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Disclaimer
All employees of Ann Arbor Public Schools not covered by a current union contract or individual written contract are considered “at will”. This phrase refers to the fact that the District retains the right to terminate employment of “at will” employees at any time, with or without cause or notice. No written or oral statement issued by the District or by any employee or agent of the District can affect such employees’ status as an “at will” employee.
INTRODUCTION/PURPOSE

The staff of the Human Resources/General Counsel division of the Ann Arbor Public Schools (AAPS) developed this Employee Handbook. The Employee Handbook is a guide designed to provide information necessary to perform your duties as an AAPS employee. Employees should be aware of the expectations that the employer holds for them.

The handbook will provide information about the organizational structure, policies, and practices of the District. It is not to be considered all-inclusive, but is to be used as a guide. When employees have questions regarding the contents they are directed to request information from their supervisor and/or Human Resources/General Counsel.

Information in this handbook does not supersede or replace any contractual commitment made by the District or applicable State and/or Federal laws as they apply to the District.

The handbook is available on the District website; A2Schools.org, or through Human Resources/General Counsel.

The policies in this manual are intended for all employees of the Ann Arbor Public Schools. The Ann Arbor Public Schools reserves the rights to revise, change, or terminate policies or procedures at any time, with or without notice, except as provided for in collective bargaining agreements or individual contracts.

COMPLIANCE

*Personnel Policies/Handbooks Board Policy 4050*
The Superintendent shall ensure that the District maintains up-to-date administrative employment policy, regulations, and employee handbooks, which are fully compliant with federal, state, and local law as well as current collective bargaining agreements and sound business practices.

PART ONE - Employment Guidelines

**I. EMPLOYMENT**

*Equal Employment Opportunity Board Policy 4000*
The District shall be an equal-employment-opportunity employer. Ann Arbor Public Schools shall provide equal employment opportunities to all employees and applicants for employment without regard to race, religion, sex, national origin, age, color, creed, height, weight, marital status, familial status, sexual orientation, gender, gender identity, gender expression, linguistic and language difference, political belief, socio-economic status, disability or veteran status in accordance with applicable federal and state laws.

Any applicant or employee seeking a position who believes that he/she has not been treated fairly should report a claim of discrimination to Human Resources/General Counsel. A representative from Human Resources/General Counsel will review the complaint and conduct an investigation. At the completion of the investigation, Human Resources/General Counsel will attempt to resolve the matter and decide what, if any, disciplinary actions will be taken. (See Regulation #4000.R.01)
Recruitment/Hiring Board Policy 4100

The Superintendent shall establish and maintain procedures for recruiting, screening, and hiring the most qualified individuals at all levels of District operations. The Superintendent shall make every effort to assure that recruitment includes a wide geographic and programmatic range of potential candidates for teaching faculty and administrative positions.

Except as specified in Board policy governing administration (cf. 2300, 2310), the Board delegates to the Superintendent the authority to hire all staff, subject to the provisions of the current collective bargaining agreements and the Board-adopted budget. The Superintendent shall provide a semi-annual report to the Board on persons hired under this policy.

A personnel selection process has been developed for hiring staff with qualities that enhance and support achievement for all students. All hiring will be conducted through the processes identified in regulations 4100.R.01 – 4100.R.02. The process will be consistent and regulated by Human Resources/General Counsel. Staffing and hiring programs will be outlined in a hiring manual to be distributed to all supervisors who have the responsibility to hire or oversee a hiring process. All hiring programs will comply with the applicable provisions of the collective bargaining agreements.

All job postings are listed and updated regularly on the district website; A2Schools.org, once there, select Human Resources/General Counsel, and then Job Postings.

Termination of Employment

Some examples of the most common circumstances under which employment may be terminated:

- **Resignation**: employment termination initiated by an employee who chooses to leave the District voluntarily. It is customary to submit a letter of resignation at least two weeks in advance of the termination date.

- **Discharge**: employment termination initiated by the District. You may be terminated from employment for reasons including, but not limited to, poor performance, misconduct, excessive absences, tardiness, discrimination, harassment, or other violations of Board policies.

- **Job Abandonment**: an employee who fails to report to work for three (3) consecutive days without reporting to his or her supervisor may be terminated due to abandonment of the job.

- **At-Will Employment**: Employees not employed under a collective bargaining agreement or written individual contract may be terminated for any reason at any time.

Upon termination of her/his employment, an employee must return all District property – keys, ID cards, equipment, manuals, etc.
II. EMPLOYMENT STATUS

At-Will Employment
All employees of the AAPS, except for those named in a collective bargaining agreement or individual contract, are considered “at-will” employees. This means that the employee is free to resign his/her employment at any time, for any reason, and the DISTRICT retains that same right to terminate his/her employment for any reason and at any time. No individual supervisor, manager or officer can make a contrary agreement, except for the Superintendent, and even then, such an agreement must be set forth in a written employment contract with the employee, signed by the Superintendent.

Contractual Employment/Probationary Period
Employees named in a collective bargaining agreement serve a probationary period for the purpose of assessing the employee's performance prior to becoming a continuing contractual employee. Consult your collective bargaining agreement for the duration and conditions of your probationary period.

Exempt/Non-Exempt Status
The Fair Labor Standards Act (FLSA) sets conditions under which certain employees must be paid overtime for hours worked over 40 in one week. Employees who are covered by the overtime provisions of the FLSA are referred to as non-exempt. Employees who are not covered by the FLSA overtime provisions are referred to as exempt and include administrators, supervisors, teachers and other positions of authority or specialized knowledge.

III. EMPLOYEE EXPECTATIONS

Attendance
Dependable and prompt attendance is an essential function of every position. If an employee must miss work, with or without pay, he/she must notify a supervisor or call the AESOP System. Consult your collective bargaining agreement or individual contract for pre-approval requirements for absences.

