



**Graduation Achievement**  
CHARTER HIGH SCHOOL

# Federal Policies

Amended

June, 2016

2000	PROGRAM		
2112	Parental Involvement		L
2416	Student Privacy and Parental Access to Information (FERPA)		L
2460	Education of Children with Disabilities		L
3000	STAFF		
3122	Anti-Discrimination		L
3122.01	Drug Free Workplace		L
3430.01	Family and Medical Leave Act (FMLA)		BP
5000	STUDENTS		
5517	Sexual Harassment		L
5530	Drug Free Environment		L
5532	Performance-Enhancing Drugs/Compounds		L
5610	Emergency Removal, Suspension & Expulsion of Students		L
7000	PROPERTY		
7540	Computer Technology and Networks		
	BP		
8000	OPERATIONS		
8330	Student Records		BP
8510	Wellness		L
8800	Religious/Patriotic Ceremonies and Observances		BP

Legend:  
L = Legally Required (if applicable)  
BP = Best Practice

2000 PROGRAM

2112	Parental Involvement	L
2416	Student Privacy and Parental Access to Information (FERPA)	L
2460	Education of Children with Disabilities	L

# PARENTAL INVOLVEMENT

Reference: Title I Programs, 20 USC §§ 1231d, 6318, 6913, 7273, 7273c, 7273d; 34 CFR § 200.28; Migrant Education Program Parent Involvement, Title I, § 1304; Limited English Proficiency Parent Involvement, Title I, § 1304; American Indian and Children Residing on Indian Lands Parent Involvement, 20 USC §§ 7424, 7704

Graduation Achievement Charter High School (GACHS) encourages parental participation in its operations. Where the term “parent” is used in this policy, it also shall include a legal guardian. A copy of GACHS’s parent involvement plan shall be provided to the parent of each Graduation Achievement Charter High School pupil or shall be included in GACHS’s student handbook.

Graduation Achievement Charter High School strongly encourages and welcomes the involvement of parents in all of GACHS’s educational programs. It is recognized that a parent’s involvement in a child’s education is a critical component in that child’s academic success. Graduation Achievement Charter High School Board further appreciates and respects parents as the “first teachers” of their children, and believes the interest and involvement of parents in the education of their children should not diminish once children enter GACHS.

An effective school/parent partnership focused on students’ educational success must exist, which involves all Graduation Achievement Charter High School staff and parents, for GACHS’s educational goals to be achieved.

Accordingly, the Board directs, by the adoption of this policy, that the administration of Graduation Achievement Charter High School shall design a program/plan that will encourage and foster a partnership between families and GACHS for increased parent involvement in a pupil’s education. The plan may include, but not be limited to:

- Establishment of welcoming school environments
- Communication to and from parents and school
- Parents as volunteers
- Supportive home learning environments
- Schools as a parent resource center; and
- Parents as decision makers.

Included in the plan there may be a survey for parents to share their ideas and needs related to parent involvement, communicating in languages understood by Graduation Achievement Charter High School families, the development and review of instructional materials and district procedures, review of individual school environments, input on the ways that Graduation Achievement Charter High School may better communicate with parents about information and resources they may need (e.g., current laws, regulations, instructional programs; and community resources), educational programs to assist parents in their support of academic achievement, increasing parents’ opportunities to be involved in building decisions, as well as GACHS staff development looking at staff attitudes and effective parent involvement programs.

The effective implementation of the plan should be reviewed and evaluated by Graduation Achievement Charter High School and parents on a regular basis with administrator recommendations to GACHS Board as to related policy and budgetary needs.

## Title I Programs

In accordance with the requirement of the No Child Left Behind Act, Graduation Achievement Charter High School encourages parent participation in Title I programs. Parents shall be

offered substantial and meaningful opportunities to participate in the education of their children by this policy.

The Graduation Achievement Charter High School Board of Directors directs that the following actions be implemented by the administration to insure compliance with federal law and to invite parents to become involved highly in the education of their children:

- The involvement of parents in the planning, implementation, evaluation, and improvement of Title I programs/services through participation on the School Improvement Team;
- Invitations to parents to attend at least one annual meeting for Title I parents, with additional meeting opportunities being available as needed, designed to provide Title I information and program services, and to solicit parent suggestions on program development, planning, evaluation and operation;
- Assistance to parents in understanding Title I, including providing information in a language understandable to the parent, if practicable;
- Parent notification of Title I student selection and criteria for selection;
- Information regarding child's achievement and progress;
- A provision for input by Title I staff at regularly scheduled parent –teacher conferences and any additional communication as requested by the Title I staff or parents;
- Opportunities to enhance parent capacity to work with children in the home on school learning;
- Professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies;
- Ongoing communication between Graduation Achievement Charter High School and parents; and
- Other appropriate activities (i.e. Family Math Nights, parent sessions, science, theatre, etc.).

As Graduation Achievement Charter High School is a recipient of Title I funds, the Board of Directors hereby adopts the following policy statements regarding the development of a plan for parent involvement in the development of a Title I plan, and directs the administration to:

- Involve parents in the development of the plan;
- Develop a plan that provides for the involvement of parents in the Title I activities of the school;
- Provide the necessary technical, research, staff, and administrative support to schools in the planning and implementing of effective parent involvement activities to improve student academic achievement and school performance;
- To integrate and coordinate the plans/policies for parent involvement in Title I programs with parent involvement in other programs;
- To review and evaluate Graduation Achievement Charter High School plan annually and to share the results of that review and evaluation with GACHS Board;
- To assure that the policy/plan contains a compact that outlines how parents, school staff, and students will share the responsibility of improved student achievement; and
- To distribute the Graduation Achievement Charter High School I plan to parents of participating children and to the local community.

