



BYRON

ELEMENTARY SCHOOL

2023-2024

PARENT / STUDENT HANDBOOK

Byron Elementary School

401 E. Maple Street
Byron, MI 48418

Phone: *(810) 266-4671*

Fax: *(810) 266-5011*

Superintendent – Jan Amsterburg

Principal – Stacey Johnson

School Secretaries – Renee Vandemark, Amy Sonnenberg

Child Care/Preschool Director – Tammy Laurin

Transportation Supervisor – Joe McWilliams



Byron Elementary School

**401 East Maple Avenue
Byron, Michigan 48418
(810) 266-4671**

Dear Parents,

Welcome to Byron Elementary School! This student handbook has been developed to answer many frequently asked questions from families. This handbook does not attempt to address every or all situations that may arise during our school year but should be used as a guide for families throughout the year.

It is important that students read and understand their role, rights and responsibilities while at school, at school functions and on school transportation. Please take time to read through this handbook with your student(s) and discuss its contents. Once reviewed, please return the signed acknowledgement handbook form to the elementary office.

Thank you for your cooperation and dedication to setting your student(s) up for success at Byron Elementary! Should you have any questions, please do not hesitate to reach out to me at johnson@byron.k12.mi.us or call 810.266.4671. The staff and I are so thankful for your support now and throughout the year. Let's make this year amazing! Go Eagles!

Educationally Yours,

Mrs. Stacey Johnson

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Telephone Directory

Byron Elementary School

Secretary: Renee Vandemark	810-266-4671 ext. 3602
Secretary: Amy Sonnenberg	810-266-4671 ext. 3603
Principal: Stacey Johnson	810-266-4671 ext. 3601
Attendance Line	810-266-4671 ext. 3603
Fax Number	810- 266-5011

Child Care - Preschool Programs

Director: Tammy Laurin	810 -266-4671 ext. 3119
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Food Service

Director: Laurie Stohlin-King	810-266-4648 ext.1606
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Social Worker-Elementary School

Michelle O'Brien	810-266-4671 ext. 3529
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Resource Room Teacher

Julie Mott	810-266-4671 ext. 3112
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Speech Services

Dave Gregory	810-266-4671 ext. 3528
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Title 1 Program

Darci Williams	810-266-4671 ext. 3105
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Transportation Department

Supervisor: Joe McWilliams	810-266-5870
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Superintendent of Schools

Jan Amsterburg	810-266-4881
Fax	810-266-5723

Byron Middle School

810-266-4422

Byron High School

810-266-4620

Athletic Department

810-266-5137

Accidents and Illness

In the event that your child becomes ill at school, every effort will be made to contact parents. Should parents not be available, those persons designated on the emergency information card will be notified for assistance. In the event of a serious illness or accident at school, or if we are unable to notify anyone listed on the card, the police and 911 may be contacted.

Americans with Disabilities Act-Section 504

The American's with Disabilities Act (A.D.A.) requires the School to ensure that no individual will be discriminated against on the basis of a disability. This protection applies not just to the student, but also to all individuals. Students with disabilities may be served within the regular education program with an accommodation plan developed by school staff. Parents that believe their child may have a disability that substantially limits the child's ability to function properly in school should contact our specialists at (810) 266-4671.

Animals in Building

For the health and safety of the students and the animal itself, we do not allow students to bring pets to school. If a parent wishes to escort an animal to the classroom, they must first obtain permission from the classroom teacher and the principal. Dogs must be up to date on their immunizations.

Appointments/Early Dismissal

The school recommends scheduling your child's appointments before or after school hours. If this is not possible, please provide the school written notice specifying date and time your child will need to be excused from school. Parents and guardians are expected to sign children in and out at the office. Teachers are instructed not to release a child unless authorized to do so by the office.

Arrival Procedures

Students may enter the building at 8:45 a.m.

Elementary classes are from 9:00 a.m.- 4:00 p.m.

To ensure your child's safety, only students and Byron staff are allowed in the buildings from 8:45 am – 4:00 pm. If you are visiting the school or volunteering, please report to the main office to check in and obtain a visitors pass. Please do not drop off or allow students to arrive or stay beyond these times. Should students need additional supervision before and after school, the Byron Child Care Program is available.

Attendance

Regular attendance is essential to a student's success in school. Most subjects are taught in sequence, requiring the understanding of each concept in order of its introduction. If a student is absent, much of that experience cannot be made up. Therefore, parents are encouraged to help their children establish a regular and prompt attendance pattern.

If your child is absent, parents are asked to please contact the school at (810) 266-4671ext 3603. Calls may be made before and after school hours by leaving a message on the voice mail system. Should parents fail to contact the office by 10:00 a.m., school personnel will call parents/guardians at home to make every attempt to locate missing children to ensure their safety and well-being.

Attendance Policy:

- Student in before 10:00 a.m.....TARDY
- Half Day Absence: Students who are in attendance for at least 3.5 hours per day.
- Full Day Absence: Student who are in attendance for less than 3.5 hours per day.
- Student leaves after 3:00 pm.....LEFT EARLY

Parents will be informed of critical absence situations monthly when a student has missed 10% or more of their instructional time via phone call and/or letters. Copies of these letters will be retained in the student’s school file. This framework may be modified by the building principal in cases of chronic illness or contraction of one of the childhood communicable diseases.

Absences-Excused

Students may be excused from school for one of the following reasons and will be provided an opportunity to make up missed school work and/or tests: personal illness but not illness in the family unless the circumstance are approved by the principal, death in the immediate family, bona-fide religious holiday, recovery from accident, required court attendance, professional appointments, and any other good cause as may be acceptable to the building Principal. Parents calling in their child’s absence will be excused provided a reason is given. If there is no phone call, a written note must be turned in within three days of returning in order for it to be excused.

Absences-Unexcused

Unjustifiable absences or excused absences that have not been documented by a note from home or phone call by the third day of the occurrence will result in an unexcused absence being recorded. After 10 unexcused absences in any semester a student will be considered a “Habitual Truant” and a truancy officer will be notified which could result in a hearing before a judge in a court of law, a report to local authorities concerning lack of parental responsibility in providing proper care and supervision of a child.

Athletic Event Conduct

Students are expected to demonstrate rules of good sportsmanship and conduct while in attendance at events. If these rules cannot be followed, the student will be asked to leave without refund of their admission price.

Guidelines for behavior include:

1. Students in grades preK-5 must be accompanied by an adult and should remain in close proximity to their parent during the event. Parents should be the primary supervisor of their children.
2. Students will not be allowed under the bleachers.

Behavior Expectations

Expectations for student behavior are introduced, reviewed, practiced, and posted for all students and adults to refer to.

Book Fines

Textbooks and leveled reading materials are provided for all students. Children are expected to take good care of their books. Damaged or lost books will result in a fine being charged. This expectation applies to library books as well.

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Bus Transportation Information

Students will be transported with safe buses and well-trained competent drivers. In all regards every rule and regulation will be observed. The transportation of all students is very important and cooperation of students, bus drivers, parents and school officials is a necessity for a successful operation.

Board of Education Policies:

1. Kindergarten students will be picked up and returned to their residence where possible and practical.
2. Where dangerous areas exist, parents can make application to the Superintendent for Board exception to the regulations.
3. No special deliveries or stops will be made.

Due to the overwhelming amount of requests for daily bus changes that occur at the elementary school, the transportation department will only be able to accommodate deviations if the student has **written permission signed by their parent** to be dropped off at any location other than their regular location.

Bus Transportation for Special Events

It is recommended that parents provide their own transportation for birthday parties, sleepovers, Boy Scouts, Girl Scouts, Athletic events, etc. Buses are not able to accommodate large numbers of extra riders on a particular route.

Bus Rules

The following guidelines are for students who ride Byron Area School busses at any time.

1. **Dress properly for the weather.** Make sure all ties, straps, etc. on all clothing, backpacks and other items, are shortened or removed to lessen the likelihood of them getting caught in bus doors, railings or aisles.
2. **Arrive on time at the bus stop** and stay 10 feet away from the street while waiting for the bus.
3. **Stay 10 feet away from the bus** until it stops completely and the driver signals you to board. Enter in single file without pushing. Always use the handrail.
4. **Take a seat right away and remain seated facing forward.** Keep your hands, arms and head inside the bus.
5. **Help keep the bus neat and clean.** Keep belongings out of the aisle and away from emergency exits. Eating and drinking are not allowed on the bus.
6. **Always follow the driver's instructions.** Be courteous to the driver and other students. Sit with your hands to yourself and avoid making noises that would distract the driver or bother other passengers. Remain seated, keeping your hands, arms and head inside the bus at all times.
7. **Wait until the bus comes to a complete stop before standing up.** Use the handrail when exiting the bus.
8. **Stay out of the danger zone next to the bus** where the driver may have difficulty seeing you. Take ten giant steps away from the bus and out of the danger zone, until you can see the driver and the driver sees you. Never crawl under a bus.
9. **Wait for the driver's signal and then cross in front of the bus** if you must cross the street after you get off the bus. Cross the street only after checking both ways for traffic.
10. **Never run back to the bus,** even if you dropped or forgot something.