Employees who are frequently tardy or absent or who fail to follow approved guidelines for notification will be subject to discipline up to and including discharge. Non-exempt employees who are tardy may have a reduction in pay.

Conduct
The District expects responsible conduct and satisfactory work performance from all employees to ensure a safe, efficient and pleasant working environment. Misconduct will result in discipline up to and including discharge.

Some conduct is so serious that if it occurs the employee may be discharged on the first offense. Some examples of such conduct include:

- Misrepresentation or falsification of records, employment application, time records or other information used or required by the District;
- Using District information for personal use;
- Using or being under the influence of illegal drugs or alcohol on the job, while conducting school business, or on District property (facilities and vehicles);
- Possessing, selling and/or using any illegal substance on the job, while conducting school business, or on District property;
- Possessing a weapon on the job, while conducting school business, or on District property (facilities and vehicles);
• Theft of school or personal property from AAPS property;
• Driving an AAPS vehicle without a valid driver's license;
• Obscene conduct;
• Absence from work for three (3) consecutive workdays without notifying a supervisor and/or the AESOP System;
• Insubordination;
• Engaging in illegal or unethical business practices;
• Engaging in serious or repeated misconduct in violation of the District's equal opportunity or harassment policies.

**Dress/Grooming**
Employees are expected to dress and groom themselves in accordance with accepted social and business standards. If your principal or supervisor feels your attire is out of place, you may be asked to leave your workplace until you are properly attired and/or groomed.

**Drug and Alcohol Use**
The District will not tolerate employee use or abuse of illicit drugs or alcohol on school or District property or while conducting school business at any time. Any employee who is suspected to be under the influence of drugs or alcohol while on the job will be notified and accompanied by a supervisor to submit to a drug/alcohol test with an AAPS designated physician. If an employee tests positive, he/she will be escorted home. Human Resources/General Counsel and supervisor will determine the necessary disciplinary action to be followed based on the provision in the collective bargaining agreement or individual contract. If an employee refuses to have a test administered, such act would be considered insubordination and be subject to discipline. (See Regulation #4500.R.02)

**Drug and Alcohol Testing**
The District may require drug and alcohol testing in specific situations or as permitted by law or collective bargaining agreement. Testing may be required as follows:
• Pre-Employment Testing
• Vehicular accident on school property
• Non-vehicular accident during company time which may lead to loss of work time
• Reasonable suspicion of alcohol/drug use
• As required by Department of Transportation guidelines

**Gifts to Employees**
As employees of the District, individuals shall not accept gifts of more than token value from students or their parents or guardians or from vendors or businesses. (Exception: gifts to retiring or reassigned employee).

**Personal Relationships Among Employees**
The District defines a personal relationship as a connection between persons by blood, marriage, adoption, domestic-partnership, or other personal relationship in which objectivity might be impaired. A personal relationship to another individual employed by the school District shall not constitute a bar to hiring, promotion, or reappointment. No employee shall be under the direct supervision or control of someone with whom they have a personal relationship. Employment of individuals with whom a supervisor has a personal relationship in the same unit or department is authorized only with the prior written approval of the Superintendent his/her designee (Deputy Superintendent, Human Resources/General Counsel). In addition, employees will not participate
in roles that have the potential for influencing employment decisions, e.g., peer review with those with whom they have a personal relationship.

**Performance Reviews/Evaluation**
The purpose of performance reviews is to promote open and honest communication between employee and supervisor and provide the employee with formal guidance regarding:
- Performance in relation to his/her job,
- Performance improvement steps, where needed, including a performance plan, and
- Promotional capabilities and career opportunities.

Formal performance reviews are conducted by supervisors and are done in addition to any ongoing mentoring, supervision, and counseling provided to an employee. Unless as otherwise covered in a collective bargaining agreement, failure to complete a performance review will not indicate satisfactory or unsatisfactory performance. (See Regulation #4300)

**School Closings**
School closings are regularly announced and updated on local radio and TV stations and School Messenger. You are encouraged to become familiar with your building/department telephone chain procedure.

Employees who are represented by a union or association should refer to their master agreement (or their union rep/steward) for procedures when school is canceled due to emergency conditions. Non-bargained employees are expected to report for work and to exercise common sense, caution, and care in making their way to work on these days. If an employee chooses not to work they should notify their supervisor and they will be charged with a vacation or personal business day per their request. Hourly “at-will” employees who are not represented by a union should not report to work unless otherwise directed by their supervisor.

**Smoke Free Environment**
In keeping with our intent to provide a safe and healthful work environment, and in compliance with the Washtenaw Clean Indoor Air Act, smoking is prohibited in all District buildings, vehicles, grounds, and facilities.
III. ACCOUNTING FOR TIME AND PAYROLL

Work Week Defined
The workweek commences on Sunday morning at 12:01 a.m. and concludes the following Saturday evening at Midnight, except as otherwise provided by an employee's collective bargaining agreement or individual contract.

Hours Worked Defined
Time off work, whether paid or unpaid, will not be used to calculate hours worked for the purpose of computing eligibility for overtime pay.

Work Day Defined
- **Hours of Work**- will be scheduled by employee’s supervisor in accordance with the employee’s collective bargaining agreement or individual contract.
- **Lunch Period** - If an employee is provided an unpaid lunch period, he/she may be required to stay on the work site only if he/she is not required to perform any work-related duties.
- **Break Period** - If an employee is provided a paid break time, he/she is expected to remain at the work site unless other arrangements have been pre-approved by the supervisor.
- **Lunch periods and break periods** may not be taken at the start of the workday nor at the end of the workday. Break periods may not be used to extend the lunch period.