### Limited English Proficiency (LEP) Parent Involvement

In accordance with federal law, parents of LEP students will be provided notice regarding their child's placement in and information about GACHS's LEP program. LEP students shall have access to educational programs other than programs designed to address limited English proficiency. Parents will be notified about their rights regarding program content and participation including the right to choose among programs if alternatives are available. The notice also must include an explanation of the value of the program in terms of academic development, mastery of English, and the achievement of promotion and graduation standards. The notice will also include an explanation of the right to remove the child from an LEP program and to place the child in the regular program. The notice must be in a format that families can comprehend and, if possible, in a language that is understood by the family.

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

In accordance with federal law, parents of American Indian students or students residing on Indian lands will be afforded an opportunity to present their views on programs provided to such students, including an opportunity to make recommendations on the needs of these children and how Graduation Achievement Charter High School may help the children realize the benefits of GACHS's programs and activities. Parents and Indian tribes shall be afforded an opportunity to present their views on Graduation Achievement Charter High School's activities and general educational programs, and shall be consulted and involved in planning such programs. Relevant applications, evaluations, and program plans shall be disseminated to parents and Indian tribes.

### Migrant Education Program (MEP) Parent Involvement

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

## STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

Reference: Family Educational Rights and Privacy Act ("FERPA"), 20 USC §§ 1232g, 1232h; 34 CFR §§ 99.7, 99.31

The Board of Directors respects the privacy rights of parents and their children. Without prior written consent of the student, (if an adult or an emancipated minor) or his/her parents (if an un-emancipated minor), no student shall be required, as a part of Graduation Achievement Charter High School's program or GACHS's curriculum, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning the following:

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

The Superintendent and Chief Executive Officer shall ensure that procedures are established whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Upon request, parents shall have the right to inspect a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by Graduation Achievement Charter High School to the student. The parent shall have access to the survey/evaluation within a reasonable period of time after the request is received by the Superintendent and Chief Executive Officer.

**NOTE: The following arrangements to protect privacy or equivalent must be inserted.**

To ensure the right of parents, the Board directs the Superintendent and Chief Executive Officer to perform the following:

- A. Provide timely, written notification to parents about any surveys, analyses, or evaluations that may reveal any of the information identified in A-H above. Such notification shall inform parents about their right to inspect the survey, analysis, or evaluation prior to the initiation of the activity with students.
- B. Allow the parent the option of excluding their student from the activity.

- C. Report collected data in a summary that does not permit one to make a connection between the data and individual students or small groups of students.

- D. Treat information as identified in A-H above as confidential information in accordance with Policy 8350.

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

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

The Superintendent and Chief Executive Officer shall provide notice directly to parents of students enrolled in Graduation Achievement Charter High School of the substantive content of this policy, at least annually at the beginning of the school year and within a reasonable period of time after any substantive change in this policy.

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

## **EDUCATION OF CHILDREN WITH DISABILITIES**

Reference: 20 USC §§ 1412, 1413, 1418, 1464; 34 CFR §§ 300.156, 300.201, 300.209, 300.220, 300.224, 300.626, 300.646

Graduation Achievement Charter High School shall assume primary responsibility for the administration and delivery of special education programs and services to students with disabilities. Graduation Achievement Charter High School is committed to the provision of a continuum of special education programs and services to disabled students in cooperation with the Georgia Department of Education. Placement options shall follow a continuum of services model to ensure that each disabled person is provided a free and appropriate public education in the least restrictive environment. To that end, every attempt will be made to first serve disabled students in the context of a regular education classroom. Other more restrictive environments, such as resource rooms, self-contained categorical classrooms, or settings outside Graduation Achievement Charter High School will be considered only after consideration has been given by the individual educational plan as to the feasibility of placement in the regular classroom.

Graduation Achievement Charter High School administration shall adopt guidelines that are consistent with Georgia laws and regulations to coordinate services for children with disabilities.

Graduation Achievement Charter High School shall take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities.

3000 **STAFF**

3122	Anti-Discrimination	L
3122.01	Drug Free Workplace	L
3430.01	Family and Medical Leaves of Absence (FMLA)	BP

## ANTI-DISCRIMINATION

Reference: Nondiscrimination on the basis of disability, 28 CFR §§ 35.105, 35.130; Discrimination on the basis of race, color, national origin, sex, and handicap in vocational education programs, 34 CFR Part 100; Discrimination on the basis of handicap, 34 CFR §§ 104.6, 104.8; Gender equity, 20 USC §§ 7283b, 7283c; 42 USC § 14043c-3; 34 CFR Part 106; Policies related to pregnancy and childbirth, 29 CFR § 1604.10

Graduation Achievement Charter High School shall not discriminate in its policies, practices, procedures, or activities on the basis of religion, race, color, national origin, sex, disability/handicap, or marital/parental/ family status and shall comply with all applicable law with respect to equitable treatment of students, employees, and applicants for employment.

Graduation Achievement Charter High School shall ensure equivalence among buildings within GACHS in teachers, administrators, and other staff, as well as in the provision of curriculum materials and instructional supplies.