Riding the school bus is a privilege, not a right! Under normal procedures students not following the above policies will be handled in the following manner:

FIRST VIOLATION:

Student will receive a written misconduct notice. This notice must be signed by the parents and returned to the bus driver the following school day. Building principal will also be notified.

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SECOND VIOLATION:

Student may lose bus privileges until satisfactory arrangements can be made through the transportation department. Building principal will also be notified.

THIRD VIOLATION:

A behavior plan for the student, while riding the bus, will be created with input from the principal, bus driver, parent, transportation director and student. Student may lose bus privileges for the semester or remainder of the school year.

This transportation information has been prepared to answer your questions and explain the total transportation operation. Your cooperation will be appreciated. If you have an individual problem, we encourage you to contact the transportation department at (810) 266-5870 so everything possible can be done to provide the most effective service in transporting students.

Care of Property

Students are responsible for the care of their own personal property. Because items of great value including electronic games, radios, jewelry, iPods, excess money, etc. can be lost or broken in the school environment we ask that students enjoy these items at home only. The staff may confiscate such items and return them to the student's parents/guardians. The school will not be responsible for personal property. We appreciate the help of parents in monitoring items that will have a negative effect on our learning atmosphere, or that can be disruptive.

Cell Phones

Cell phone use by students is not permitted during school hours. If students bring a cell phone to school it must be **turned off** during the school day and housed in their book bag. The staff may confiscate such items and return them to the student's parents/guardians if this policy is not followed.

Child Care Program

Licensed Child Care is available to children beginning at the age of 3 until they enter 5th grade from 6:00 a.m. to 6:00 p.m. For complete information please contact the Child Care Program at (810) 266-6323.

Computer/Internet Use

All students/parents are required to sign and turn in a Network Access User Agreement prior to having access to the network. This document will be in the enrollment packet and kept on file while attending the elementary building. This policy outlines the use of such equipment. Violators will have consequences that could up to and including loss of technology privileges. Additional consequences may be levied based on violation of the school discipline code.

Students have access to computers in their classrooms and in the computer lab. However, access to inappropriate information on the computer will not be allowed. Students will only have access to the Internet if they have parental permission. All elementary students must complete an Internet Agreement Form which will stay on file while they attend this school. This completed permission form allows the student access to the Internet through 5th grade. For more details, please read the Internet Network Access Agreement for Students.

Contagious Health Conditions

Because a school has a high concentration of people, it is necessary to take specific measures when the health or safety of the group is at risk. The school's professional staff has the authority to remove or isolate a student who has been ill or has been exposed to a communicable disease or highly-transient pest, such as lice.

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Occasionally children contract contagious health conditions (head lice, scabies, ringworm, impetigo, chicken pox, pink eye, etc.). We request that parents **NOTIFY THE SCHOOL** if any of these conditions occur. This information will remain confidential and allow us the opportunity to alert others and time to check to see if other students have the same conditions.

Scabies, ringworm, impetigo, chicken pox, and pink eye require treatment from a physician. Students may return to school when they are able to provide a written statement from the physician indicating that they are no longer infectious. Any removal will only be for the contagious period as specified in the school's administrative guidelines. Although head lice may be treated with over-the-counter products, students may return to school only after **NO NITS ARE PRESENT** in hair!

Crossing Guards

Crossing guards will be stationed from 8:40-9:05 a.m. and 3:50-4:15 p.m. at the corner of East and Maple and at the corner of Ann and Maple.

Curriculum

Core Curriculum (Language Arts, Mathematics, Social Studies, and Science) reflects current research and best practice in each area. Core curriculum is reviewed and updated on a continual cycle. Parents are encouraged to review all written curriculum to insure complete understanding of the critical learning being taught at Byron Elementary. Students at Byron Elementary are offered other opportunities to enrich and embellish their education. Specialists in the areas of Fine Arts, Physical Education - Music and Technology serve all students on a weekly basis.

The following curriculum is used at Byron Elementary School:

- Mathematics for grades K-5 is *enVision Math*.
- Language Arts for Kindergarten-2nd is *Reading Street*.
- Language Arts for grades 3-5 is *McGraw Hill*.
- Social Studies Curriculum K-*Scott Foresman*
- 1st-2nd- *Social Studies Alive*
- 3rd-Meet Michigan *Hindsdale Publications*
- 4th-5th *Scott Foresman*
- Science Curriculum K-5 is *Scott Foresman*.

Desks and Lockers

A desk will be assigned to each student except in classrooms that use tables. Students in grades K-4 will also be assigned a locker.

School lockers, desks, and other student supply areas are the property of the school district. At no time does the school district relinquish its exclusive control of these items. The interior of desks and lockers may be searched when school staff members have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. Following the search of a student's personal possessions, the school staff will provide notice of the search to students and parents unless disclosure would hamper an ongoing investigation by police or school officials.

Discipline-Student

Although during the elementary years students make mistakes as part of their learning, the primary goal of the Byron Elementary Staff is to prevent the likelihood of problem behavior through teaching behavior expectations and acknowledging students engaging in these expectations. While all adults at Byron Elementary are committed to helping every student to become more responsible through a team approach, the ultimate

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responsibility for behavior lies within the individual student. Expectations for student behavior are introduced, reviewed, practiced, and posted for all students and adults to refer to:

- Show Kindness
- Offer Respect
- Act Responsibly
- Remember Safety

We realize that there are times we must respond to inappropriate behavior as it is occurring by correcting or giving consequences.

Staff Managed (Minor) Problem Behaviors

Staff managed behaviors are “minor” problems that can be redirected quickly without significantly disrupting the flow of instruction or school activity, do not require the direct contact with the office personnel, and if performed infrequently would not be considered a problem.

Example of Staff Managed Problem Behavior

- Minor theft/cheating
- Inappropriate language
- Property misuse
- Unsafe activity (i.e. running in hall)
- Physical contact (not fighting)
- Not following directions
- Disrespect toward adults/peers
- Disruptive transitions

Example of Staff Provided Consequences

- State rule, redirect
- Conference with student
- Re-teach expectations/rules
- Restitution/clean up duty
- Time out in classroom
- Call to parent
- Loss of privileges

General Procedure for Minor Problem Behaviors

Instances of minor problem behavior will usually involve stating the behavior expectations and redirecting the student to the appropriate task/activity. Staff will work hard with a student and their family to get the inappropriate behavior corrected before an office managed referral is assigned. The staff will correct two minor incidences of similar behavior before an office referral is given for the third incident in the same day. For example:

- 1st incident: Staff will state the behavior expectation/rule and redirect the student.
- 2nd incident: Staff will give a 5 minute time out and talk with the student about what to do differently.
- 3rd incident: Student is referred to the office with Office Referral Form completed. Three minor incidents of the same nature committed by a student are considered one major incident.

Office Managed (Major) Problem Behaviors

Problem behaviors that are “major” and require being sent to the office include any behavior that places self or others at physical risk, prevents the on-going delivery of instruction, and violates a school behavioral expectation/rule.

Example of Office Managed Problem Behaviors

- Physical aggression/fighting/verbal assault
- Vandalism/property damage/theft
- The 3rd instance of the same minor behavior problem within the same day
- Defiance/disrespect/insubordination/non-compliance
- Abusive language
- Possession of weapons/drugs/tobacco/explosives
- Major disruption
- Bullying

Example of Office Provided Consequences

- Principal will conference with student
- Loss of privileges
- Restitution/Clean up duty
- Time in office
- Behavior contract
- Parent contact
- In-school suspension
- Out-of-school suspension
- Expulsion
- Call police

General Procedure for Major Problem Behaviors

Due to the intensity/severity of the major problem behavior, the student is directed to another location and/or with another staff member to address the behavior. At Byron Elementary School, students who engage in major problem behavior are escorted to the school office. An office referral form is completed to document the incident. The Principal (or designee) will meet with the student and determine appropriate consequence and next steps in response to the problem situation.

Discipline Code-Major Problem Behaviors

It is the school staff’s responsibility to provide a safe and orderly learning environment for our students. While every effort will be made to assist students in making proper choices through the procedures described above, the Board of Education has adopted the following Student Discipline Code. The Code includes the types of severe misconduct that will subject a student to specific disciplinary action. The Board has also adopted the list of behaviors and the terms contained in the list. An explanation of each behavior and possible consequence follows the list. Due process ensures that disciplinary action is imposed only after review of the facts and/or special circumstances of the situation. The absence of a behavior or any specific action from the list does not mean that such conduct does not violate the discipline code or cannot be punished.

