students, employees or citizens on school property, including school vehicles, is prohibited.

Owosso Middle School students, while at any Owosso Public School district school place or activity will not illegally manufacture, distribute, disperse, possess, or use any alcohol or controlled substances including narcotics, hallucinogens, amphetamines, barbiturates, marijuana, anabolic steroids, or any controlled substance as defined in federal and state law.

School place includes: school building or property; school-owned vehicle or school-approved vehicle needed to transport students to and from school or school activities; off-school property during any school-approved or school-related activity, event or function such as field trip or athletic event where students are under the jurisdiction of the school district or its personnel.

According to the Model Drug Paraphernalia Act, drafted by the Drug Enforcement Administration of the United States Department of Justice, August, 1979, drug paraphernalia includes: all equipment, products, and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

**Consequences for infractions include, but are not limited to:**

**Use and possession of tobacco**

- 1st offense: Penalty not to exceed a ten-day suspension.
- 2nd offense: May result in long-term suspension and/or referral to the appropriate law enforcement authority.

**Trafficking or possession of a controlled substance**

1st offense: trafficking or possession (exchanging, selling, trading, or passing on) will result in a referral to the Superintendent and the Board of Education for a discipline hearing and may result in expulsion from Owosso Public Schools.

**Trafficking or possession of a non-controlled substance (look-alike drug)**

1st offense: trafficking or possession (exchanging, selling, trading, or passing on) will result in a referral to the Superintendent and the Board of Education for a discipline hearing and may result in expulsion from Owosso Public Schools.

**Use or possession of a controlled substance**

1st offense: Notify parent/guardian via telephone of the violation and request a parent/administrative conference.  
5-week suspension (25 school days)  
If less than five weeks remains in a semester, the suspension will carry over into the next semester.\*

2nd offense: 9-week suspension (45 school days)  
If less than nine weeks remain in the semester, the suspension shall carry over into the next semester.

\*OMS administration may reduce the length of an out-of-school suspension by 10 days if the student and his/her parent or guardian agree to and satisfactorily participate in an approved substance abuse prevention and treatment program. The program may be public or private and is at the discretion of the parent or guardian. Evidence of participation must be supplied to the school within 10 days from the first day of the suspension. Failure to satisfactorily participate in a program will result in the reinstatement of the suspension.

**B. ARSON, CRIMINAL SEXUAL CONDUCT & WEAPONS**

The Board of Education of Owosso Public Schools, as both an employer and a public school district, is concerned with and interested in protecting the health, safety, and welfare of students, employees, and visitors. The board recognizes that school buildings, facilities, vehicles, grounds and other school property are best utilized in the educational process in the absence of threats to physical well-being and safety, by individuals possessing weapons and/or dangerous weapons or by individuals who commit arson or criminal conduct.

Students who commit arson or criminal sexual conduct at a school place (see definition under Behavior Code) shall be permanently expelled from school and referred to the appropriate criminal justice and social services system.

Possessing, using or threatening to use any weapon, any instrument representing an actual weapon or any instrument capable of inflicting bodily injury, which is being used in the manner of a weapon, is prohibited. Any student guilty of a violation shall be permanently expelled from school regardless of grade level or age. Weapons involved in the violation will be confiscated and turned over to local law enforcement authorities.

Public Act 211, Section 1313, requires school officials to immediately report to local law enforcement officials and a student's parent or guardian when a student possesses dangerous weapons while the student is attending school or school-related activities or while en route to or from school.

A dangerous weapon, for reporting purposes, is defined as a firearm, dagger, dirk, stiletto, knife with a blade over three inches in length, pocket knife opened by a mechanical device, iron bar or brass knuckles. Section 1313 requires a written record.

School officials are not limited to legal definition of a dangerous weapon or firearm in their treatment of school related incidents, and they may go beyond the requirements of Public Act 211 in confiscation, disciplinary action and reporting to parents.

### **C. DUE PROCESS RIGHTS-STUDENT**

The Owosso Board of Education has developed and adopted a Student Due Process Rights/Student Conduct Code in compliance with a directive from the State Board of Education.