In addition, Graduation Achievement Charter High School shall not do any of the following:

- A. Discriminate against an individual in the full utilization of or benefit from Graduation Achievement Charter High School, or the services, activities, or programs provided by the Charter School because of religion, race, color, national origin, disability/handicap, or marital/parental/ family status or sex.
- B. Print or publish or cause to be printed or published a catalog, notice, or advertisement indicating a preference, limitation, specification, or discrimination based on the religion, race, color, national origin, disability/handicap, or marital/parental/ family status or sex of an applicant for admission to Graduation Achievement Charter High School.
- C. Announce or follow a policy of denial or limitation through a quota or otherwise of educational opportunities of a group or its members because of religion, race, color, national origin, disability/handicap, or marital/parental/ family status or sex.

Written or unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, reinstatement, and payment under any health or disability insurance or sick leave plan, formal or informal, shall be applied to disability due to pregnancy, childbirth, or related medical conditions on the same terms and conditions as they are applied to other disabilities.

Prior to the beginning of each school year, Graduation Achievement Charter High School shall announce its policy of non-discrimination to students, parents, employees, and the general public, together with a summary of Graduation Achievement Charter High School's program offerings and admissions criteria and contact information for the person designated to coordinate compliance activities. Graduation Achievement Charter High School's policy of non-discrimination shall be stated in all announcements, bulletins, catalogs, or application forms. All Graduation Achievement Charter High School personnel shall adhere to such policies.

## **DRUG FREE WORKPLACE**

Reference: 20 USC §§ 5812, 7114; 41 USC § 702; 42 USC §§ 12114, 12210; 28 CFR § 35.131; 29 CFR §§ 825.112, 1630.3; Drug and alcohol testing for persons who operate commercial motor vehicles, 49 CFR §§ 382.121, 382.401, 382.601

The use, manufacture, possession, distribution, or dispensation of alcoholic liquor or the illegal use, manufacture, possession, distribution or dispensation of drugs or drug paraphernalia is strictly prohibited on Graduation Achievement Charter High School property, GACHS transportation, or at GACHS-sponsored events. Graduation Achievement Charter High School shall maintain a drug-free environment at all times, and shall constitute a drug-free workplace.

Staff found in possession of alcohol or illegal drugs (including drug paraphernalia), or found to be under the influence of such substances, shall be subject to employee discipline, up to and including possible termination of employment, in accordance with applicable law, regardless of whether that employee is presently taking leave pursuant to the Family and Medical Leave Act.

Graduation Achievement Charter High School administration shall establish a drug-free awareness program consistent with this policy and all applicable law. Such a program may include reasonable guidelines and procedures designed to ensure that an individual who has formerly engaged in the illegal use of drugs is no longer engaging in the illegal use of drugs.

Staff shall be provided with a copy of the standards regarding alcoholic liquor and illegal drugs, including drug paraphernalia, and shall be informed that compliance with these standards is mandatory.

If Graduation Achievement Charter High School operates transportation for students, GACHS administration shall prepare guidelines regarding alcohol and illegal drug use applicable to transportation, employees, and in conformance with applicable law, which may include drug or alcohol testing.

## **FAMILY AND MEDICAL LEAVE ACT ("FMLA")**

Reference: 29 USC 2601 et seq.  
29 C.F.R. Part 825  
P.L. 110-181, Sec. 585 – National Defense Authorization Act (January 28, 2008)

In accordance with Federal law, the Board of Directors shall provide up to twelve (12) weeks of unpaid FMLA leave in any twelve (12) month period to eligible staff members for the following reasons:

- A-1. the birth of a child and/or the care of a newborn child within one (1) year of the child's birth
- B-1. the placement of a child with the staff member by way of adoption or foster care and/or to care for the child within one (1) year of the child's arrival
- C-1. the staff member is needed to care for a spouse, parent or dependent child if such individual has a serious health condition, or
- D-1. the staff member's own serious health condition prevents him/her from performing the functions of his/her position

### Employee Entitlement to Service Member FMLA

#### Leave Entitlement

Service member FMLA provides eligible employees unpaid leave for one, or for a combination, of the following reasons:

- A-2. A "qualifying exigency" arising out of a covered family member's (spouse, son, daughter, or parent) active duty or call to active duty in the United States Armed Forces in support of a contingency plan. Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; 7) post-deployment activities; and 8) additional activities not encompassed in the other categories, but agreed to by the employer and employee. (See AG 3430.01C).
- B-2. To care for a covered family member, including next of kin as provided in the statute, who has incurred an injury or illness in the line of duty while on active duty in the United States Armed Forces, including the National Guard and Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member's office, grade, rank, or rating.

### Duration of Service Member FMLA

- A. When leave is due to a "Qualifying Exigency": An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period. Such leave shall be counted with regular FMLA leave time in calculating the twelve (12) weeks of allowable leave.

- B. When leave is to care for an injured or ill service member: An eligible employee may take up to twenty-six (26) work weeks of leave during a single twelve (12) month period to care for the service member who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. This is a one-time benefit per service member. Leave to care for an injured or ill service member, when combined with other FMLA-qualifying leave, may not exceed twenty-six (26) weeks in a single twelve (12) month period.
- C. Service Member FMLA runs concurrent with other leave entitlements provided under Federal, State, and local law.

### General FMLA Provisions

Staff members are "eligible" if they have worked for the Board for at least twelve (12) months, and for at least 1,250 hours over the twelve (12) months prior to the leave request. Service time may be aggregated when the break in service is less than seven (7) years for military obligation or subject to recall under a collective bargaining agreement. All full-time staff members are deemed to meet the 1,250 hour requirement.