1. Use of Drugs

The school has a “Drug Free” zone that extends 1,000 feet beyond the school boundaries as well as to any school activity and transportation. This means that any activity-possession, sale, use, distribution, or use of drugs, alcohol, fake drugs, steroids, inhalants, or look-alike drugs is prohibited. If caught, the student could receive in-school suspension or be expelled and law enforcement officials may be contacted. The sale, distribution, possession, or use of drugs, alcohol, fake drugs, steroids, inhalants, or look-alike drugs is prohibited. This includes non-alcoholic beers and wines, steroids, and the like. Many drug abuse offenses are also felonies.

Suspected use of alcoholic beverages or narcotics:

- A. First time - Nine (9) days out-of-school suspension
- B. Second time – Referral to Superintendent for further discipline
- C. Third time - Suspended until hearing before the Board of Education

2. Use of tobacco

NO SMOKING AT ANY TIME ON SCHOOL GROUNDS. Smoking and other tobacco uses are a danger to a student’s health and to the health of others. The School prohibits the sale, distribution, use, or possession of any form of tobacco during school time or at any school activity. This prohibition also applies when going to and from school and at school bus stops.

Students suspected of use of tobacco products on school property shall be subject to the following discipline:

- A. First time-Three (3) days out of school suspension plus proper authorities will be contacted. Parents will also be contacted.
- B. Second time-Five (5) days out of school suspension plus authorities will be contacted. Parents will also be contacted.
- C. Third time-Suspended until student and parent meet with the Board of Education.

3. Dangerous Weapon on School Property, on the bus or During School Functions

“Dangerous weapons”, as defined, are not allowed on school property, on school busses or at school functions. Implements defined as “dangerous weapons” include a fire arm, dagger, dirk stiletto, knife with a blade over three (3) inches in length, pocket knife opened by a mechanical device, iron bar, brass knuckles, or other devices designed to inflict bodily harm. These devices have also been defined to include, but not limited to, unloaded as well as loaded firearms, pellet guns, b-b guns, inoperable replica firearms, knives, look-alike, stun guns and chemical agents such as tear gas or pepper gas, or other objects readily capable of causing bodily harm. In most cases, State law requires that after implementation of certain “due process” rights, an elementary student (K-6) found in violation of the law be expelled from school for not less than 90 school days. Criminal charges may be filed for this violation.

4. Bomb threat/False alarm

Student delivers a message of possible explosive materials being on-campus, near campus, and/or pending explosion. In most cases, State law requires that an elementary student (K-5) found in violation of the law (Guilty of making false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition) be expelled from school for not less than 90 school days. Criminal charges may be filed for this violation.

5. Arson

Student plans and/or participates in malicious burning of property on school property. **Arson is a felony and will subject the student to expulsion.**

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6. Explosives

Explosive, fireworks, and chemical-reaction objects such as smoke bombs, firecrackers, lighters and poppers are forbidden and dangerous. Violations of this rule will be treated the same as a student possessing a weapon on school property as an explosive could inflict bodily harm on others. A student found in possession of an explosive device may be subject to permanent expulsion from school.

7. Fighting/Physical Aggression/Verbal Assault-Major Problem Behavior

Actions involving serious physical contact where injury may occur (i.e. hitting, punching, hitting with an object, kicking, hair pulling, scratching, biting, etc.) will result in the loss of recesses or suspension. Any student instigating a fight will be handled as if the student were involved in the fight and will also receive a suspension according to the following language.

- A. First time- Handbook reviewed, parents contacted, incident documented, loss of recess and/or special classes or up to 3 days of suspension*.
- B. Second time-Three (3) days of suspension* plus parent will be contacted.
- C. Third time-Five (5) days of suspension* plus parent will be contacted.
- D. Fourth time-Suspended until student and parent meet with the Board of Education.

* It will be the Principal's discretion as to whether suspension will be either out of school or in-school.

8. Physically or verbally assaulting a staff member /person associated with the District

Physical or verbal assault on a staff member or other person associated with the District, which may/or may not cause injury may result in charges being filed and subject the student to up to ten (10) days suspension* from school or expulsion. Assault is defined as a sudden or violent verbal or physical attack.

* It will be the Principal's discretion as to whether suspension will be either out of school or in-school.

9. Unacceptable Language-Major Problem Behavior

Unacceptable language is any verbal or written message that includes profanity, name calling or use of words in an inappropriate way.

- A. First time – Handbook reviewed, parent notified, incident documented, loss of recess and/or special classes or one day in-school suspension.
- B. Second time - Two days suspension*, parent notified.
- C. Third time – Five days suspension*, parent notified.

* It will be the Principal's discretion as to whether suspension will be either out of school or in-school.

10. Defiance/Disrespect/Insubordination/Non-compliance-Major Problem Behavior

Refusal to follow adult directions, talking back and/or socially rude interactions.

- A. First time – Handbook reviewed, parent notified, incident documented, loss of recess and/or special classes or one day suspension*.
- B. Second time - Two days suspension*, parent notified.
- C. Third time – Five days suspension*, parent notified.

* It will be the Principal's discretion as to whether suspension will be either out of school or in-school.

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11. Disruption-Major Problem Behavior

Student behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling or screaming, noise with materials, horseplay or roughhousing, and/or sustained out-of-seat behavior.

- A. First time – Handbook reviewed, parent notified, incident documented, loss of recess and/or special classes or one day suspension*.
- B. Second time - Two days suspension*, parent notified.
- C. Third time – Five days suspension*, parent notified.

* It will be the Principal's discretion as to whether suspension will be either out of school or in-school.

12. Theft-Major Problem Behavior

When a student is caught stealing school or someone's property he/she will be disciplined and may be reported to law enforcement officials. Serious theft will result in charges being filed with the local law enforcement.

13. Damaging Property

Vandalism and disregard for school property or property of others will not be tolerated. Students guilty of damaging property shall be subject to the following discipline:

- A. First time – Handbook reviewed, incident documented, loss of recess and special classes or up to three days in-school suspension, authorities may be contacted, parents notified. Restitution will be required.
- B. Second time - Five days in-school suspension, authorities may be contacted, parents notified. Restitution will be required.
- D. Third time - Suspended until student and parent meets with the Board.

14. Bullying/Hazing/Intimidation/Harassment:

BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS

It is the policy of the District to provide a safe and nurturing educational environment for all of its students.

This policy protects all students from bullying/aggressive behavior regardless of the subject matter or motivation for such impermissible behavior.

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.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

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, school-approved or school-related activity or function, such as field trips or athletic events where students are under the

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school's control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

Notification

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

Parents or legal guardians of the alleged victim(s), as well as of the alleged aggressor(s), shall be promptly notified of any complaint or investigation as well as the results of the investigation to the extent consistent with student confidentiality requirements. A record of the time and form of notice or attempts at notice shall be kept in the investigation file.

To the extent appropriate and/or legally permitted, **confidentiality** will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation.

Implementation

The Superintendent is responsible to implement this policy, and may develop further guidelines, not inconsistent with this policy.

This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program.

Procedure

Any student who believes s/he has been or is the victim of bullying, hazing, or other aggressive behavior should immediately report the situation to the Principal or assistant principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports shall be made to those identified above. While reports may be made anonymously, formal disciplinary action may not be taken solely on the basis of an anonymous report without other corroborating evidence.

The Principal (or other designated administrator) shall promptly investigate and document all complaints about bullying, aggressive or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit after a report or complaint is made.

If the investigation finds an instance of bullying or aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement or other appropriate officials.

If, during an investigation of a reported act of harassment, intimidation and/or bullying/cyberbullying, the Principal or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy [5517](#) - Anti-Harassment.

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying, aggressive or other prohibited behavior, as well as any remedial action taken, including disciplinary actions and referrals, to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

Non-Retaliation/False Reports

Retaliation or false allegations against any person who reports, is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegations of bullying or aggressive behavior (as a witness or otherwise), or is the target of the bullying or aggressive behavior being investigated, is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint of bullying is substantiated. Suspected retaliation should be reported in the same manner as bullying/aggressive behavior.

Making intentionally false reports about bullying/aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

Definitions

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

"Aggressive behavior" is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. Such behavior includes, for example, bullying, hazing, stalking, intimidation, menacing, coercion, name-calling, taunting, making threats, and hitting/pushing/shoving.

"At School" is defined as in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event whether or not it is held on school premises. It also includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by or under the control of the District.