Timesheets/cards
In compliance with the Fair Labor Standards Act, AAPS is required to maintain a record for each non-exempt employee of actual hours worked, vacation and sick days, etc. The employee and the supervisor must sign the timesheets/cards. Timesheets/cards are official AAPS documents. Completing another employee’s timesheet/card or intentionally submitting a false timesheet/card is a serious infraction of District rules, which may result in termination of employment. A supervisor must authorize any adjustment to a timesheet/card.

Overtime
Employees may be needed to work overtime. Non-exempt employees must obtain a supervisor’s approval prior to working overtime. Failure to obtain approval before working overtime may result in discipline up to and including termination.

Payday
Normally, AAPS employees are paid every other Friday. In the event a payday falls on a holiday, employees are paid on the prior business day.

Paychecks are issued in the form of direct deposit. If direct deposit is not selected, you must enroll in a Chase Payroll Card. Any payroll issues recognized on a payday will be reconciled with your bank by the following Monday.

The District offers a Tax Sheltered Annuity program for all employees.

Deductions from Pay
The District has the discretion to make deductions from the salaries of employees under certain circumstances defined by law. Generally, the District cannot make deductions from an exempt employee’s salary for absences caused by the District or by the operating requirements of the District. If an employee believes that an improper deduction has been made from his/her salary, he/she must notify the Executive Director of Human Resources immediately. The District will
review the deduction and, if appropriate, reimburse the employee for any improper deduction that was made.

V. EMPLOYMENT RECORDS

Personnel File/Record
The District is required to keep employment records for all employees to ensure compliance with state and federal regulations and to maintain accurate information. The District considers employment records to be confidential.

Employees must inform the AAPS of any updates to their personnel file such as: address, telephone number, emergency contact, marital status, number of dependents, or military status. In addition to a general personnel file, the AAPS maintains a separate medical file for each employee.

All current employees will be permitted to review their personnel files at reasonable times with reasonable notice. (See Regulation 4050.R.03)

Confidential Information
In the course of their normal duties certain AAPS Employees have access to confidential (protected) information about employees. Disclosure of employee information may occur only after review by Human Resources/General Counsel. This obligation exists even after the employee leaves the organization.

Release of Information/Reference Checks
All reference check requests should be directed to the Compliance Officer at Human Resources/General Counsel; no one except Human Resources/General Counsel personnel shall provide any information in response to reference checks. Only dates and job titles will be released as part of a reference check.

VI. BOARD OF EDUCATION RIGHTS

Board Ownership of Intellectual Property Board Policy 4600
Unless otherwise agreed to by Board action, the Ann Arbor Public School Board of Education shall have proprietary right of ownership to any and all publications, devices, instructional materials, and computer programs produced by District employees during their regular and normal work days while in the employment of the District, or produced through the use of District resources.

Use of Board Property
AAPS will provide its employees with the necessary equipment to do their jobs. This equipment should not be used for personal use, nor removed from District property unless it is approved and your job specifically requires use of AAPS equipment outside of AAPS property.

Employees are expected to exercise reasonable care with all AAPS property. The District may at any time require the return of any equipment/property provided to an employee. Employees failing to return District equipment/property will be held personally responsible and charged for the replacement of such equipment/property. Employees will be held personally responsible for equipment/property that is damaged.
The telephone lines at AAPS must remain open for school-related business. Employees should limit personal calls - incoming and outgoing - to those that are necessary. No personal long distance calls are to be made on AAPS phones.

**Electronic/Voice Communications**
Computers, computer files, the Electronic Mail (E-Mail) system, telephones, Voice Mail and software furnished to employees are AAPS property and primarily intended for AAPS business use only. Unless authorized to do so, employees may not use any password other than their own, nor access any file or retrieve any stored information other than their own, nor share their password with anyone else. All information entered into or stored within an AAPS computer, including E-mail or Voice Mail, is considered District property and should contain only business-related information. Similarly, all information removed from E-mail, Voice Mail or the Internet is also considered AAPS property. To ensure compliance with this policy, computer, E-mail, Voice Mail and Internet usage may be monitored.

**VII. EMPLOYEE RELATIONS**

**Open Door Policy**
A critical part of the District’s employee relations program is open communication. A key element in good communications is an Open Door Policy that allows the District to address employee concerns internally. The District has an Open Door Policy designed to promote open communications and speedy resolution of problems. Through this Open Door Policy employees have an opportunity to openly discuss work-related problems or concerns without fear of retaliation.

If you or any employee feels that s/he has been treated unfairly, the matter should be brought to the attention of the immediate supervisor. There may be situations where an employee cannot approach his/her supervisor or does not feel comfortable doing so. In this case, the employee will meet with the Executive Director of Employee Relations or the Compliance Officer at Human Resources/General Counsel.

**Fair Treatment**
The Board of Education is committed to treating all staff, students and parents in the District fairly and impartially. The Board is committed to assuring a school and working environment which is appropriate for institutions of learning and which assures the safety and welfare of all.

All staff, students and parents of the District have the right to a due process procedure in the handling of their complaints against the school system.

**Complaint Procedures**
A complaint made by an employee who is a member of a bargaining unit concerning wages, hours, or terms and conditions of employment that are covered by the collective bargaining agreement must be processed through the grievance procedure outlined in the Master Agreement.