Twelve (12) month period for determining hours worked and use of leave is defined as

- ( ) a fixed twelve (12) month period (i.e. the "leave year" is identical for all staff members -- e.g., a fiscal year or calendar year).
- ( ) the twelve (12) month period measured forward from the date the staff member's first FMLA leave begins (i.e., the "leave year" is specific to each individual staff member).
- ( ) a rolling twelve (12) month period measured backward from the date the staff member uses FMLA leave (i.e. the "leave year" is specific to each individual staff member).

*For Service Member FMLA leave, the use of the twenty-six (26) weeks of leave will be measured forward from the first date on which the employee takes leave.*

Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves:

- A. inpatient care, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
- B. continuing treatment by a healthcare provider, including:
  - 1. a period of incapacity of more than three (3) consecutive full calendar days and any subsequent treatment or period of incapacity relating to the same condition, that also involves either in person treatment two (2) or more times by a healthcare provider within thirty (30) days of the first date of incapacity absent extenuating circumstances beyond the employee's control, or in person

treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of a healthcare provider;

The first visit to the health care provider must occur within seven (7) days of the first date of incapacity.

2. any incapacity due to pregnancy or for prenatal care;
  3. any period of incapacity or treatment for such incapacity due to a chronic serious health condition;
  4. a period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective;
  5. any period of absence to receive multiple treatments by a healthcare provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis);
- C. conditions for which cosmetic treatment are administered are not “serious health conditions” unless inpatient hospital care is required or complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomachs, minor ulcers, headaches other than migraines, routine dental or orthodontia problems, periodontal disease, etc., are conditions that do not meet this definition and do not qualify for FMLA leave.

Whenever the leave is foreseeable, the staff member shall provide the Superintendent and Chief Executive Officer with thirty (30) days’ notice. If there is insufficient time to provide such notice because of unforeseeable events, the staff member shall provide such notice as possible and practical, generally not later than the next business day after the employee realizes the need for leave. Failure to follow the leave notice requirements may result in delay of obtaining the leave. Employees will still be required to comply with the absence reporting procedures at their buildings.

When planning medical treatment, the staff member must consult with the Superintendent and Chief Executive Officer and make a reasonable effort to schedule the leave so as not to unduly disrupt the regular operation of Graduation Achievement Charter High School, subject to the approval of the healthcare provider.

The Board shall require the staff member

OR

The staff member may request

to substitute any of his/her earned or accrued paid vacation leave, personal leave or family leave for unpaid FMLA leave provided for the birth, adoption or foster care placement of a child, or qualifying exigency for a Service Member Family Leave (see A-1, B-1, and A-2 on page one).

[ ] The Board shall require the staff member

OR

[ ] The staff member may request

to substitute any of his/her earned or accrued paid vacation, personal leave or sick leave for unpaid FMLA leave provided for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one and B-2 on page ~~one~~ two).

If the staff member has not earned or accrued adequate paid leave to encompass the entire twelve (12) or twenty-six (26) week period of FMLA leave, any additional weeks of leave to obtain the twelve (12) weeks of FMLA leave or twenty-six (26) weeks of Service Member Family Leave, the staff member is entitled to shall be unpaid. Whenever a staff member uses paid leave in substitution for unpaid FMLA or twenty-six (26) week maximum leave allowance provided by this policy, as the paid leave and FMLA leave will run concurrently.

The Superintendent and Chief Executive Officer may allow a staff member to take FMLA leave intermittently or on a reduced-leave schedule for the birth, adoption or foster care placement of a child (see A-1 and B-1 on page one). A staff member may take FMLA leave on an intermittent or reduced- leave schedule when medically necessary for his/her own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one). The taking of such leave results in the total reduction of the twelve (12) weeks only by the amount of leave actually taken.

If the intermittent or reduced-leave schedule is foreseeable based on planned medical treatment, the Superintendent and Chief Executive Officer may require the staff member to transfer temporarily to an available alternative position which better accommodates recurring periods of leave. The alternative position shall have equivalent pay and benefits but not necessarily equivalent duties. Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave must elect either to:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- B. transfer temporarily to an available alternative position offered by the Superintendent and Chief Executive Officer for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The Superintendent and Chief Executive Officer will notify the staff member when Graduation Achievement Charter High School intends to designate leave as FMLA-qualifying. Such notice may be given orally or in writing. When verbal notice is given, it will be followed by written notice within ten (10) business days. In the case of intermittent or reduced-leave schedule leave, only one (1) such notice is required unless the circumstances regarding the leave have changed. If the Superintendent and Chief Executive Officer does not have sufficient information about the reason for an employee's use of paid leave, the Superintendent and Chief Executive Officer may inquire further to ascertain whether the paid leave is FMLA-qualifying. Once the Superintendent and Chief Executive Officer learns that a

paid leave is for an FMLA leave-qualifying reason, the Superintendent and Chief Executive Officer will promptly notify the staff member that the paid leave will count toward the staff member's twelve (12) week FMLA-leave entitlement.

In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child, or twenty-six (26) weeks of FMLA leave for Service Member Leave.

When FMLA leave is taken for the staff member's own serious health condition or to care for a spouse, parent or dependent child with a serious health condition (see C-1 and D-1 on page one), the staff member must provide medical certification from the healthcare provider of the eligible staff member or his/her immediate family member. When the staff member requests qualifying Service Member Leave, s/he must provide certification of a qualifying exigency or of the service member's serious illness.