"Bullying" is defined as any written, verbal, or physical acts, including cyber bullying (i.e. any electronic communication, including, but not limited to electronically transmitted acts, such as internet, telephone or cell

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phone, personal digital assistant (PDA), or wireless hand held device) that, without regard to its subject matter or motivating animus, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

- A. substantially interfering with educational opportunities, benefits, or programs of one (1) or more students;
- B. adversely affecting the ability of a student to participate in or benefit from the school district's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- C. having an actual and substantial detrimental effect on a student's physical or mental health; and/or
- D. causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Bullying can be physical, verbal, psychological, or a combination of all three. Some examples of bullying are:

- A. Physical – hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal – taunting, malicious teasing, insulting, name calling, making threats.
- C. Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation. This may occur in a number of different ways, including but not limited to notes, emails, social media postings, and graffiti.

"Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status, or geographic location (e.g., from rival school, different state, rural area, city, etc.).

"Intimidation/Menacing" includes, but is not limited to, any threat or act intended to: place a person in fear of physical injury or offensive physical contact; to substantially damage or interfere with person's property; or to intentionally interfere with or block a person's movement without good reason.

"Staff" includes all school employees and Board members.

"Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in District business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events

Dismissal Procedures

Students who are picked up before 4:00 p.m. **must** be signed out through the main office. Once the parent/guardian has completed the Student Sign out Form, the secretary will call the classroom requesting that the student report to the office for dismissal. Parents are asked NOT to go to their child's classroom. In the event that someone will be picking up a child who normally rides the bus, **we must have written parental permission** indicating whom the child will be leaving with or the child must ride the bus home. For safety reasons, students may be picked up and dropped off at the office entrance only.

Please notify the office by 3:00 p.m. with any changes (i.e. different bus, pick up, etc.) to where a student needs to go after school. We are unable to grant requests after this time, due to time required to notify students, teachers and drivers.

Dress Code

We take pride in the appearance of our students and believe that their dress reflects the quality of the school, of their conduct, and their schoolwork. Parents are requested to send their children dressed appropriately for the weather in attire that is conducive to quality learning. Clothing and appearance should not distract from the learning environment. The waist-band of pants is to be worn at the waist. "Sagging" of pants is not acceptable. Specifically not allowed at school are short skirts and shorts above mid-thigh, tight clothing, halter-tops, tops with "spaghetti straps", Heely shoes, and half shirts. Pajama attire is not to be worn at school unless a special activity has been planned. Any clothing displaying drug, alcohol or tobacco products or inappropriate pictures or language may not be worn within the school. Hair coloring with gel or spray and face painting are only allowed for spirit events, such as Homecoming celebration and Halloween parade. Although baseball caps and other fashion hats may be worn outdoors, all hats, hoods and scarves are to remain off while inside the building, except on spirit days. For safety reasons, flip flops are discouraged from being worn at school.

Drills: Fire, Tornado and Lock down

The State of Michigan requires fire, tornado and lock-down drills throughout the school year. A minimum of five fire drills is required with three drills in the fall and two others during the remaining part of the year. A minimum of two tornado drills and three lock-downs are required for each school year. The drill practice is necessary to assure the safety of everyone in the event a real emergency occurs. Teachers will explain drill procedures to students and directions are posted in each classroom.

Fire Drill:

Each room in the building has a predetermined route for emergency exit and all students must acquaint themselves with exit procedures. On hearing the fire alarm, all students will proceed immediately in an orderly manner out the prescribed exit, and remain in a group, at least 300 feet from the building. All students will remain under the direct control of the classroom teacher.

Lock down Drill:

The signal to begin the drill is an announcement. Occupants are restricted to the interior of the building and the building is secured. All students will remain under the direct control of a staff member.

Tornado Drill:

The signal to begin the drill will be an announcement followed by three short bells. Staff will escort students to the predetermined tornado shelter area. Students will sit on the floor and cover their heads with their arms.

Early School Closing

In the event of an early closing in the Byron Area Schools (prompted by severe weather, failure of a heating plant, loss of electrical power, etc.) the procedures described below will be followed. Make certain you have discussed with your child, procedures they should follow if school should ever be dismissed early.

1. Central Office will release information regarding the closing to all buildings, the media and parents via school messenger.
2. Listen to the following radio/television stations for information:
WHMI (FM93.5 OR AM1350) WCRZ (FM107.9) WITL (FM100.7) WWCK (FM105.5)
WJRT-TV Channel 12, WLNS TV-6, WNEM-TV 5
3. Students who have arrangements to be picked up by their parents will be held in elementary building until parent/designated adult arrives for pick-up.

Emergency Information Cards

It is imperative that each child has a current emergency card on file. The purpose of this card is to give direction to the school staff in case of illness or accident while the child is in our care. No child will be released to anyone unless they are designated on the emergency card. It is extremely important that parents notify the office with any changes in home address, phone, work numbers, or other critical information.

Equal Education Opportunity

It is the policy of Byron Area School District to provide an equal education opportunity for all students. Any person who believes that the School or any staff person has discriminated against a student on the basis of race, color, creed, disability, religion, gender, age, ancestry, national origin, or other protected characteristics as well as place of residence with District boundaries, or social or economic background, has the right to file a complaint. A formal complaint can be made in writing to the Superintendent of Schools, Mr. Bob Cassidy. The complaint will be investigated and response, in writing, will be given to the concerned person within five (5) business days. The Superintendent may provide additional information concerning access equal education opportunity. Under no circumstances will the District threaten or retaliate against anyone who raises or files a complaint.

Field Trips

Field trips are an extension of the regular curriculum and a very important part of the Byron Elementary School curriculum. While on field trips, all students are expected to demonstrate courteous and polite behavior. Field trips are planned both out of the district, as well as to other district buildings.

Depending on the nature of the trip, the teacher may seek volunteers to assist in the supervision of students. Parent chaperones selected to help with the field trip will be asked to ride the bus. Additional parents wishing to join their child's class must provide their own transportation. **Younger siblings are not permitted to attend. Students may not ride with their parents to or from a field trip without pre-written approval from administration.**

Parents intending to participate in field trips will be required to complete the Volunteer Registration Form available in the office or from the district website. Please allow two weeks for the district staff to run an inquiry with the Michigan State Police Department and to check references if necessary.

Included with the enrollment paperwork is a Field Trip Permission form. This signed permission form covers all out of building/district trips while the student is enrolled at Byron Elementary School. Teachers will inform parents of upcoming field trips with at least one weeks' notice.

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Food Service

Byron Elementary School participates in the National School Lunch Program and makes breakfast and lunch available to all students. Menus are sent home the beginning of each month informing parents of each day's choices.

Breakfast is \$1.25 and lunch is \$2.50. Milk is \$.50. Lunch money (cash or check) must be sent to the school in an envelope with the student's name and teacher's name printed on the outside. Checks must be written to Byron Area Schools Food Service. Money will then be placed in an account which is set up for each child.

Parents are welcome to dine with their students. Adults may purchase a lunch for \$4.00. Applications for Free and Reduced-Priced Meal program, including breakfast, are distributed to all students. Reduced breakfasts are \$.30 and lunch is \$.40. Please contact Stacey Anibal in the food service department at (810) 266-4648 if you have any questions. These prices are subject to change

Fundraising

Students are requested to not bring merchandise to school for the purpose of fund raising. The school will not be responsible for any money or products lost at the school. Students who participate in any fundraisers are discouraged from selling to staff while at school.

We do ask that students participate in School-wide Fundraisers throughout the year. Unless specifically designated these funds are used for student activities, assemblies, field trips, awards, etc. If you DO NOT want your child to participate in fundraising efforts, please notify the office in writing.

Student participating in school-sponsored groups and activities will seek guidance and approval from the principal. If you DO NOT want your student to participate in any fundraising efforts, please notify the office in writing.

ANTI-HARASSMENT

General Policy Statement

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

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

For purposes of this policy, "School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

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

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

Definitions

Bullying

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

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;

- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

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

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

Sexual Violence

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 education programs and activities. The Board is committed to maintaining an education and work environment that is free from all forms of unlawful harassment, including sexual harassment.

Sexual harassment, including sexual violence, interferes with students' rights to receive an education free from discrimination, and, in the case of sexual violence, is a crime. Pursuant to its Title IX obligations, the Board is committed to eliminating sexual violence in all forms and will take appropriate action against any individual found responsible for violating this policy. To further its commitment against sexual violence, the Board provides reporting options, an investigative and disciplinary process, and other related services as appropriate.

This policy applies to all student complaints, whether filed by a student, his/her parent, an employee, or third party on the student's behalf. It applies to all District operations, programs, and activities, as well as to unlawful conduct occurring on school property or during a Board-sponsored activity. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment.