All students shall have the right to receive a listing of the rules and regulations to which they are subject. Any restrictions on student behavior must be concerned with speech or action that disrupts the work of the school or interference with the rights and safety of others. Such rules shall be approved by the administration and filed with the Superintendent of Schools on behalf of the Board of Education.

### **D. INTERROGATIONS AND SEARCHES**

**Interrogations-** Cooperation with law enforcement agencies is desirable while keeping in mind the rights of students and parents. This cooperation must recognize the function of the schools, be in harmony with the Constitution of the United States, the laws of Michigan, and the rights of the individual.

**Interviews-** Interviews of students by law enforcement officers, who show proper identification, will be permitted during the school day when interviews during non-school hours are impossible, impractical, or would unduly interfere with law enforcement. Efforts should be made to notify the parent, guardian, or other adult person having the care and custody of the student prior to the interview. In the event that an interview is conducted on the school premises, the principal or his representative must be present during the interview.

**Arrests-** Custody and/or arrest may be allowed by a police officer after he has shown proper identification and credentials.

**Searches-** The right of inspection of students' school lockers or articles carried upon their persons is inherent in the authority granted school boards and administrators and should be exercised so as to assure parents that the school will employ every safeguard to protect the well-being of those students. Nevertheless, the exercise of that authority places unusual demand upon the judgment of school officials. Therefore, that authority is to be exercised sparingly and only when such inspection or search is reasonably likely to produce anticipated tangible results to aid in the educational process, preserve discipline and good order, or promote the safety and security of persons and their property within the area of educational responsibility. Maximum effort will be made to protect each student's constitutional rights, his/her rights to personal privacy, and to provide protection from coercion by others.

### **E. PESTICIDE MANAGEMENT PROGRAM**

As part of the Owosso Public Schools' District pest management program, pesticides are occasionally applied. You have the right to be informed prior to any pesticide application to the school grounds and buildings. In certain emergencies, pesticides may be applied without prior notice and notification will follow. If you need prior notification, please call the main office to request a Pesticide Prior Notification Form. Owosso Middle School is inspected on the third Thursday of each month. Contact John Klapko at 729-5711 for further information.

### **F. SEXUAL HARASSMENT AND INTIMIDATION**

It is the policy of this district to maintain a learning and working environment that is free from sexual harassment. No board member, staff member or student of this district shall be subjected to any form of sexual harassment or intimidation. Definitions and grievance procedures are outlined in Board policy 5050.

#### **Sexual Harassment- Student**

Sexual harassment of students by other students or OPS employees is unlawful under both Michigan and federal law. Sexual harassment includes making unwelcome sexual advances, engaging in improper physical conduct, and making improper sexual comments, which create an intimidating, hostile, offensive, or uncomfortable school environment.

If a student has concerns about the nature of any conduct or physical contact by an adult District employee, a fellow student, or member of the public, the student should immediately report their concern to the building principal or any district administrator.

All such reports will be recorded and investigated by the district. If a satisfactory conclusion is not reached within 10 days of the initial report, the concern should be reported in written form to the office of the Personnel Director, 645 Alger Street Owosso, MI 48867 for review and determination.

Persons who violate this policy will be subject to disciplinary action up to and including expulsion (if a student) and termination (if an employee).

District officials will, as required by law, report suspected abuse to the Michigan Department of Social Services and/or Prosecuting Attorney. Discretion will be used to avoid embarrassment and censure.

#### **G. STUDENT INFORMATION FOR PUBLIC USE**

Personally Identifiable Information Public Law 93.380 provides that, "An education agency or institution may disclose personally identifiable information from the educational records of a student who is in attendance at the institution or agency if that information has been designated as directory information." According to Section 99.37(a) of P.L. 93.380, the following is designated as directory information with respect to all past and present students of the Owosso Public Schools: Name, address, telephone number, date and place of birth, major and minor fields of study and courses taken, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar personally identifiable information. In addition, representatives of area media, school staff, and students sometimes take photographs and videos of students in classrooms and extra-curricular school-related settings. These may be used in media news reports, district newsletters and brochures, school yearbooks and school newspapers. If a parent does not want personally identifiable information, photos or videos made part of Owosso Public Schools publicity, a letter of notification should be given to the principal designating the specific categories of directory information that should not be released with respect to your student. In accordance with this law, a parent of a student currently in attendance in the Owosso Public Schools has 10 days from the date of this notice to notify the school district in writing. Please call the main office and request a copy of the Directory Information Notification Form. Complete the form and return it to the building principal.