*The staff member may either:*

- A. submit the completed medical certification to the Superintendent and Chief Executive Officer; or
- B. direct the healthcare provider to transfer the completed medical certification directly to the Superintendent and Chief Executive Officer, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide medical certification, any leave taken by the employee will not qualify for FMLA Leave/Service Member Family Leave.

When the need for FMLA leave is foreseeable and at least thirty (30) days' notice has been provided, the staff member must provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the Superintendent and Chief Executive Officer within fifteen (15) calendar days after the staff member requests FMLA leave unless it is not practicable under the circumstances to do so despite the staff member's diligent and good faith efforts.

*Any dispute over eligibility for FMLA leave shall be discussed between the employee and Superintendent and Chief Executive Officer. Graduation Achievement Charter High School shall be responsible for maintaining a record of those communications.*

The Board reserves the right to obtain, at its expense, the opinion of a second healthcare provider and, in the event of conflict, the opinion of a third healthcare provider whose decision shall be binding and final. The staff member may either:

- A. submit the opinion of the second healthcare provider, and the opinion of the third healthcare provider if applicable, to the Superintendent and Chief Executive Officer or
- B. direct the second or third healthcare provider to transfer his/her opinion directly to the Superintendent and Chief Executive Officer, which will generally require the staff member to furnish the healthcare provider with a HIPAA-compliant authorization.

In the event the staff member fails to provide the medical opinion of the second or third healthcare provider, if applicable, any leave taken by the employee will not qualify for FMLA leave.

[ ] A staff member who takes leave for his/her own serious health condition prior to

returning to work, must provide the Superintendent and Chief Executive Officer with a statement from his/her healthcare provider that s/he is able to resume work.

Upon return from any FMLA leave, the Board will restore the staff member to his/her former position or to a position with equivalent employment benefits, pay and conditions of employment. During FMLA leave, the Board shall maintain the staff member's current coverage under the Board's group health insurance program on the same conditions as coverage would have been provided if the staff member had been continuously working during the leave period. If the staff member was paying all or part of the premium payments prior to going on FMLA leave, the staff member must continue to pay his/her share during the leave.

Any leave or return from leave during the last five (5) weeks of an academic term shall be reviewed individually by the Superintendent and Chief Executive Officer to minimize disruption to the students' program. Special rules under the FMLA may apply for instructional staff.

[ ] The staff member shall not accrue any sick leave, vacation, or other benefits during a period of unpaid FMLA leave.

The use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave.

[ ] If the staff member fails to return to work at the end of the leave for reasons other than the continuation, recurrence, or onset of a serious health condition of the staff member or of the staff member's immediate family member, or for circumstances beyond the control of the staff member, the staff member shall reimburse the Board for the health insurance premiums paid by the Board during the unpaid FMLA leave period.

A staff member who fraudulently obtains FMLA leave is not protected by this policy's job restoration or maintenance of health benefits provisions.

The Superintendent and Chief Executive Officer shall prepare any guidelines that are appropriate for this policy and ensure that the policy is posted properly.

*In any areas where discretion is allowed in the implementation of this policy or its guidelines for implementation, such discretion shall be exercised in a non-discriminatory manner.*

*Similarly situated persons shall be treated similarly.*

The Superintendent and Chief Executive Officer shall provide a copy of the policy to all staff members, and retain a record of how and when the policy was distributed. A notice of Rights and Obligations shall also be provided each time an employee requests FMLA leave or Graduation Achievement Charter High School has sufficient information to believe that the employee may qualify for FMLA leave.

The approval, denial and administration of leave under this policy will be governed by the Family Medical Leave Act of 1993, as amended, and its published regulations, as applied and interpreted by the Superintendent and Chief Executive Officer.

5000 **STUDENTS**

5517	Sexual Harassment	L
5530	Drug Free Environment	L
5532	Performance-Enhancing Drugs/Compounds	L
5610	Emergency Removal, Suspension & Expulsion of Students	L

## SEXUAL HARASSMENT

Reference: 20 USC § 7283b; 20 USC § 7275; 42 USC § 14043c-3

Graduation Achievement Charter High School prohibits sexual harassment by or toward GACHS staff members, board members, pupils, or any other person in the GACHS environment, including, but not limited to, parents, guests, contractors, vendors, or volunteers. It is the policy of the Board to provide a safe and nurturing educational and working environment. This policy applies to all activities on Graduation Achievement Charter High School property, to all GACHS-sponsored activities, and to activities on GACHS transportation.

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

Retaliation against any person for reporting harassment, or for participating in a harassment investigation, is prohibited. Suspected retaliation should be reported in the same manner as harassment. Intentionally false harassment reports also are prohibited. Retaliation and intentionally false reports may result in disciplinary action as indicated below.

Sexual harassment is defined as:

- Submission to unwelcome sexual conduct or communication is made either an explicit or implicit condition of employment or of utilizing or benefiting from the services, activities, or programs of Graduation Achievement Charter High School;
- Submission to, or rejection of, the unwelcome sexual conduct or communication is used as the basis for a decision to exclude, expel, or limit the harassed individual in employment or in the terms, conditions, or privileges of Graduation Achievement Charter High School; or
- The unwelcome conduct or communication interferes with the staff member's work performance, creates an intimidating, hostile or offensive environment, or otherwise adversely affects the staff member's work performance.