Definitions

Sexual Harassment

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As detailed further in Policy 5517, sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature. Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Examples include, but are not limited to:

- A. unwelcome sexual propositions, invitations, solicitations, and flirtations;
- B. unwanted physical and/or sexual contact;
- C. threats or insinuations implying that a person's conditions of education may be adversely affected by not submitting to sexual advances;
- D. unwelcome sexual verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; unwelcome sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls;
- E. sexually suggestive objects, pictures, videotapes, audio recordings or literature;
- F. unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
- G. a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
- H. speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
- I. inappropriate boundary invasions into a student's personal space and personal life; and
- J. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Sexual Violence

Sexual violence, as used in this policy, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age, intellectual or other disability, or use of drugs or alcohol).

Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sexual harassment and, in turn, sex discrimination prohibited by Title IX.

Harassing conduct creates a hostile environment when it interferes with or limits a student's ability to participate in or benefit from the school's program. A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. For example, a single instance of rape is sufficiently severe to create a hostile environment.

Anti-Harassment Compliance Officers

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The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers."

Jan Amsterburg
 Superintendent
 810-266-4881
 312 W. Maple
 Byron, MI 48418
amsterburgj@byron.k12.mi.us

Don McLennan
 Principal, HS/MS
 810-266-4620
 312 W. Maple
 Byron, MI 48418
mclennan@byron.k12.mi.us

The names, titles, and contact information of these individuals will be published annually.

The Compliance Officers are available during regular school/work hours to discuss Title IX questions, sexual violence concerns, and to assist students, other members of the School District community, and third parties. Compliance Officers shall accept sexual violence complaints directly from any members of the School District community or a visitor to the District, as well as those initially filed within a school building administrator. Upon receiving a complaint, the Compliance Officer or designee will discuss confidentiality issues with the complainant (and his/her parent, if the complainant is a minor), and open an investigation as described below.

Complaint Procedures

Reporting

Students and Board employees are required, and parents, community members, and third parties are encouraged, to report sexual violence promptly to a teacher, administrator, supervisor, or other school official. Reports can be made orally or in writing, and should be as specific as possible. The person making the report shall identify the alleged victim, perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s). The District, however, will investigate and address all reports to the extent possible.

A student has a right to file criminal and/or Title IX complaints simultaneously. A student does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to sexual violence or any other Title IX concerns may also be filed with the U.S. Department of Education's Office for Civil Rights.

Any teacher, administrator, supervisor, or other school employee or official who receives such a complaint shall file it with the District's Compliance Officer within two (2) school days, and shall comply with his/her mandatory reporting responsibilities. The Compliance Officer will oversee the District's investigation and response to any Title IX-related complaints, but s/he may delegate the investigative process to another individual ("Designee"). The Board reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy.

Confidentiality

The District respects students' privacy and will only disclose information regarding alleged sexual violence to individuals who are responsible for handling the school's response, the student's parents (if the student is a minor or is considered a dependent under Section 152 of the Internal Revenue Code), or as otherwise required

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by law. During the course of a formal investigation, the Compliance Officer/designee will instruct all interviewees about the importance of maintaining confidentiality. Interviewees will be directed not to disclose any information that s/he learns or that s/he provides during the course of the investigation to third parties.

Students or their parents sometimes ask that the students' names not be disclosed to the alleged perpetrators or that no investigation or disciplinary action be pursued to address the alleged sexual violence. Upon such a request, the Compliance Officer/designee will inform the student and his/her parent that honoring the request may limit the District's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. The official will also explain that Title IX includes protections against retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

Should the student or his/her parents continue to request complete confidentiality, the Compliance Officer/designee will balance the student's privacy request with the District's obligation to provide a safe and non-discriminatory environment for all students. Should the official determine that the District can honor the student's or parent's request and remain in compliance with its Federal and State obligations, the District may limit its investigation and/or formal action against the alleged perpetrator. The District will, however, take other action to address the sexual violence. This may include increasing monitoring and security, offering schedule changes, and conducting climate surveys.

If the Compliance Officer/designee determines that the District must disclose the student's identity to an alleged perpetrator, s/he will inform the student and his/her parents prior to disclosure. The District will then afford interim protection measures to the student as appropriate.

Investigation

The District is committed to investigating all sexual violence complaints in an adequate, reliable, impartial, and prompt manner. The investigation will seek to determine whether the conduct occurred, and if so, what actions the school will take to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects.

The investigation may include:

- A. interviewing the complainant, perpetrator, and any witnesses;
- B. reviewing law enforcement investigation documents;
- C. reviewing student and personnel files;
- D. gathering and examining other relevant documents or evidence; and
- E. providing a disciplinary hearing as needed.

The District affords both parties a balanced and fair process. Specifically, the complainant has the same rights throughout the proceeding as the alleged perpetrator. Both parties, for example, will have an equal opportunity to present relevant witnesses and other evidence at a disciplinary hearing. Likewise, the District's appeal process is available to both parties. The District, however, does not require complainants to be present for the hearing or appeal. Further, the District will not permit parties to personally question or cross-examine each other directly.

Additionally:

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- A. The District permits both parties to have legal counsel or other advisors at any stage of the proceedings. Any restrictions on legal counsel participation apply to both parties equally.
- B. The District permits both parties to submit third-party testimony.
- C. The District permits both parties to be present for the entire hearing, but it will not require the complainant and alleged perpetrator to be present in the same room at the same time.

In resolving a complaint, the District uses a preponderance of the evidence standard, determining whether it is more likely than not that sexual violence occurred.

Timeline

The Compliance Officer/designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days after receipt of a report of sexual violence to advise s/he/them of the Board's intent to investigate the alleged misconduct. The Compliance Officer/designee will also inform the alleged perpetrator of the opportunity to submit a written response to the complaint within five (5) business days. The District's investigation, including a disciplinary hearing process (but not appeal), may take up to sixty (60) calendar days to complete. This timeframe may be extended on a case-by-case basis, depending on the complexity and severity of the matter, criminal investigation requirements, and school breaks. During this period, the District will provide the complainant with periodic updates on the status of the investigation.

Interim Measures

During the investigation, the District will take interim steps to facilitate the complainant's equal access to its education programs. These steps may include, but are not limited to: (1) notifying the complainant of his/her options to avoid contact with the alleged perpetrator; (2) allowing the complainant to change his/her academic, extracurricular, transportation, dining, and working situation as appropriate; and (3) informing complainant of other available resources, such as counseling, legal assistance, and victim advocacy. Specific interim measures will be considered and offered on a case-by-case basis.

Notice

Upon completing its investigation, the District will notify both parties in writing about the outcome of the complaint and any appeal. Specifically, the District will notify the complainant: (1) as to whether the investigation substantiated the allegations; (2) of individual remedies offered to the complainant; (3) of sanctions imposed on the perpetrator that directly relate to the complainant; and (4) other steps the District has taken to eliminate the hostile environment and prevent recurrence. The alleged perpetrator will be notified of the investigation's result and disciplinary consequence to him/her, if any. The District will not notify the alleged perpetrator about the individual remedies afforded to the complainant. All aforementioned notifications will comply with Federal and State privacy laws, including the Family Education Rights and Privacy Act (FERPA).

Remedies

The District will provide a prompt and equitable resolution. If the investigation substantiates the complaint, the District will take steps to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects. In addition to imposing disciplinary consequences on the perpetrator, the District will consider the following individual and global remedies, on a case-by-case basis:

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- A. providing medical, counseling, and academic support services to the complainant and/or perpetrator;
- B. re-arranging schedules at the complainant's request;
- C. affording the complainant extra time to complete or retake classes without academic penalty;
- D. reviewing any disciplinary proceedings against the complainant;
- E. training or retraining employees;
- F. developing materials on sexual violence;
- G. conducting sexual violence prevention programs; and
- H. conducting climate checks.

The District will not offer mediation in cases involving sexual violence. Disciplinary consequences against offenders may include suspension, expulsion, termination, and any other sanctions the Board deems appropriate. Any discipline meted out to offenders will comply with special education and Section 504 laws and regulations.

Appeals Process

Both complainants and perpetrators may appeal the outcome of the investigation. Any appeal opportunities afforded to the alleged perpetrator are also afforded to the complainant. Any party wishing to appeal the outcome of the investigation must submit a written appeal to the Board within ten (10) school days after receipt of the written notice of the outcome of the investigation. The Board shall, within twenty (20) work days, conduct a hearing concerning the appeal. The Board shall provide a written decision to the appealing individual within ten (10) work days following completion of the hearing.

Retaliation

Federal law strictly prohibits retaliation against a complainant or witness. The District will inform complainant of this prohibition and direct him/her to report retaliation, whether by students or school officials, to the Compliance Officer. Upon learning of retaliation, school officials will take strong responsive action as appropriate.