#### **H. TRUANCY**

Unauthorized absence from school not given prior approval by parents is considered truancy (unverified absence) and will be treated as such.

This includes absence from any class, or activity during the school day for which the student is scheduled. It also includes any school disciplinary session which the student has been directed to attend.

Disciplinary action shall be taken in such cases, beginning with notification of parents. Further violation may lead to suspension from school. Teachers shall not be required to provide makeup work for absences due to truancy (unverified).

#### **I. VOLUNTEER SCREENING**

Effective immediately and in compliance with the Pupil Protection Act, all individuals who volunteer regularly in the Owosso Public Schools (5 or more times per year) or chaperone on a field trip must be approved by the school district office after completion of a criminal background check. Please remember that while this law may seem intrusive to families and a hassle for everyone, it is intended to provide another level of security and safety for your children. If you have been volunteering at school this year already or are planning to do so, your child's teacher will provide you with a couple of permission forms that must be signed by you to begin the approval process. I want to thank each person who has partnered with us as a volunteer in any capacity this year. If you have not been able to volunteer yet this year, please consider doing so. We simply can't do without your valuable help.



**J. NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Owosso Public School District does not discriminate on the basis of race, color, national origin, sex, (including sexual orientation and transgender identify) disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category, (collectively, “Protected Classes”), in its programs and activities, including employment opportunities. In addition, arrangements can be made to ensure that the lack of English language proficiency is not a barrier to admission or participation. The following compliance officers have been designated to handle inquiries regarding the nondiscrimination policies and grievance procedures: Jeff Phillips, Principal, Owosso High School, 765 E. North St., Owosso, MI 48867, (989) 723-8231, [phillips@owosso.k12.mi.us](mailto:phillips@owosso.k12.mi.us) or Title IX Coordinator Catheryn Dwyer, Dean of Students, Owosso Middle School, 219 N. Water St., Owosso, MI 48867 (989) 723-3460, [dwyerc@owosso.k12.mi.us](mailto:dwyerc@owosso.k12.mi.us). The Section 504 Coordinator is Edward King, Asst. Principal, Owosso Middle School, 219 N. Water St., Owosso, MI 48867 (989) 723-3460, [king@owosso.k12.mi.us](mailto:king@owosso.k12.mi.us).

**IV. SCHOOL SAFETY POLICIES**

**FIRE DRILLS - TORNADO DRILLS – LOCK DOWN DRILLS**

Fire drills, tornado drills, and lock-downs are held periodically throughout the year. The route for leaving in case of fire or tornado is posted in each room. Students must walk quickly and quietly in a single file to the designated area. An all-clear bell will be used to return students to class.

Lock Down drills in which the students are restricted to the interior of the school building and the building secured will occur a minimum of two (2) times each school year. The alarm system for a school lock down is different from the alarm system for fires and tornadoes and consists of an announcement over the P.A.

**V. SCHOOL BOARD POLICIES**

**A. SUSPENSION AND EXPULSION POLICIES**

**Glossary of terms**

**Out-of-school suspension**

The temporary removal of a student from school and school-related activities for violation of the rules and regulations, does not result in the automatic loss of academic credit. A suspension shall not exceed 10 days. If a student’s conduct or record warrants, the Board of Education may authorize a suspension longer than ten days.

The Board of Education authorizes the principal or assistant principal to determine the length of penalty for various infractions. Students may be suspended for one to ten days for conduct warranting disciplinary action. When unusual circumstances are present, it may be advisable to reduce or exceed these suggested guidelines. In addition, any violation of state or local law may be promptly reported to the appropriate law enforcement authorities.

In the event of a short-term suspension from school (10 days or less) the following procedures shall be followed: The student will be informed of the charges against him/her and supporting evidence. The student will be given the opportunity to present his/her side of the case. When a suspension is given, the student will be informed of the duration of and the means for termination of the suspension; parents or guardian will be notified of the suspension by telephone when possible. When a parent or guardian cannot be notified, the student will remain on school property until the end of the school day. Parents or guardians will be notified of the suspension, the cause for and the procedures for reinstatement. The parents, guardians or student have five school days to request a review of the suspension.