Sexual harassment may include, but is not limited to:

- Verbal harassment or abuse;
- Pressure for sexual activity;
- Repeated remarks with sexual or demeaning implications;
- Unwelcome touching;
- Sexual jokes, posters, cartoons, etc.;
- Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, safety, job, or performance of public duties.

These definitions are provided for guidance only. If a staff member, or other individual believes that sexual harassment has occurred, regardless of whether it fits a particular definition, that individual should report it and allow the administration to determine the

appropriate course of action.

Graduation Achievement Charter High School shall institute programs and guidelines to address sexual harassment and violence, and to ensure that GACHS is free from threats to the safety of students and personnel. Such guidelines also shall include grievance procedures providing for prompt and equitable resolution of complaints of sex discrimination or sexual harassment, and shall designate at least one staff member to coordinate compliance with the law and this policy, as well as to coordinate investigations of complaints alleging noncompliance.

The guidelines and procedures shall include appropriate and safe responses to, identification of, and referral procedures for, students who are experiencing, witnessing, or perpetrating domestic violence, dating violence, sexual assault, or stalking. Such guidelines shall include procedures on reporting and referral processes for those students, as well as procedures for handling the requirements of court protective orders issued to or against students in a manner that ensures the safety of the victim and holds the perpetrator accountable.

Penalties for violation of this policy shall include discipline or exclusion for parents, guests, volunteers, and contractors.

Notice of this policy will be made annually and widely circulated within Graduation Achievement Charter High School. State and federal rights posters on discrimination and harassment shall be posted.

## **DRUG FREE ENVIRONMENT**

Reference: 20 USC §§ 5812, 7114; 41 USC § 702; 42 USC §§ 12114, 12210; 28 CFR § 35.131; 29 CFR §§ 825.112, 1630.3; 49 CFR §§ 382.121, 382.401, 382.601

The use, manufacture, possession, distribution, or dispensation of alcoholic liquor or the illegal use, manufacture, possession, distribution or dispensation of drugs or drug paraphernalia is strictly prohibited on Graduation Achievement Charter High School property, GACHS transportation, or at GACHS-sponsored events. Graduation Achievement Charter High School shall maintain a drug-free environment at all times.

Students found in possession of alcohol or illegal drugs (including drug paraphernalia), or found to be under the influence of such substances, shall be subject to discipline pursuant to the Graduation Achievement Charter High School Code of Conduct.

Graduation Achievement Charter High School's administration shall establish a drug-free awareness program consistent with this policy and all applicable law. Such a program may include reasonable guidelines and procedures designed to ensure that an individual who has formerly engaged in the illegal use of drugs is no longer engaging in the illegal use of drugs.

Students of Graduation Achievement Charter High School shall be provided with a copy of the standards regarding alcoholic liquor and illegal drugs, including drug paraphernalia, and shall be informed that compliance with these standards is mandatory.

## **EMERGENCY REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS**

Reference: 20 USC §§ 5812, 5964, 5965, 7114, 7115, 7151; 42 USC § 290hh

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

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained at Graduation Achievement Charter High School.

The Superintendent and Chief Executive Officer shall establish guidelines to carry out Board policy and philosophy, and shall hold all Graduation Achievement Charter High School personnel, students, and parents responsible for the conduct of students at GACHS, in GACHS vehicles, and at GACHS-related events.

This Policy shall be codified in the code of student conduct, which shall be reviewed periodically. This Policy shall comply with all applicable law. Any conflict between this Policy and applicable law shall be resolved in favor of applicable law.

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

The Board requires each student of this Graduation Achievement Charter High School to adhere to the Code of Conduct established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- Conform to reasonable standards of socially-acceptable behavior;
- Respect the person and property of others;
- Preserve the degree of order necessary to the educational program in which they are engaged;
- Respect the rights of others;
- Obey authority and respond to those who hold authority.

Graduation Achievement Charter High School administration shall develop guidelines for student conduct that carry out the purposes of this policy and respect the individual rights constitutionally guaranteed to students.

Graduation Achievement Charter High School administration shall designate sanctions, excluding corporal punishment, for the infraction of rules which shall:

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

Graduation Achievement Charter High School Board recognizes exclusion from the educational programs of GACHS, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and is one that cannot be imposed without due process, since exclusion deprives a child of the right to an education. Graduation

Achievement Charter High School Board also recognizes that it may be necessary for a teacher or online monitor to remove a student from contact with others for conduct disruptive to the

learning environment, and that such removals are not subject to a prior hearing, provided the removal is for a period of less than twenty-four (24) hours. However, if an emergency removal may result in a suspension, then due process must be ensured.

For purposes of this policy, suspension is defined as the short-term (not more than ten (10) days) or long-term (for more than ten (10) days but less than permanent expulsion) of a student from a regular Graduation Achievement Charter High School program. The Superintendent and Chief Executive Officer may suspend a student for a period not to exceed 10 school days.

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

No student, otherwise eligible for attendance, shall be excluded from a Graduation Achievement Charter High School program, unless that student has substantially interfered with the maintenance of good order or unless it is necessary to protect that student's or other students' physical or emotional safety and well-being.

A student may be removed from a class, subject, or activity for one (1) day by his/her teacher or an online monitor for certain conduct as specified in the Code of Conduct, or he/she may be given a short-term suspension by the Superintendent and Chief Executive Officer. A student so removed may be allowed to attend other classes taught by other teachers during the term of the one (1) day removal. A student removed from the same class for ten (10) days will receive a due process hearing for each suspension beyond ten (10) days, consistent with required due process for long-term suspensions. The Board designates the Superintendent and Chief Executive Officer as its representative at any hearings regarding the appeal of a suspension.