Training

All staff will be trained so they know to report harassment to appropriate school officials. This training will include practical information about how to identify and report sexual harassment, including sexual violence. The training will be provided to any employees likely to witness or receive complaints involving sexual harassment and/or sexual violence, including teachers, school law enforcement unit employees or school resource officers, school administrators, school counselors, and health personnel. Further, school administrators responsible for investigating allegations of sexual harassment and sexual violence will be trained how to conduct such investigations and respond properly to such charges.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);

M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

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

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

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Legal 20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

 42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

 42 U.S.C. 2000d et seq.

 42 U.S.C. 2000e et seq.

 42 U.S.C. 1983

 34 C.F.R. Part 106

 Dear Colleague Letter on Sexual Violence (Office for Civil Rights, 2011)

 OCR’s Revised Sexual Harassment Guidance (2001)

Race/Color Harassment

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

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an

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educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

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

Disability Harassment

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

Reports and Complaints of Harassing Conduct

Students and other members of the School District community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer within two (2) school days.

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

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of Policy 5517 investigation and provide him/her with a copy of the resulting written report.

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Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers."

Jan Amsterburg
 Superintendent
 810-266-4881
 312 W. Maple
 Byron, MI 48418
amsterburgj@byron.k12.mi.us

Don McLennan
 Principal, HS/MS
 810-266-4620
 312 W. Maple
 Byron, MI 48418
mclennan@byron.k12.mi.us

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

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

Compliance Officers shall accept complaints of unlawful harassment 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 Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

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

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for

investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines 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 while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate 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 harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

Students who believe that they have been unlawfully harassed or retaliated 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.

However, all complaints of harassment involving a District employee or any other adult member of the School District community against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers 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 harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A student who believes she/he has been unlawfully harassed 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 Compliance Officers.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, 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 harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

A. Advising the student about how to communicate the unwelcome nature of the behavior to the alleged harasser.

B. Distributing a copy of the anti-harassment policy 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 Compliance Officer may arrange and facilitate a meeting between the student claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer 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 Compliance Officers in accordance with the School 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 of the parties has 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 offensive conduct/harassment/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 Compliance Officer, Superintendent, or another District employee who works at another school or at the district level. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. 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 harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer 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, offensive conduct/harassment/retaliation; 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 Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer 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 Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer 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 Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing 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 administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

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

- 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 Compliance Officer or the 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 harassment as provided in

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Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has 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 ten (10) school days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

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

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative guidelines 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.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer 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

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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 harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the 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 harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School 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

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a student with a disability who is twenty-six (26) years or younger or a student under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

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

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The 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

information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy

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(e.g., Student and/or Employee Handbooks or Codes of Conduct);

M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

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

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

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
 20 U.S.C. 1681 et seq.
 29 U.S.C. 794, Rehabilitation Act of 1973, as amended
 29 U.S.C. 6101, The Age Discrimination Act of 1975
 42 U.S.C. 2000d et seq.
 42 U.S.C. 2000e et seq.
 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
 42 U.S.C. 1983
 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
 29 C.F.R. Part 1635
 Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
 Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794
 The Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.
 The Handicappers’ Civil Rights Act, M.C.L. 37.1101 et seq.
 The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
 Policies on Bullying, Michigan State Board of Education, 7-19-01
 Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
 National School Boards Association Inquiry and Analysis – May 2008

Homework

All children in grades 1-5 may be given appropriate amounts of homework as determined by each teacher and grade level teams. It is intended that homework will instill in children an academic work ethic that will help insure future success in school. Concerns or questions regarding homework expectations must be addressed with classroom teachers immediately so that it is both a positive and beneficial activity for the child. Parents can support homework expectations by establishing a time and place for homework to be done. Research shows that homework is best done in an environment void of electronic games, tv, etc.

Illness

Parents/guardians are often faced with making a decision to keep their students at home or send him/her to school. Staying home and resting permits the body to combat the illness more quickly and prevents infecting others.

It is urged that you contact your doctor and keep children home when the following symptoms appear: vomiting, temperature of 100 degrees or more; coughing, sore throat, chills, swollen glands, ear, eye, or skin discharge, diarrhea, rash, and upset stomach.

Students may return to school when it has been a minimum of twenty four hours since your child experienced vomiting, nausea and/or diarrhea or temperatures remain normal for twenty four hour period without using Tylenol or Ibuprofen. Students may return to school when on antibiotics for at least twenty four hours or advised by a physician that they may return to school.

Immunization Guidelines

All students enrolling in the Byron Area Schools must meet any immunization requirements for school registration set forth in the Public Health Code of the State of Michigan. If a student does not have the necessary shots or waivers, the Principal may remove the student or require compliance with a set deadline. Unless given a waiver, the Public Health code requires that children have the following immunizations:

1. A child who is 4-6 years of age and entering school shall be in compliance with the following immunization requirements:
 - 4 DPT (diphtheria, pertussis, tetanus) if a dose is not received on or after 4th birthday, a booster dose must be given before school entry
 - 3 OPV (oral polio vaccine) if a dose is not received on or after 4th birthday, a booster dose must be given before school entry
 - 2 MMR (measles, mumps, rubella) vaccine received after 1st birthday at least one month apart, with 1 of the 2 doses at or after 15 months of age.
 - 3 HBV (hepatitis B vaccine)
 - Either be vaccinated against varicella (chickenpox) with two doses or have a parent's statement that their child had previously been infected
2. A child 7-18 years of age who is entering school shall be in compliance with the following immunization requirements:
 - Has received 4 doses of any appropriate diphtheria vaccine-3 doses if first dose is received on or after the 7th birthday, and if a dose was not received within the last 10 years, a booster dose at school entry.
 - Has received 4 doses of tetanus vaccine-3 doses if the first dose received was after the 7th birthday and if a booster was not received within the last 10 years, a booster dose at school entry.
 - Two doses of live MMR (mumps, measles, rubella) vaccine received after first birthday, at least one month apart, and with one of two doses at or after 15 months. Three doses of polio vaccine.
 - Either be vaccinated against varicella (chickenpox) with two doses or have a parent's statement that their child had previously been infected

Informational Flyers

Flyers to be distributed at Byron Elementary for students or staff must be approved by the building principal first. Approved flyers must then be copied, counted and ready for distribution. **Classroom teachers and office staff will not be responsible for the collection and return of materials or monies.**

Lost and Found Guidelines

Parents are strongly encouraged to label their child's clothing, lunch box and backpack. If we are unable to locate the owner of an item it is then placed in the Lost and Found.

- Lost and Found clothing items will be kept in the front entry foyer.

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- Lost and Found clothing items will be placed in the hall outside the office during parent/teacher conferences and student performances.
- On the last day of school before the Christmas break, Spring break and end of the school year, the items left in the Lost and Found will be collected by the principal and delivered to a charity organization.
- Byron Area Schools will not be liable for Lost and Found items.

Lunch

Students are welcome to bring a cold lunch to school with them or to purchase a lunch here at school. If students bring their lunch from home, we ask that parents provide well rounded and nutritious options for their child. Fruits, vegetables, and proteins are recommended. Students will not be allowed to have soda pop or energy drinks during lunch. If a student brings these items, they will be taken from the student.

Medical Problems

It is the responsibility of the student's parents or guardians to make school staff aware in writing of any medical or physical conditions of a serious nature affecting a student. **On the rare occasion a student must be excused from physical education class a written doctor's excuse is required.**

Use of Medications

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

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any non-prescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

Before any medication or treatment may be administered to any student during school hours, the Board shall require the medication form filled out and signed by the parent with the medication name, dosage, side effects, and directions to be given to the student. This document is used to report every time the medication is given. No student is allowed to provide or sell any type of over-the-counter medication to another student. Violations of this rule will be considered violations of Policy 5530 - Drug Prevention and of the Student Discipline Code/Code of Conduct.

Medications will be administered by the District in accordance with the Superintendent's guidelines.

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

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

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

All medication shall be kept in a locked storage case in the school office. A second adult must be present during the administration of any medication.

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

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

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

- A. There is written approval from the student's physician or other health care provider and the student or parent/guardian (if student is under eighteen (18)) to possess and use the inhaler (Form 5330 F1c)

and

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

and

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

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

Students shall be permitted to possess and self-administer U.S. Food and Drug Administration (FDA) approved, over-the-counter topical products while on school property or at a school-sponsored event provided the student has submitted prior written approval of his/her parent/guardian to the Principal.