**Expulsion**

Permanent removal of a student from school for gross misbehavior or persistent violation of the rules and regulations of the school

Expulsion- When a principal or assistant principal recommends the expulsion of a student from the school, the recommendations shall be submitted to the Board of Education for their consideration and determination. The

student and parents or guardian shall have the right to a hearing before the Board of Education. Any student may be considered for expulsion by action of the Board of Education for gross misbehavior or persistent disobedience of the rules and regulations.

**Academic Status**

The grades of any student who is suspended will not be automatically lowered during the period of suspension. However, the grades received will depend on the quality and amount of “make up” work turned in by the student.

It is the student’s responsibility to make up any and all work missed during the period of time of he/she is suspended. Quizzes, tests and laboratory work will be made up on the student’s time and at a time convenient for the teacher.

Expulsion from school will automatically result in all loss of academic credit for the academic semester.

**VI. TECHNOLOGY POLICIES**

To obtain access to the Districts data network, all staff and students (or parent if student is under 18 years of age) must read the Owosso Public Schools Technology Acceptable Use Policy and sign the Request for Computer and Network Access form. This policy and request form are located in a separate packet which includes a Permission to Publish on the World Wide Web form and a Web Page / Photograph and Video Release Form.

These documents have been created to provide a consistent District standard and ensure that students understand the expectations outlined in the Acceptable Use Policy. These forms provide parents with an opportunity to agree or disagree to have their student’s image used in District publications. Any student who does not sign and return the Request for Computer and Network Access form, will not be able to participate in the District’s Accelerated Reader Program.

**VII. MISCELLANEOUS INFORMATION**

**A. DAILY ANNOUNCEMENTS**

Daily announcements are posted and read to students each day. Emergency-type announcements will be made over the P.A. system whenever it is necessary to do so. All other last minute announcements will be made just prior to the end of the school day.

**B. LOCKERS**

Each student will be assigned a locker and a lock. Personal padlocks are not permitted. Locks that are lost or damaged must be replaced at the expense of the student. Locks will cost \$10 to replace. Students are not to share lockers with any other student.

Lockers shall only be used for books, apparel, shoes, boots, and lunches. Stale food, alcoholic beverages, cigarettes, drugs or weapons of any kind are not to be stored in school lockers.

An administrator may inspect student lockers when there is reasonable cause to believe that prohibited articles are stored within. The locker may be searched to ensure school safety and student welfare.

**C. LOST AND FOUND**

During the school year, the main office will serve as the lost and found. Students who lose articles should check in the office. At the end of the school year, unclaimed articles will be donated to a charitable organization.

**D. STUDENT INSURANCE**

Student insurance is available for all students in the Owosso Middle School District at a nominal cost. Insurance coverage includes accidents that occur to a school student while traveling to or from school; while attending school; taking part in school-sponsored/supervised extra-curricular activities; taking part in school-sponsored field trips; as a

spectator at school-sponsored activities; and while engaging in, practicing for, or participating in any scheduled athletic contest, excluding tackle football.

Athletic insurance is available at a nominal cost through the Michigan State High School Athletic Association. Students interested in either insurance plan may sign up the first week of school.

**E. TELEPHONE PRIVILEGES**

Students may use the Main Office telephone in cases of illness or emergency. In other cases, the telephone may be used before 7:55 AM, during a student's lunch hour, or after 2:45, with permission of the attending secretary. Students are not allowed to leave class to use the telephone.

**F. TIME BETWEEN CLASSES**

Classes begin and end by a tone sounding over the public address system. A warning tone sounds one minute prior to the beginning of each class. Students are allowed 4 minutes passing time between classes.

**VIII. STUDENT SERVICES**

The function of the guidance department is to assist students in making important educational, vocational, and social-personal decisions. It serves as the center of student services. The primary services provided by guidance personnel include:

**Social Work**

The primary role of the Social Worker is individual counseling. The major aim of the counselor is to develop self-understanding in students because through self-understanding, a student realizes and accepts social and personal responsibilities. Counseling is an individual service that exists for all students, not just those with deep-seated problems. The counseling relationship is characterized by acceptance and confidentiality on the part of the counselor.