Graduation Achievement Charter High School Board may either suspend a student for a period longer than ten (10) days or expel him/her.

In all cases resulting in short-term suspension, long-term suspension, or expulsion, appropriate due process rights must be observed.

The Superintendent and Chief Executive Officer shall develop guidelines to implement this policy that shall include the following:

- Strategies for providing special assistance to students in danger of being expelled and not achieving the academic outcomes of Graduation Achievement Charter High School's core curriculum;
- Standards of behavior for all students in accordance with Graduation Achievement Charter High School Board policy on student discipline;
- Procedures that ensure due process; and
- Provision for make-up work at home, when appropriate.

### **PERMANENT EXPULSION**

The Board will not tolerate behavior that creates an unsafe environment or a threat to safety.

Students with disabilities under IDEA or Section 504 shall be expelled only in accordance with their rights under federal law.

## **IN-SCHOOL DISCIPLINE**

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

In-school discipline will only be offered at the discretion of the Superintendent and Chief Executive Officer for offenses found in the Student Code of Conduct.

The Superintendent and Chief Executive Officer is to establish guidelines for the proper operation of such a program and to ensure appropriate due-process procedures are followed as applicable. (See BP 5630.01)

## **DUE PROCESS RIGHTS**

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

To better ensure appropriate due-process is provided a student, Graduation Achievement Charter High School Board establishes the following:

### Students subject to short-term suspension:

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

### Students subject to long-term suspension and expulsion:

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

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

## **REMOVAL, SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES**

Graduation Achievement Charter High School shall abide by federal and state laws in matters relating to discipline, suspension, and expulsion of disabled students.

7000 **PROPERTY**

**7540 Computer Technology and Networks**

**BP**

## COMPUTER TECHNOLOGY AND NETWORKS

Reference: MCL 397.606 **[Note:** The Library Privacy Act applies to libraries established by school districts, but the Act does not define the term “school district.” It therefore is unclear whether this Act would apply to public school academies. It is included here as a best practice.] 20 USC § 6777

The Superintendent and Chief Executive Officer is directed to establish administrative guidelines for proper acquisition of technology, as well as guidance to staff and students concerning appropriate and ethical use of the computers, software, and other equipment, as well as any networks that may be established.

The Superintendent and Chief Executive Officer shall establish appropriate procedures to inform both staff and students about disciplinary actions to be taken if Board technology and/or networks are abused in any way or used in an illegal or unethical manner.

Graduation Achievement Charter High School’s internet, computers, computer programs, computer network, and computer system access shall be restricted to prohibit a minor from accessing or receiving obscene matter, child pornography, or sexually explicit matter or other material that is harmful to minors. All Graduation Achievement Charter High School computer systems shall be configured so as to prohibit access to obscene matter or child pornography.

**8000 OPERATIONS**

<b>8330</b>	<b>Student Records</b>	<b>BP</b>
<b>8510</b>	<b>Wellness</b>	<b>L</b>
<b>8800</b>	<b>Religious/Patriotic Ceremonies and Observances</b>	<b>BP</b>

## STUDENT RECORDS

Reference: Section 444 of subpart of part C of the General Education Provisions Act  
Title IV of Public Law 90-247  
20 USC, Section 1232f through 1232i (FERPA)  
20 USC 1400 et seq., Individuals with Disabilities Education Improvement Act  
20 USC 7165(b)  
26 USC 152  
20 USC 7908

In order to provide appropriate educational services and programming, the Board of Directors must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in Graduation Achievement Charter High School community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who Graduation Achievement Charter High School reasonably believes knows the identity of the student to whom the education record relates.

The Board of Directors is responsible for maintaining records of all students attending Graduation Achievement Charter High School. Only records mandated by the State or Federal government and/or necessary and relevant to the function of Graduation Achievement Charter High School or specifically permitted by this Board will be compiled by Board employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- (A) observations and ratings of individual students by professional staff members acting within their sphere of competency
- (B) samples of student work
- (C) information obtained from professionally acceptable standard instruments of measurement such as:
  - (1) interest inventories and aptitude tests
  - (2) vocational preference inventories
  - (3) achievement tests
  - (4) standardized intelligence tests
- (D) authenticated information provided by a parent or eligible student concerning achievements and other school activities which the parent or student wants to make a part of the record

- (E) verified reports of serious or recurrent behavior patterns
- (F) rank in class and academic honors earned
- (G) psychological tests
- (H) attendance records
- (I) health records
- (J) custodial arrangements

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, and designated Graduation Achievement Charter High School officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A Graduation Achievement Charter High School official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Board employees (e.g. a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another Graduation Achievement Charter High School official in performing his/her tasks (including volunteers).