Complaints concerning matters not covered by a Master Agreement should be brought to the attention of the employee's supervisor whenever possible. If the employee is not comfortable with this approach or does not feel that his/her complaint has been adequately resolved, the complaint should be addressed to the Executive Director of Employee Relations or the Compliance Officer. If the complainant agrees, there shall be an attempt to resolve the problem through mediation or other informal procedures. If the employee requests, or if administration feels the complaint is of a serious nature, the following formal procedure shall be used:
• The complaint shall be put in writing
• An investigation shall be conducted
• A written report will be issued with recommended actions (if any)
• The complainant will receive a copy of the written report

**Investigation Procedures**
Investigations will be conducted any time a complaint is received or when misconduct is suspected.

• An impartial investigator shall be appointed
• Any pertinent documents will be gathered
• Witnesses shall be identified and interviewed
• While confidentiality cannot be guaranteed, information obtained from the interviews will be distributed solely on a need-to-know basis
• Any employee who may be disciplined as a result of the investigation is entitled to representation during the interview
• Notes shall be taken throughout the investigation (these notes shall not be placed in an employee's official personnel file)
• A written report of the findings shall be prepared
• If, as a result of the investigation, discipline is issued, the discipline shall be in writing and shall conform to the applicable labor contract and District policies.

**Harassment**
AAPS prohibits the harassment of any employee on the basis of race, religion, sex, national origin, age, color, creed, height, weight, marital status, familial status, sexual orientation, gender, gender identity, gender expression, linguistic and language difference, political belief, socio-economic status, disability or veteran status. Harassment may be defined as verbal or physical conduct of an illegal, discriminatory nature directed towards an employee of AAPS which affects an individual’s employment status; is used as a basis for employment decisions; has the purpose of interfering with an individual’s job performance; or creates an intimidating, hostile or offensive work environment.

Employees who believe they are a victim of, or who witness acts that may constitute such harassment, should pursue the complaint process as outlined in the Open Door Policy section of this Handbook. No employee who exercises his/her right to report such incidence involving illegal harassment will be subject to retaliation. (See Regulation #4020.R.01)

**Sexual Harassment – Board Policy 4020**
*The District shall maintain learning and working environment that is free from sexual harassment and intimidation. The Superintendent shall have in place administrative policy and regulations in support of this requirement, which are consistent with current law and sound employment practice. Individual Board members shall be subject to any such administrative policy or regulation.*

AAPS expressly prohibits the harassment of any employee on the basis of race, religion, sex, national origin, age, color, creed, height, weight, marital status, familial status, sexual orientation, gender, gender identity, gender expression, linguistic and language difference, political belief, socio-economic status, disability, veteran status, HIV status, or any other legally protected status.

Harassment is any unwelcome or unsolicited verbal or physical conduct that interferes with an employee’s ability to perform his or her work, or creates a hostile, offensive or abusive working
environment based upon a legally protected status. Examples of harassing behavior include, but are not limited to:

- Disparaging remarks about an employee’s race, sex, national origin, color, religion, gender, age, height, weight, sexual orientation, disability, or other protected status;

- The making of a sexual advance or requests for sexual favors or other verbal or physical conduct of a sexual nature by any employee to another;

- Making submission to, or rejections of, such advances the basis for decisions affecting the employee or a condition of continued employment;

- The creation of an intimidating, hostile working environment by conduct such as, but not limited to, the telling of jokes, use of innuendoes, and the posting of materials the subject matter of which involves a legally protected status.

If you believe that you are a victim of harassment or if you witnessed acts that may constitute harassment, you must immediately pursue the Open Door Policy as set forth in this Handbook so that a prompt and thorough investigation may take place.

Every allegation of harassment will be thoroughly investigated. No retaliation or reprisal will be tolerated against any individual who, in good faith, complains of, reports, or participates in the investigation of any incident of alleged harassment.
Verbal Harassment Defined
Verbal Harassment is speech or other expression that is specifically intended to create disruption to the operation of the District. It may specifically be intended to insult an individual, or consist of extreme or outrageous communications of acts intended to intimidate or humiliate the person to whom it is directed. These communications may cause severe emotional distress based on, but not limited to, race, sex, religion, color, age, national origin, linguistic and language differences, sexual orientation, socio-economic status or handicap, and may amount to “fighting words.” “Fighting words” are those personally abusive words or phrases likely to provoke a violent reaction, whether or not they actually do so. Such words include, but are not limited to, derogatory references to race, sex, religion, color, age, national origin, linguistic and language differences, sexual orientation, socio-economic status or handicap.

VIII. SAFETY AND SECURITY

Board Policy 4500
The Superintendent shall ensure that appropriate security, safety, and health measures are in place to protect staff, students, guests, and District property from damage or injury. In addition, the Superintendent shall make every effort to provide a safe and productive, environment for all employees: free of violence, personal threats, harassment, intimidation, physical and verbal abuse, and coercion.

Identification Cards
In an effort to maintain a safe and secure school environment, the District issues employee identification cards, which are to be visible while at work.

Visitors
All visitors are required to sign in at the building office to receive a pass to enter the building.

Safety on the Job
The Occupational Safety and Health Act (OSHA) of 1970 stipulate “employees must comply with standards, rules, regulations and orders issued under the Act which are applicable to their own actions and conduct.” AAPS expects every employee to perform his or her job in a safe and responsible manner and abide by the following safety guidelines:

- Follow all safety rules and regulations,
- Wear appropriate safety equipment as required,
- Maintain equipment in good condition with appropriate safety guards in place when in operation, and
- Encourage fellow employees to make safety a personal habit.

The District will maintain a safe working environment. Employees are required to promptly report any hazardous conditions that may exist to a supervisor.