**Testing**

Information regarding standardized tests is provided in the IB office. Students desiring information on a particular test should see the IB Coordinator.

**Scheduling**

The Student Registration Guide gives students a concise overview of the total middle school curriculum and assists students and their parents in planning the academic program students will follow during their high school career. In February, under the supervision of OMS/OHS Staff, students will plan their schedule of classes for the following school year.

**IX. MEDIA CENTER**

Our media center is open for study, reference and recreational reading throughout the day (7:35am – 3:00pm). A pass MUST be secured from your classroom teacher to visit the media center before, during or after class time. Some materials may be checked out for two (2) weeks while others may only be checked out for overnight use. Return all materials promptly as others may need them. We encourage you to use the media center. If you need help in finding books or materials, ask. Learning the use of the Media Center and observing the rules is an essential part of the school curriculum.

**X. BULLYING POLICY**

Bullying or other aggressive behavior toward a student, whether by other students, staff, or third parties, including board members, parents, guests, contractors, vendors, and volunteers is strictly prohibited. This prohibition includes written, physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions to a student, which cause or threaten to cause bodily harm, reasonable fear for personal safety or personal degradation.

This policy applies to all "at school" activities in the district, including activities on school property, in a school vehicle, and those occurring off school property if the student or employee is at any school-sponsored event. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

Any student who feels they have been a victim of bullying or harassment should report the situation immediately to the Principal or Assistant Principal.

**XI. STUDENTS LIVING IN TRANSITIONAL HOUSING**

A student may qualify for certain rights and protections under the federal McKinney-Vento Act if that student or his/her family is living in any of the following situations:

- In a shelter
- In a motel or campground due to the lack of an alternative adequate accommodation
- In a vehicle, park, abandoned building, or bus or train station
- Doubled up with other people due to loss of housing or economic hardship

If any of these living situations or similar circumstances apply to you or your family, please contact your school office or Mark Erickson, the district's McKinney-Vento Liaison, at 989-729-5502.

## XII. UNDERSTANDING CONCUSSION

### Educational Material for Parents and Students (Content Meets MDCH Requirements)

Sources: Michigan Department of Community Health, CDC and the National Operating Committee on Standards for Athletic Equipment (NOCSAE)

## UNDERSTANDING CONCUSSION

### Some Common Symptoms

Headache	Balance Problems	Sensitive to Noise	Poor Concentration	Not "Feeling Right"
Pressure in the Head	Double Vision	Sluggishness	Memory Problems	Feeling Irritable
Nausea/Vomiting	Blurry Vision	Haziness	Confusion	Slow Reaction Time
Dizziness	Sensitive to Light	Fogginess	"Feeling Down"	Sleep Problems
		Grogginess		

### WHAT IS A CONCUSSION?

A concussion is a **type of traumatic brain injury** that changes the way the brain normally works. A concussion is caused by a fall, bump, blow, or jolt to the head or body that causes the head and brain to move quickly back and forth. A concussion can be caused by a shaking, spinning or a sudden stopping and starting of the head. Even a "ding," "getting your bell rung," or what seems to be a mild bump or blow to the head can be serious. A concussion can happen even if you haven't been knocked out.

You can't see a concussion. Signs and symptoms of concussions can show up right after the injury or may not appear or be noticed until days or weeks after the injury. If the student reports any symptoms of a concussion, or if you notice symptoms yourself, seek medical attention right away. A student who may have had a concussion should not return to play on the day of the injury and until a health care professional says they are okay to return to play.