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

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

It is the responsibility of the student's parents or guardians to make school staff aware in writing of any medical or physical conditions of a serious nature affecting a student. **On the rare occasion a student must be excused from physical education class a written doctor's excuse is required.**

Medication

If it becomes necessary for a child to take medication at school, arrangements can be made with the office. Students are not permitted to keep medication of any kind on their person, in their lunch boxes or in their desks. Medicine includes all prescription and non-prescription medicine, including aspirin. The Board recognizes that at the present time, some children are only able to attend regular school because of the effective use of medication in the treatment of chronic disabilities or illnesses. Although it is more desirable that medication be administered at home, it may be given at school if the following regulations are followed:

1. No employee of the Byron Area Schools shall give any medication or treatment to a pupil without specific written directions signed by a doctor and by the student's parent or guardian. Medication must be in its original container and have the prescription label on it.
2. Medication must be administered in the presence of an adult.
3. Accepted first aid procedures are not considered treatments, therefore, are not subject of the above requirements.
4. Medicine of any type brought to school will be taken from the pupil until the principal or designee can check with the parents and/or the doctor to determine whether it is necessary that the medication be taken during school hours.
5. If the seal is broken on any medication vial or package, the parent or guardian shall affirmatively state that the vial/package contains the medication that is identified on the outside of the vial/package.
6. When medication is required during the school day, the procedure is:
 - A. Refer to the school nurse, principal or designee.
 - B. The parent will provide accurate information from the doctor if it is prescription and/or non-prescription medication, information such as
 1. Name of medication
 2. Dosage and time to be taken
 3. Estimated duration for administration
 4. Possible side effects

Medications/Non-prescribed (Over the Counter)

Parents may authorize the school to administer a non-prescribed medication by filling out a Medication Release form, which is available at the school office. A physician does not have to authorize such medication but all of the other conditions described above will also apply to Non-prescribed medication. The students may be authorized on the request form by his/her parent to self-administer the medication in the presence of a staff member. No other exceptions will be made to these requirements.

Not allowed on School Property

Laser pointers, skateboards, scooters, Heely shoes and roller blades are not allowed on school property. The staff may confiscate such items and return them to the student's parents/guardians if this policy is not followed. Also, in accordance with the district's wellness policy neither energy drinks nor pop may be consumed by students during the school day. These items will also be confiscated.

Office Hours

The office will be open from 8:30 a.m. – 4:30 p.m.

Parent Teacher Association (PTA)

The PTA is a group of volunteer parents that supports school activities and functions. They have annual fund-raisers, financially support field trips/special assemblies, and purchase materials for the classrooms, playground, library, etc. The PTA can be reached via email at byronareapta@gmail.com or by visiting www.byron.k12.mi.us.

Parent-Teacher Conferences

Parents-teacher conferences will tentatively be held in the fall. These conferences are by appointment, and parents will have the opportunity to schedule a convenient time. Additional conferences will be welcomed by the school staff. Arrangements can readily be made by calling your child's teacher, the building principal or stopping in at the school office.

Parents desiring to contact a teacher at school may do so by calling the school and leaving a voice mail message. Teachers check their voice mail boxes at least once a day and will return your call within twenty four hours. Teachers will also provide their voice mailbox extension number and email address to all parents on their class newsletters.

Parking Lot Procedures

Please be aware of the congestion when picking up or dropping off a student at the beginning or end of the day. Parking spaces along the front of the building on Maple are intended for visitor parking. The lot across the street from the office belongs to the United Methodist Church. Please do not park in the church's lot or along the sidewalk in front of the school.

During the school day, the rear parking lot will be restricted to staff parking and bus loading and unloading only.

Physical Education

Physical education is an important part of the educational experience. The development and maintenance of a healthy body is essential for physical well-being and good mental health. We also believe that attitude development is an important part of education. We attempt to create an atmosphere for the development of leadership, sportsmanship and congeniality through our physical education program. Physical education classes are provided each week for all students. **A doctor's note will be required if a student is restricted from physical education classes stating reason and length of restricted time.**

For safety reasons, all students are required to wear tennis shoes to participate in Physical Education classes.

Pledge of Allegiance

The Pledge of Allegiance will be recited daily as a part of each classes opening exercises. Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reason may elect not to do so. Students must respect another person's right to make that choice.

Pre-excused Absences/Family Vacations

If parents wish to excuse their children's absence during the school year for a period generally two or more days, but no more than five consecutive school days and ten days total for the year, they must complete the Parent Excused Absence Request form available in the office or on the web site. The form must include the signature of each teacher, to indicate that provision has been made in advance for making up all assignments. The administrator's signature is also required to approve the absence. Please allow three days' notice to process this request.

Reading Assistance

Students formally identified in grades K-5 as needing extra assistance in reading, mathematics, social studies and/or science are served through our Title I or At-Risk staff. Because Title I services may be provided within the regular classroom all Byron Elementary students may directly, or indirectly benefit from this program. Please note that students formally identified as needing Title I or At-Risk assistance receive parent notification and targeted instruction. Because Title I staff members visit all classrooms, Title I information is occasionally sent to all students. An intervention program is offered as part of the Title I commitment to helping students be successful learners.

Recess

As part of the elementary program, all students are expected to participate in daily outdoor recess time. No electronic devices or musical instruments will be allowed on the playground. Classroom teachers supervise some recess time, while lunch recess is supervised by trained paraprofessionals. If children are well enough to attend school, we believe they are well enough to go outside. A doctor's excuse is required on the rare occasion that a child must stay inside.

All students remain inside if it is raining or when temperatures, including wind chill factor, fall below zero degrees Fahrenheit. Students will have supervised free time in the classroom on days when weather conditions prevent outside recess.

During the winter months snow pants and boots are required to participate on the sledding hill. If a child wears shoes, they will be allowed to play on the blacktop surfaces only. Wearing of hats and gloves is also encouraged during the cold temperatures. When temperatures fall below 60 degrees Fahrenheit, students are required to wear appropriate outerwear, such as a coat or sweater.

Report Cards

Student progress in grades Kindergarten-5th will be reported every nine weeks on a report card.

Requesting Student Homework

Teachers are expected to provide homework for a child who has missed two or more school days. When making such a request please be considerate of the staff's time during the school day and allow twenty-four hours for materials to be prepared.

Review of Instructional Materials

Parents have the right to review any instructional materials being used in Byron Elementary. The comprehensive health curriculum contains components of reproductive health and communicable disease. According to law (P.A. 226 of 1977) you have the right to review the materials that will be used for reproductive health and communicable disease. By law you may excuse your child from participating in the

reproductive health unit by providing written notice to the Principal. Any parent who wishes to review materials, or observe instruction should contact the Principal twenty-four hours prior to coming to school.

School Hours

The school day begins at 9:00 a.m. Students are to be in their classrooms ready to learn. Students are dismissed at 4:00 p.m. Buses generally leave the building by 4:10 p.m.

School Pride:

School Colors: Purple and Gold
School Mascot: Eagle

Soccer Field

Students in grades 3-5 wishing to play football or soccer during recess times will do so on a rotating basis. Overly aggressive play will not be tolerated and could lead to exclusion from this activity. A hands-off policy will be enforced for all participants.

Special Education

Byron Elementary School provides a variety of special education programs for students identified as having a disability defined by the Individuals with Disabilities Education Act. A student has access to special education services after the proper evaluation and placement procedures. Parent involvement in this procedure is required. The Shiawassee Regional Education Service District serves our school through various professionals, including a speech and language instructor, social worker, psychologist, physical and occupational therapists. These specialists work within our district during particular times weekly.

Student Records

Access to all other student records is protected by (FERPA) and Michigan law. Except in limited circumstances as specifically defined in State and Federal law, the School District is prohibited from releasing confidential education records to any outside individual or organization without the prior written consent of the parents, or the adult student, as well as those individuals who have matriculated and entered a postsecondary educational institution at any age.

Confidential records include test scores, psychological reports, behavioral data, disciplinary records, and communications with family and outside service providers.

Students and parents have the right to review and receive copies of all educational records. Costs for copies of records may be charged to the parent. To review student records please provide a written notice identifying requested student records. Students and parents have the right to review and receive copies of all to the principal. You will be given an appointment with the appropriate person to answer any questions and to review the requested student records.

Surveillance

Byron Elementary School and each bus has video surveillance camera capabilities. The cameras help monitor situations on the bus, in selected locations both inside the elementary school and also outside the building. The surveillance is an additional security measure.

If a student is reported to have misbehaved on a bus, the transportation supervisor will review the surveillance video and may use this documentation as evidence of the misbehavior. If a student is reported to have misbehaved at the Elementary School, either the principal or building secretary will review the surveillance

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video and may use this documentation as evidence of the misbehavior. Since these videos are considered part of a student's record, they can be viewed only in accordance with federal law.

Suspension From School

Absence from school due to suspension shall be considered an authorized absence, neither excused nor unexcused. A suspended student will be responsible for making up schoolwork lost due to suspension.

Tardiness Policy

Students are expected to be in their classrooms and ready to learn when classes begin at 9:00 a.m. A bell rings at 8:45 a.m. to signal students to enter the building. Students arriving after the final morning bell at 9:00 a.m. should sign in at the office to obtain a tardy slip before entering their classroom. If students are eating breakfast when classes begin, they will be given a breakfast pass by the food service staff and not marked tardy.