Workplace Violence
Acts or threats of physical violence, including intimidation, harassment, and/or coercion, will not be tolerated by the District. Acts or threats of violence include conduct that is sufficiently severe, offensive, or intimidating to alter the employment conditions at the District or to create a hostile, abusive or intimidating work environment for one or several employees. Examples of conduct that may be considered threats or acts of violence include, but are not limited to, the following:

- Hitting or shoving an individual
- Threatening an individual or his/her family, friends, associates or property
- Intentional destruction or threatening to destroy AAPS property
- Making harassing or threatening phone calls or transmitting electronic messages have a threatening or violent nature
- Harassing surveillance or stalking (following or watching someone)
- Possession of firearms or weapons

**Workers’ Compensation**
Workers’ Compensation is the system used to provide wage replacement (66 2/3% of previous year’s wages), medical and rehabilitation benefits to employees who are injured while at work.

**Procedures for Reporting a Workers’ Compensation Injury**
The following procedures must be followed in reporting a Workers' Compensation injury. The procedures outlined below are in compliance with the State of Michigan Workers' Compensation Act.

- Employees must obtain an Authority for Treatment form, signed by a supervisor before going for medical treatment. The Authority for Treatment form authorizes the facility to invoice the District. It is mandatory that all injured employees needing treatment go to the District’s Worker’s Compensation Medical Provider Business Health Systems (address for provider is on the authorization form) for the first ten days from the date of injury.
- A work injury must be reported to Human Resources within three days after the accident has occurred. The accident report (yellow form) must be filled out completely and forwarded to Human Resources.
- If the injury requires less than 7 days off work, no compensation is paid by Workers’ Comp, only treatment liability. According to Michigan Workers’ Comp Law, if the injury requires more than 7 days off work, compensation begins on the 8th day. If the absence extends two weeks or longer, on the 15th day, Workers' Compensation will be paid to the employee retroactive to the first day off work.

**Accidents**
In the case of an accident on the job, an employee shall obtain first aid immediately. In accordance with OSHA regulations, employees must notify a supervisor of a work related injury immediately and an accident report must be completed as soon as possible, but not more than (3) three days after an accident. If necessary, the employees will be sent to an AAPS designated physician. (See Regulation #4050.R.02)

**PART TWO – Health and Welfare Benefits**

**I. RETIREMENT BENEFITS**
All employees of the District are enrolled into a retirement investment plan through the State of Michigan. Any questions regarding retirement should be directed to the State of Michigan Office of Retirement Services at 1-800-381-5111.

**II. ELIGIBILITY AND COVERAGE FOR INSURANCE PROGRAMS**
Eligibility for benefits and levels of coverage depends on an employee’s collective bargaining agreement or individual contract.

**Dependents**
An employee’s child(ren) include a natural child, legally adopted child or a child to whom the employee or spouse are awarded legal custody. In addition to children, the term “eligible
Dependent” also includes any child for whom an employee is required to provide medical coverage under a Qualified Medical Child Support Order (QMCSO).

**Dependent Eligibility**

Dependents become eligible on the date:
- of birth, or
- adoption

Eligible dependents are:
- spouse/same sex domestic partner
- unmarried dependent child through the end of the calendar year in which they turn 26.
- unmarried dependent child, age 19 or older, with a physical or mental impairment, not capable of self-support

**Married AAPS Employees – Coverage for children**

Married couples that are both employed by the District and have eligible children may enroll them into the health benefits plan, but only one of the employees may cover the dependent(s).

**Coverage for Newborn and Newly Adopted Children**

Newly eligible dependents (newborn or newly adopted child/ren) must be enrolled in medical and dental benefits within thirty (30) days of the date of birth, adoption or commencement of your obligation to provide support.

**Student Verification Process**

- The verification process is normally in November of each year.
- Failure to provide the requested information will result in termination of benefits.

**III. ENROLLMENT**

District orientation is held for new employees during which an overview of the benefits is provided and the employee receives an Enrollment Kit. It is the sole responsibility of the employee to enroll for benefits. Enrollment forms must be completed and returned to the Human Resources Fringe Benefits office within thirty (30) days of his/her official hire date.

**Annual Open Enrollment - May of each year**

Current eligible employees may change health benefit elections or waive coverage during the Open Enrollment period. The benefit choices made during Open Enrollment will take effect the following July 1. Employee benefit elections from the prior year will carry over into the next year automatically. Employees may not make changes to Open Enrollment choices until the following Open Enrollment Period unless you experience a mid-year election change event (see below).

**Mid-Year Election Change Qualifying Events**

Employees may not change health and dental elections until the Open Enrollment Period unless he/she experiences a mid-year election change event such as:
- Employee’s legal marital status, including marriage, death of spouse, or divorce;
- Number of eligible dependents, including birth, death, adoption, and placement for adoption;
- An eligible dependent who satisfies, or no longer satisfies, the eligibility requirements for coverage due to age or similar circumstances;
• Change in your employment status, or the employment status of eligible dependents (e.g., loss of a job by a spouse);
• The employee, his or her spouse, or dependent becomes entitled to, or loses entitlement to, Medicare, Medicaid or certain other governmental group medical programs;
• Due to a Judgment, Decree or Order (including a Qualified Medical Child Support Order, or QMCSO) that requires the District to provide health coverage. Human Resources Fringe Benefits Office will automatically modify an employee’s election to provide or eliminate coverage.

The employee must complete and sign a Benefits Enrollment/Change Form (available at the Human Resources Fringe Benefits Office) and return the form within thirty (30) days of the change in status event. The employee will be required to provide names and any other pertinent information requested in conjunction with the enrollment process, including, but not limited to, proof of dependent status. Health coverage under the Plan shall be effective retroactive to the date of marriage, birth, adoption, or placement for adoption, as applicable. Employees are required to submit evidence substantiating the “qualifying event” that necessitated the change. (e.g., adoption papers, judgments a divorce etc.)