### IF YOU SUSPECT A CONCUSSION:

- SEEK MEDICAL ATTENTION RIGHT AWAY** – A health care professional will be able to decide how serious the concussion is and when it is safe for the student to return to regular activities, including sports. Don't hide it, report it. Ignoring symptoms and trying to "tough it out" often makes it worse.
- KEEP YOUR STUDENT OUT OF PLAY** – Concussions take time to heal. Don't let the student return to play the day of injury and until a health care professional says it's okay. A student who returns to play too soon, while the brain is still healing, risks a greater chance of having a second concussion. Young children and teens are more likely to get a concussion and take longer to recover than adults. Repeat or second concussions increase the time it takes to recover and can be very serious. They can cause permanent brain damage, affecting the student for a lifetime. They can be fatal. It is better to miss one game than the whole season.
- TELL THE SCHOOL ABOUT ANY PREVIOUS CONCUSSION** – Schools should know if a student had a previous concussion. A student's school may not know about a concussion received in another sport or activity unless you notify them.

### SIGNS OBSERVED BY PARENTS:

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Can't recall events prior to or after a hit or fall
- Is unsure of game, score, or opponent
- Moves clumsily
- Answers questions slowly
- Loses consciousness (even briefly)
- Shows mood, behavior, or personality changes

### CONCUSSION DANGER SIGNS:

In rare cases, a dangerous blood clot may form on the brain in a person with a concussion and crowd the brain against the skull. A student should receive immediate medical attention if after a bump, blow, or jolt to the head or body s/he exhibits any of the following danger signs:

- One pupil larger than the other
- Is drowsy or cannot be awakened
- A headache that gets worse
- Weakness, numbness, or decreased coordination
- Repeated vomiting or nausea
- Slurred speech
- Convulsions or seizures
- Cannot recognize people/places
- Becomes increasingly confused, restless or agitated
- Has unusual behavior
- Loses consciousness (even a brief loss of consciousness should be taken seriously.)

### HOW TO RESPOND TO A REPORT OF A CONCUSSION:

If a student reports one or more symptoms of a concussion after a bump, blow, or jolt to the head or body, s/he should be kept out of athletic play the day of the injury. The student should only return to play with permission from a health care professional experienced in evaluating for concussion. During recovery, rest is key. Exercising or activities that involve a lot of concentration (such as studying, working on the computer, or playing video games) may cause concussion symptoms to reappear or get worse. Students who return to school after a concussion may need to spend fewer hours at school, take rests breaks, be given extra help and time, spend less time reading, writing or on a computer. After a concussion, returning to sports and school is a gradual process that should be monitored by a health care professional.

Remember: Concussion affects people differently. While most students with a concussion recover quickly and fully, some will have symptoms that last for days, or even weeks. A more serious concussion can last for months or longer.

To learn more, go to [www.cdc.gov/concussion](http://www.cdc.gov/concussion).

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

- (1) The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- (2) The right to request the amendment of the student’s education record that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the Owosso School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff members (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. (Note: FERPA requires a school district to make a reasonable attempt to notify the student of the records request unless it states in its annual notification that it intends to forward records on request.)

- (3) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Title IV, Part A, Subpart 4, Section 4155 of the No Child Left Behind Act (“Transfer of School Disciplinary Records”) requires that:

*...the State has a procedure in place to facilitate the transfer of disciplinary records., with respect to a suspension or expulsion, by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, on a full- or part-time basis, in the school.*

The transfer of student records in Michigan is governed by Revised School Code Section 1135 (MCL 380.1135) which requires that:

*Within 14 days after enrolling a transfer student, the school shall request in writing directly from the student’s previous school a copy of his or her school record. Any school that compiles records for each student in the school and that is requested to forward a copy of a transferring student’s record to the new school shall comply within 30 days after receipt of the request unless the record has been tagged pursuant to section 1134 (Section 1134 deals with records of missing students).*

Appendix A  
Owosso Public Schools  
Bylaws & Policies

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**2260.01 - SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY**

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA") and the implementing regulations (collectively "Section 504/ADA"), 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, or participation or treatment in its programs or activities. As such, the Board's policies and practices will not discriminate against students with disabilities and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

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

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aides or services, or learned behavioral or adaptive neurological modifications.

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.

## **Compliance Officer(s)**

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

Ed King  
Assistant Principal OMS  
219 N Water St  
Owosso, MI 48867  
989-729-5709  
king@owosso.k12.mi.us

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the School District's web site.

Building Principals shall serve as Building Section 504/ADA Compliance Officer(s) ("Building Compliance Officers").