Video Use Guidelines

During the course of the school year, students may have opportunities to view video material. The video will be curriculum related and rated G.

Virtual Learning

By signing this handbook, you are consenting to asynchronous learning for your student(s) during planned and unplanned virtual learning while a student at Byron Elementary.

Vision and Hearing Screening

This program is a screening (not diagnostic) procedure to identify children with possible hearing or vision deficits. Students in grades K, 2, and 4 will have their hearing screened. Students in grades 1, 3, and 5 will have their vision screened. Students attending Kindergarten Registration will have both their vision and hearing screened.

Referrals will be sent out to parents within one month of screening recommending further follow up for their child. Screenings will also be done on students referred by teachers or parents/guardians throughout the school year. Please call the office staff or speak with your child's teacher with any questions or concerns regarding your child's hearing or vision.

Visitors

Visitors, particularly parents, are welcome at the school. In order to properly monitor the safety of students and staff, each visitor must report directly to the office upon entering the school. Visitors will be given a pass to wear while in the building. If a person wishes to confer with a member of the staff, he/she should call for an appointment prior to coming to the school, in order to prevent any inconvenience. Students may not bring visitors to school without first obtaining written permission from the child's teacher and principal. Twenty-four hours' notice is required.

Volunteers

Parents are encouraged to visit Byron Elementary to assist in a variety of school activities. This may include reading to a small group, assisting with a special project or providing help with a class party. Parents intending to volunteer will be required to complete the Volunteer Registration Form available in the office or from the district website. Please allow two weeks for the district staff to run an inquiry with the Michigan State Police Department and to check references if necessary. Parents volunteering **MUST SIGN IN** at the office each day upon arriving at school to obtain a pass.

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Weather

Tornado Watch:

A tornado watch is a forecast of the possibility of one or more tornadoes in a large area. When a tornado watch is in effect, the building will continue normal activities with the exception of no recess. The office staff will continuously monitor the watch while school is in session. School will not be dismissed early and dismissal time will be at the regular time even if the watch is still in effect.

Tornado Warning:

A tornado warning signals that a tornado has been sighted and may be approaching. Staff and students will proceed to the pre-designated tornado shelter areas and remain there until further notice. No student shall be allowed out of his/her designated area unless his/her parent/guardian comes to the school and requests that the student be released. A student will be released only to his/her parents/guardians.

Fog Delay:

The start of school may be occasionally delayed by two hours because of fog. If conditions necessitate a longer delay, the day will be canceled.

For information regarding delays or cancellations, listen to one of the radio/television stations: **WHMI (FM93.5 or AM1350), WCRZ (FM107.9), WITL (FM100.7), WWCK (FM105.5), WJRT-TV Channel 12, WLNS TV-6, WNEM-TV5.** Information will also be distributed via our SchoolMessenger system fed through Power School. It is imperative we have your most current telephone numbers and email addresses on file.

Web site

The Byron Area Public Schools web site is an excellent source of district information. The address is <http://byron.k12.mi.us>. The Elementary page includes links to principal newsletters, as well as email addresses for the staff, commonly requested forms, and class supply lists.

Wellness Policy

The Byron Area Schools is committed to creating a healthy school environment that enhances the development of lifelong wellness practices to promote healthy eating and physical activities that support student achievement. Byron Schools has developed an extensive wellness policy to be used as an active guide for district practices and procedures. The complete policy, board policy 8510 can be located and reviewed on the Board of Education website or at the following location <http://www.neola.com/byronarea-mi>

BYRON AREA SCHOOLS BOARD OF EDUCATION

GRIEVANCE PROCEDURE

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

TITLE IX OF THE EDUCATION AMENDMENT ACT OF 1972

TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF 1990

SECTION 504 OF THE REHABILITATION ACT OF 1973

AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Section I - Right to Invoke Grievance Procedure: Any person who believes that they have been discriminated against or denied equal opportunity or that the Byron Area School District or any part of the school organization has inadequately applied the principles and/or regulations of (1) Title VI of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3) Section 504 of the Rehabilitation Act of 1973,

(4) the Age Discrimination in Employment Act of 1967, and (5) Title II of the Americans with Disabilities Act of 1990 may bring forward a complaint, which shall be referred to as a grievance to:

Jan Amsterburg
Civil Rights Coordinator
312 Maple Street
Byron, Michigan 48418-9797
(810) 266-4881

Section II - Civil Rights Coordinator: The District's Civil Rights Coordinator is responsible for overseeing legal requirements of the laws identified in Section I and provide for proper administration of this grievance procedure. The Civil Rights Coordinator may also be contacted through the District's Administration Offices: c/o Bob Cassidy, Superintendent, 312 Maple Street, Byron, Michigan 48418-9797.

Section III - Notice of Policy: Notice of the existence of this procedure will be provided on a regular basis to students, parents of students, employees, visitors and applicants for employment by placement of the procedure in student handbooks, on the District's online website, in conspicuous locations in each building, and distribution of the procedure to all staff and applicants.

Section IV - Reporting and Investigative Requirements: All responsible employees of the District must report all allegations of discrimination on the basis of sex, including sexual harassment, to the Civil Rights Coordinator even if the allegations may also raise criminal or other disciplinary concerns. The District will conduct an impartial investigation of any allegations that fall within the purview of Title IX and/or that assert that sexual harassment has occurred, regardless of any criminal investigation related to the same or similar grievance or complaint. An impartial investigation may include interviewing all witnesses reasonably likely to have relevant information and provide the parties with the opportunity to present witnesses, other evidence and review relevant records. Criminal investigations may not eliminate the need for an independent investigation of Title IX violations.

Section V - Remediation: The District will make reasonable efforts and take reasonable interim measures to 1) prevent the occurrence or reoccurrence of any harassment, 2) provide a safe and nondiscriminatory environment for students, parents, employees, visitors and applicants for employment, and 3) to the extent provided by law without impeding the investigation, protect the confidentiality of complainants, the accused and witnesses. To the extent reasonably practicable, the District will take reasonable, timely, age appropriate and effective action designed to remediate the effects of any sexual harassment confirmed by the District's investigation on any complainant or others, to eliminate to the extent reasonably possible, any hostile environment that has been created, and to prevent the recurrence of any harassment.

Section VI - Protection Against Retaliation: This Policy and the laws in Section I prohibit retaliation against any individual who files a complaint or participates in an investigation pursuant to this procedure.

Section VII - Grievance Procedure: Any person who believes a valid basis for a grievance exists may discuss the grievance informally and on a verbal basis with the Civil Rights Coordinator who shall, in turn, investigate the complaint and reply with an answer to the complainant within five (5) business days. This complaint procedure applies to complaints by employees, other students, and third parties.

Any complainant may initiate formal procedures at any time before, during, or after the informal process has been initiated according to the following steps:

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Step 1

A written statement of the grievance signed by the complainant shall be submitted to the local Civil Rights Coordinator. The coordinator shall investigate the matters of grievance and reply in writing to the complainant within five (5) days. If the investigation takes longer than five (5) business days, the Coordinator shall notify the complainant in writing within five (5) days, and shall furnish the complainant with the reason for the delay and an estimation of when the investigation will be completed.

Step 2

If the complainant wishes to appeal the decision of the local Civil Rights Coordinator, s/he may submit a signed statement of appeal to the Superintendent of Schools within five (5) business days of receipt of the Coordinator's response. The Superintendent shall meet, when appropriate, with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) days. The District recognizes that, in certain circumstances, it may be inappropriate to require an alleged victim to confront the alleged discriminator/harasser. In these circumstances, the Superintendent will meet with the parties separately.

Step 3

If the complainant remains unsatisfied, s/he may appeal through a signed, written statement to the Board of Education within five (5) business days of receiving the Superintendent's response in Step 2. In an attempt to resolve the grievance, the Board of Education shall meet, when appropriate, with the concerned parties, and their representative within forty (40) 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) days of this meeting. The District recognizes that, in certain circumstances, it may be inappropriate to require an alleged victim to confront the alleged discriminator/harasser. In these circumstances, the Board will meet with the parties separately.

Section VIII - US Department of Education Contacts: A complaint may pursue the formal procedures (Steps 1-3) at any time before, during or after any informal process has been initiated.

Anyone at any time may contact the U.S. Department of Education Office for Civil Rights for information and/or assistance at 216-522-4970.

The local coordinator, on request, will provide the complainant with a copy of the District's grievance procedure and investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based may be found in the Civil Rights Coordinator's Office.

CIVIL RIGHTS – EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Byron Area Schools that no person shall, on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), 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 be excluded from participation in, be denied the benefits of, or be subjected to discrimination during any program or activity or in employment.

Any questions concerning Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex, and inquiries related to Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap, should be directed to: Compliance Officer(s), Byron Area Schools, 312 W. Maple Street, Byron, MI 48418.

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