Change in Address or Family Status
To ensure timely and accurate processing of claims, it is important that you notify the Human Resources Fringe Benefits office promptly of any change in your address or family status – such as marriage, divorce, birth or adoption of a child, verification of dependent status, legal guardianship, marriage of a dependent child and death of spouse or child.

When Coverage Ends
In general, coverage under the health benefits plan ends on the earliest of the following dates:
• The last day of the month in which your employment ends,
• The last day of the month in which you are no longer an eligible employee and/or your dependent is no longer an eligible dependent.

Continuation of Coverage During A Leave of Absence
• Employees on an approved leave of absence may continue coverage for 12 weeks under FMLA or until taken off payroll, whichever is longer.
• Employees who do not return to work at the end of an FMLA or military leave are entitled to purchase COBRA continuation coverage.

IV. COBRA (Continuation Coverage After Employment)
Under the federal law, the Consolidated Omnibus Budget Reconciliation Act (COBRA), The District is required to offer employees who have terminated their employment with the District the opportunity for a temporary extension of health coverage (“COBRA coverage”) at group rates. Please contact the Human Resources Fringe Benefits Office for details of this coverage.

V. EMPLOYEE ASSISTANCE PROGRAM (EAP)
The EAP is a District provided program intended to help employees and dependents resolve the problems that can affect work performance. The EAP provides professional counseling and referral services, and an opportunity to confidentially discuss personal and family problems for guidance and problem-solving help.

The types of problems include but are not limited to:
• Marital conflict
- Family discord
- Financial worries
- Emotional problems
- Excessive stress

**How to Access the EAP**

Contact with the EAP can be initiated in the following ways:
- Manager or supervisor referral in order to help you improve job performance, or
- Direct contact by employee.

In all cases, strict confidentiality is assured. To arrange an appointment with an Employee Assistance Professional, please call Life Balance at 1-877-858-2147 or visit their website at LifeBalance.net.

**VI. HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**

In accordance with the Health Insurance Portability and Accountability Act (HIPAA), AAPS shall not, without an employee’s authorization, request an employee’s Protected Health Information (PHI) from any covered entity as defined by the Act. PHI includes any information that relates to an individual’s past, present, or future health condition, or treatment or payments for health treatments.

If AAPS requires, or you voluntarily submit to, alcohol or drug testing or a medical examination, you are required to authorize the release of your PHI to AAPS or provide your PHI to AAPS.

*Please send all documents containing PHI, including but not limited to, doctors notes and return to work notes, to the Compliance Officer in Human Resources.*

**PART THREE - LEAVES OF ABSENCE**

**I. HOLIDAYS, VACATION, BEREAVEMENT, RELIGIOUS OBSERVANCES & SICK DAYS**

Please refer to collective bargaining agreement or individual contract.

**II. LEAVE OF ABSENCE DEFINED**

The following absences from work must be applied for and approved by Human Resources:
- All absences taken under the Family Medical Leave Act
- All workers' compensation absences
- All unpaid absences (not referenced above) which exceed 3 work days (unpaid absences of 3 or fewer days must be approved by the employee's supervisor)
- All paid absences due to illness (not referenced above), which exceed 10 workdays.

**Leaves of Absence and Extensions**

Employees covered by a collective bargaining agreement or individual contract may, under the terms and conditions set forth in their contract, apply for a leave of absence. The employee must submit a "Request for Leave of Absence Form" to Human Resources prior to the start date of the leave and in accord with the deadlines (if any) set forth in the collective bargaining agreement.
An employee who wishes to extend a leave of absence must submit a new “Request for Leave of Absence Form" to Human Resources no later than two (2) weeks prior to the expiration of the current leave or by the date specified in the employee's contract.

Requests for leaves of absence and/or extensions of a leave of absence will be evaluated on an individual basis. Approval of the original leave of absence does not obligate the employer to approve a request for extension of the leave.

**Important details regarding Leaves**
- Failure to report to work on the first day after the expiration of a leave of absence will be considered a voluntary termination of employment.
- Unless required by applicable law or contract, employees will not accrue additional paid time off while on an unpaid leave of absence.
- All leaves of absence taken under the Family Medical Leave Act will conform to that law.
- If an employee is granted and takes an unpaid leave of absence, his/her insurance and other benefits will cease effective the first day of the month in which the employee is on unpaid status, except as provided by the Family Medical Leave Act, other applicable laws or contract.

**III. JURY DUTY/WITNESS SERVICE**
Full-time or part-time regularly employed employees called to serve on a jury, or to testify as a voluntary witness at the request of the District, or otherwise subpoenaed to appear as a witness on behalf of the AAPS, will be paid for the day or days in which the court requires attendance.

If employees are subpoenaed to appear in court as witnesses, but not at the request of the AAPS or on behalf of the AAPS, they will be excused from work in order to comply with the subpoena but will not be paid for the time. Employees who are entitled to paid personal business days may choose to use a personal business day in order to receive compensation for the day.

**District Approved Jury Duty /Witness Service**
Employees must present their summons to their supervisor on the first working day after receiving it. If an employee is not required to serve on a day he/she is normally scheduled to work or if the employee is excused before serving three hours of jury duty, he/she is expected to report to work.

Compensation for jury duty or witness service on behalf of the AAPS will be the difference between the employee's straight time base rate of pay and any compensation received for jury duty or witness service. Copies of the vouchers received from the court showing compensation (excluding mileage) and dates served must be submitted to Human Resources.

**IV. MILITARY LEAVE**
An unpaid military leave of absence may be requested when an employee enters a branch of the United States military. A military leave of absence may also be used for Reserve or National Guard training, including monthly drill reserve sessions. If you are called to active military duty or to Reserve or National Guard training, or if you volunteer for the same, you must notify your supervisor and submit copies of your military orders or drill schedules to him or her as soon as is practicable.
All re-employment rights will be guaranteed under the guidelines of USERRA and applicable state laws. Pursuant to federal law, total military leave time may not exceed five years during your employment.