The District Compliance Officer(s) are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of the implementing regulations, may be obtained from the District Compliance Officer(s).

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

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

## **Training**

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

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



## **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.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing 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.

## **Education**

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who have a physical or mental impairment that substantially limits one or more major life activities, regardless of the nature or severity of their disabilities.

An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under the IDEIA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate. 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, even 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. Non-academic 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 non-academic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such services and activities to the maximum extent appropriate.

## Notice

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

## Complaint Procedures

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

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

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

### Internal Complaint Procedures

An internal complaint may be filed by a student and/or parent. A student and/or parent may initiate the internal complaint procedure when s/he/they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the following procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as disabled or believed to be disabled pursuant to Section 504, and are not eligible under the IDEIA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights or requesting a due process hearing.

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

- Step 2 Appeal to the District Compliance Officer: If the complaint is not resolved satisfactorily at Step 1, the student or parent may appeal the Building Compliance Officer's decision in writing to the District Compliance Officer. The appeal must be made within five (5) school days following receipt of the Building Compliance Officer's decision. The District Compliance Officer will review the case, may conduct an informal hearing, and will notify all parties in writing of his/her decision within ten (10) school days of receiving the appeal.
- Step 3 If the complaint is not resolved satisfactorily at Step 2, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

If it is determined that the Complainant was subjected to unlawful discrimination, the Building and District COs must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

### **OCR Complaint**

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

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

Except in extraordinary circumstances, the OCR does not review the result of individual placement and other educational decisions, so long as the District complies with the "process" requirements of Subpart D of Section 504.

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge,

testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

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

34 C.F.R. Part 104

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

Adopted 11/24/08

Revised 8/9/10

Revised 1/10/11

Revised 1/16/12

Revised 6/23/14

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Appendix B  
Owosso Public Schools  
Bylaws & Policies

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**2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth.

As such, the Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent shall:

**A. Curriculum Content**

review current and proposed courses of study and textbooks to detect any bias based upon Protected Classes, 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 bias based upon Protected Classes in all aspects of the program;

**C. Student Access**

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;
2. verify that facilities are made available, in accordance with Board Policy [7510](#) - Use of District Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group affiliated with the Boy Scouts of America or any other youth group listed in

Title 36 of the United States Code as a patriotic society;

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**

verify 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**

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

**District Compliance Officers**

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

Cathy Dwyer  
Dean of Students OMS  
219 N Water St.  
Owosso, MI 48867

Jeff Phillips  
Principal OHS  
765 E. North St.  
Owosso, MI 48867

989-729-5707  
dwyerc@owosso.k12.mi.us

989-729-5492  
phillips@owosso.k12.mi.us

The names, titles, and contact information of these individuals will be published annually on the School District's web site.

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

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

The Superintendent shall annually attempt to identify children with disabilities, ages 0-25, who reside in the District but do not receive public education.

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 (also see Policy 2225).

### **Reports and Complaints of Unlawful Discrimination and Retaliation**

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

Members of the School District community, which includes students or third parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one of the COs who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy [2260](#) investigation and provide him/her with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

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

### **Investigation and Complaint Procedure**

Any student who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint

procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

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

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

### **Informal Complaint Procedure**

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

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

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

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

A student who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the COs.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution. The School District's informal complaint procedure is designed to provide students who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the student about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.
  
- B. Distributing a copy of Policy [2260](#) – Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.



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

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process. All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy and/or student records policy. (See Policy [8310](#) and Policy [8330](#))

### **Formal Complaint Procedure**

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

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

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

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person alleged to have engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent") that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy [2260](#) - Nondiscrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

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

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

If the Superintendent determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

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

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

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

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

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

### **Privacy/Confidentiality**

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding

through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

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

### **Sanctions and Monitoring**

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

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Retaliation**

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

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

The 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.

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

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

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

29 C.F.R. Part 1635

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

42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act  
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975  
34 C.F.R. Part 110 (7/27/93)  
Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services,  
Department of Education, Office of Civil Rights, March 1979  
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended  
Title III of the No Child Left Behind Act of 2001  
Revised 12/11/06  
Revised 1/10/11  
Revised 6/23/14  
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