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of Graduation Achievement Charter High School" or if the record is necessary in order for GACHS official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that Graduation Achievement Charter High School officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this Graduation Achievement Charter High School seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- C. report a crime committed by a child with or without a disability to appropriate authorities and to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and Graduation Achievement Charter High School officials for their consideration;
- D. release de-identified records and information in accordance with Federal regulations;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" Graduation Achievement Charter High School for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, Graduation Achievement Charter High School will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

- F. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (*if required*).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

#### **DIRECTORY INFORMATION**

Each year the Superintendent and Chief Executive Officer shall provide public notice to students and their parents of Graduation Achievement Charter High School's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- (A) a student's name;
- (B) address;
- (C) telephone number;
- (D) date and place of birth;
- (E) major field of study;
- (F) participation in officially recognized activities and sports; height and weight, if a member of an athletic team;
- (G) dates of attendance;
- (H) date of graduation;
- (I) awards received;
- (J) honor rolls;
- (K) scholarships;
- (L) telephone numbers only for inclusion in school or PTO directories;

Parents and eligible students may refuse to allow Graduation Achievement Charter High

School to disclose any or all of such "directory information" upon written notification to Graduation Achievement Charter High School within 15 days after receipt of GACHS's public notice.

### **Armed Forces Recruiting**

The Board shall provide United States Armed Forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses, and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to official recruiting representatives, then the officials of the school shall not allow that access to the student's directory information. The Board shall ensure that students and parents and guardians are notified of the provisions of the opportunity to deny release of directory information.

Public notice shall be given regarding the right to refuse disclosure of any or all "directory information" including to the armed forces of the United States and the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the high school, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to Graduation Achievement Charter High School Records Officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a time for the access. Requests should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Superintendent and Chief Executive Officer shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

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

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible students, must submit a written request to the building principal at least 10 work days before the scheduled date of the activity. The instrument will be provided to the parent within 5 business days of the principal receiving the request.

The Superintendent and Chief Executive Officer shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure or use of personal information collected from students from the exclusive purpose of developing, evaluating, or providing educational products or service for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment;
- B. book clubs, magazines, and programs providing access to low-cost literary products;
- C. curriculum and instructional materials used by elementary and secondary schools;
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

- E. the sale by students of products or services to raise funds for school-related or education-related activities; and
- F. student recognition programs.

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither Graduation Achievement Charter High School nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Superintendent and Chief Executive Officer shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent and Chief Executive Officer shall also develop procedural guidelines for:

- (A) the proper storage and retention of records including a list of the type and location of records; and
- (B) informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Graduation Achievement Charter High School specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

## WELLNESS

Reference: Richard B. Russell National School Lunch Act, 42 USC §§ 1751, 1758, 1766; Child Nutrition Act, 42

USC § 1773

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of Graduation Achievement Charter High School's students. Furthermore, research concludes that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

## SPECIFIC GOALS FOR NUTRITION

- (1) Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
- (2) Nutrition education shall be included in the sequential, comprehensive Health curriculum in accordance with the curriculum standards and benchmarks established by the State.
- (3) Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.
- (4) Nutrition education standards and benchmarks shall be age-appropriate and culturally relevant.
- (5) The standards and benchmarks for nutrition education shall be behavior focused.
- (6) Nutrition education shall include opportunities for appropriate student projects related to nutrition, involving, when possible, community agencies and organizations.
- (7) Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
- (8) Nutrition education benchmarks and standards include a focus on media

literacy as it relates to food marketing strategies.

- (9) Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.
- (10) Instruction related to the standards and benchmarks for nutrition education shall be provided by highly qualified teachers.

## **SPECIFIC GOALS FOR PHYSICAL ACTIVITY**

### Physical Education

- (A) A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the standards and benchmarks established by the State.
- (B) The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.
- (C) The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- (D) The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.
- (E) Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks established by the State.
- (F) Properly certificated, highly qualified teachers shall provide all instruction in physical education.
- (G) All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.
- (H) Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- (I) Planned instruction in physical education shall take into account gender and cultural differences.
- (J) Planned instruction in physical education shall promote participation in physical activity outside the regular school day.
- (K) Graduation Achievement Charter High School shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.

## RELIGIOUS AND PATRIOTIC CEREMONIES AND OBSERVANCES

Reference: 20 USC 4071 et. seq.  
Gregoire vs. Centennial School 907 F2d 1366, (3rd Circuit, 1990)  
Lee vs. Weisman, 112 S. Ct 2649, 120 L. Ed. 2d 467 (1992)

Decisions of the United States Supreme Court have determined that public schools must neither advance nor inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously oriented activities by Graduation Achievement Charter High School are offensive to some and tend to supplant activities that should be the exclusive province of individual religious groups, churches, private organizations, and/or the family.

Staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. Graduation Achievement Charter High School shall not function as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on Graduation Achievement Charter High School property by any party shall be prohibited in accordance with Policy and Administrative Guidelines 7510 - Use of Graduation Achievement Charter High School Facilities and 9700 - Relations with Special Interest Groups.

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting the establishment of religion or prohibiting any person from the free, individual, and voluntary exercise or expression of the individual's/person's religious beliefs. However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when individuals are free to associate.

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. However, acknowledgement, explanation, and instruction about the special holidays of various religions are encouraged. Celebration activities, involving nonreligious decorations and use of secular works, are permitted. Nonetheless, faculty members have the responsibility to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the educational program of Graduation Achievement Charter High School.

- [ ] The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.
- [ ] The Board shall not include religious invocations, benedictions, or formal prayer at any Graduation Achievement Charter High School sponsored event.

Professional staff members are authorized to lead students in the Pledge of Allegiance at an appropriate time each school day. However, no student shall be compelled to participate in the reciting of the Pledge. The Superintendent and Chief Executive Officer shall develop Administrative Guidelines to ensure any Graduation Achievement Charter High School staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and privacy of a nonparticipating student.