Benefits will continue until the first of the month following thirty (30) days of service.

After that time, arrangements may be made to maintain insurance coverage for up to eighteen (18) months pursuant to USERRA at an additional cost to the employee.

V. FAMILY AND MEDICAL LEAVE ACT of 1993 (FMLA)

Eligibility
Employees who have worked for the District for at least twelve (12) months and 1,250 hours during a twelve (12) month period prior to a qualifying event may be eligible for FMLA leave. FMLA provides up to twelve (12) weeks of job-protected leave for the following reasons:

- Birth of a child and to care for such child after delivery,
- Placement of a child into your family for adoption or by a foster care arrangement,
- Care of your spouse, child or parent who has a serious health condition (i.e., one that generally requires overnight inpatient care or ongoing care of two or more treatments), or
- For a serious health condition that makes the employee unable to perform the employee’s job.

Important FMLA Information:
- You may take FMLA leave for up to twelve (12) weeks in a twelve (12) month period. AAPS will calculate the twelve-month period by “looking back” from the date you want your leave to begin. For example, if you want your leave to begin on May 1, AAPS will count twelve months back from May 1 and determine how much (if any) FMLA leave you used during those twelve months and calculate how much (if any) FMLA leave you have remaining.
- The District allows employees to continue benefit coverage for health, life and AD&D, and disability coverage if the leave of absence qualifies as a family or medical leave under the federal FMLA.
- Employees are required to use their available sick days and may request to use vacation days and personal business days during the twelve (12) week family and medical leave period. Additionally, if an employee qualifies for FMLA and short-term disability, both leaves will run concurrently.

Birth, Care or Placement of Child
- The right to family leaves for the birth, care and/or placement of a child into your family for adoption or foster care may only be taken within twelve (12) months after the date of the birth or placement of the child. The right to leave for birth, care or placement of a child, must conclude within twelve months from the eligible event.
- In the case of unpaid leave for the birth, care or placement of a child for adoption or foster care, intermittent leave or working a reduced number of hours is not permitted, unless both the employee and AAPS agree.
- If both parents are employed by AAPS, the combined leave for the birth, care and/or placement of a child, or to care for a parent’s serious health condition, shall not exceed twelve (12) weeks. However, each employee may use the remainder of his/her individual FMLA leave for other allowable reasons, for example, for your own serious health condition, or for your child’s serious health condition.
**Notification by Employee**
When the necessity of leave is foreseeable due to the expected birth or the placement of a child, the employee must provide the District with at least thirty (30) days notice of the employee’s intention to take leave. Where the need for leave is unforeseeable, the employee must give notice as soon as practical. Any leave request based on a family member’s or employees own serious health condition must be supported by certification from a health care provider.

**How Benefits are Affected**
Employees who return to work from family leave of absence within or on the business day following the expiration of the twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.

**Procedure**
Please contact Human Resources for the forms to request a leave under the FMLA. Your Human Resources Representative will answer any questions concerning your rights and continuation of benefits under the FMLA. (See Regulation #4050.R.01)
EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

As Ann Arbor Public Schools (AAPS) continues to change or update benefits or policies, changes in this handbook may be required. AAPS will inform bargaining unit leaders of all revisions and will make reasonable effort to inform all employees of the revisions. However, AAPS cannot assume responsibility for the updating of your personal copy of the handbook. The handbook is not a legal document and does not constitute a contract. As educational and working environments change and AAPS responds to these conditions, AAPS reserves the right to change the working conditions without consulting any one and without anyone’s agreement. This handbook is neither a promise of benefits nor a guarantee of employment and is not meant to amend, supplement, or delete from existing collective bargaining agreements. In the case of a difference between what is stated in the handbook and the governing policies, legal plan documents, or collective bargaining agreements on which it is based, the governing policies, legal plan documents, as collective bargaining agreements will govern. For your convenience, an electronic copy of the handbook is available on the AAPS website – A2Schools.org or through Human Resources at 1-734-994-2240. Questions concerning the handbook should be addressed to your supervisor and/or a Human Resources representative. AAPS, in its sole discretion, reserves the right to amend or change policies and benefit plans.

Employee Signature: ___________________________ Date ____________

Employee Name (Please Print) ____________________________

cc: Personnel File
Ann Arbor Public Schools

Section 504 Manual for Identifying and Serving Eligible Students: Policies and Guidelines
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INTRODUCTION

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as “Section 504”) prohibits discrimination against students on the basis of disability.

This Manual contains information, guidelines, policies, procedures, and forms to achieve compliance with Section 504 with respect to the education of the District’s students, in a manner consistent with the District’s non-discrimination policies.

The District expects its employees to be knowledgeable about its Section 504 procedures. If you have Section 504 questions concerning either current or prospective students, please contact the District’s Section 504 Coordinator:

Derrick Padgett
734.994.2318
padgettd@aaps.k12.mi.us

Although Section 504 also applies to employment and facility access by individuals with disabilities, this Manual only addresses student issues under Section 504.

Overview

Section 504 is a federal law which prohibits discrimination against persons with disabilities. The law provides:

No otherwise qualified individual with a disability...shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...

29 USC § 794

One of the principal purposes of Section 504 is to ensure that students with disabilities are not denied access to educational facilities, programs, and opportunities on the basis of their disability.

For a student to have a disability which may be protected under this law, he or she must: (1) have a mental or physical impairment, (2) which substantially limits, (3) one or more major life activities. For a student to be considered an "eligible student" under Section 504, all three criteria must be fulfilled.
Under Section 504, schools that receive federal funds may not discriminate against eligible students with disabilities. Section 504 also protects students who have a record of a disability, and students who are regarded as having a disability. Discrimination against students in either category is prohibited under Section 504.

Section 504 requires the District to provide a free appropriate public education ("FAPE") to each eligible student who has a physical or mental impairment which substantially limits a major life activity. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of non-disabled students are met and in accordance with Section 504 requirements pertaining to educational setting, evaluation, placement, and procedural safeguards. The FAPE obligation extends to all students described in this paragraph, regardless of the nature or severity of their disability.

POLICY STATEMENT

The District shall not discriminate against any student having a disability, a record of having had a disability, or who is otherwise regarded as having a disability. The District shall also, as required by law, attempt to locate and identify each student within the District's jurisdiction who may be an eligible student under Section 504. The District shall evaluate each student identified under Section 504 and provide each eligible student with a FAPE as defined by law.

The District also shall not discriminate against persons based upon any other legally-protected characteristic. Other District publications and policy documents should be consulted to obtain details of those prohibitions, and the means by which an internal complaint or grievance concerning any type of discrimination may be filed.

DEFINITIONS

"Free Appropriate Public Education" ("FAPE")

A "free appropriate public education" is the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of students with a disability as adequately as the needs of non-disabled students are met and is based on adherence to procedures that satisfy Section 504 requirements pertaining to educational setting, evaluation, placement, and procedural safeguards.

"Individual with a Disability"

An "individual with a disability" is a person who:

1. Has a physical or mental impairment that substantially limits one or more of
such person's major life activities;
2. Has a record of such an impairment; or
3. Is regarded as having such an impairment.

"Physical or Mental Impairment"

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or
2. Any mental or psychological disorder, such as a cognitive impairment, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The Section 504 regulation does not provide an exhaustive list of specific diseases or conditions that may constitute a physical or mental impairment because of the difficulty of developing a comprehensive list of possible diseases and conditions.

"Substantially Limits"

A student who has a physical or mental impairment that substantially limits a major life activity is considered a student with a "disability" under Section 504. This determination is made on a case-by-case basis. Neither Section 504 nor its implementing regulations define the term "substantially limits" but the term is not necessarily synonymous with "unable to perform" or "significantly restricted in" a major life activity.

Except for ordinary eye glasses or contact lenses, the ameliorative effects of mitigating measures may not be considered when assessing whether a student has an impairment that substantially limits a major life activity. "Mitigating measures" include, but are not limited to: medication; medical supplies, equipment or appliances; low-vision devices (devices that magnify, enhance, or otherwise augment a visual image); prosthetics (including limbs and devices); hearing aids and cochlear implants or other implantable hearing devices; mobility devices; oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; and learned behavioral or adaptive neurological modifications.

A temporary impairment does not constitute a disability for purposes of Section 504 unless it is of such severity that it results in a substantial limitation of one or more major life activities for an extended period of time. This determination is to be made on a case-by-case basis.

If a student has an impairment that is episodic or in remission, the District must consider whether the impairment, when active, would substantially limit a major
life activity. If it would, then the student meets the definition of a student with a disability.

"Major Life Activities"

To be eligible under Section 504, a student's physical or mental impairment must interfere with one or more "major life activities." A "major life activity" includes, but is not limited to functions such as:

- Caring for oneself
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working
- Eating
- Sleeping
- Standing
- Lifting
- Bending
- Reading
- Concentrating
- Thinking
- Communicating
- Operation of major bodily functions (including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions)

This list is not exhaustive. An activity or function not found on the list may nonetheless be a major life activity. A student is protected from all forms of discrimination and is eligible under Section 504 if the student has an impairment that substantially limits one or more major life activities, including, but not limited to, learning.

"Record of Impairment" and "Regarded as Having an Impairment"

Section 504 also protects students from discrimination who have a record of an impairment or who are regarded as impaired. A student is "regarded as" having an impairment if the District perceives the student as impaired. The District shall not treat students differently based upon a record that shows that the student was disabled in the past, or based upon an assumption or perception of disability. The District is not required to develop a Section 504 plan for a student who either has a record of an impairment or who is regarded as having an impairment, but who is not otherwise currently eligible under Section 504.
"Current Users of Illegal Drugs"

A student who is currently engaging in the illegal use of drugs is not eligible for services or protection under Section 504 when the District takes disciplinary action on the basis of such drug use even if the student is otherwise a student with a disability. A student who is a former drug user or who is participating in a drug rehabilitation program, however, may be eligible for Section 504 services and protection if the student otherwise meets the definition of an "individual with a disability" as described above.

**CHILD FIND**

Every year, the District shall attempt to identify and locate every student residing in the District who may be a student with a disability under Section 504, regardless of whether he or she is receiving a public education. The District shall notify parents of those students of the District’s Section 504 obligations.

The District may satisfy the notification obligation by advertising, by posting notices in places likely to be visited by qualified students with disabilities and their parents, by including notices in District publications and on its web site, and by directly contacting parents of those students who the District believes to be eligible.

The District must also ensure that the information in its Section 504 notices is written in a manner that is easily understandable to a parent. The notice should also contain the name and contact information for the District's Section 504 coordinator.

**PRE-REFERRAL ASSISTANCE**

Pre-referral assistance is an important first step in serving students experiencing difficulties in school. Teachers may vary instructional and behavioral methodologies and expectations, and, by so doing meet students' educational and behavioral needs; and thereby strengthen the general education program and reduce unnecessary Section 504 and IDEA formal referrals.

Pre-referral assistance, including strategies such as response-to-intervention ("RTI"), is **not** intended to impede or be a substitute for necessary referrals for consideration of eligibility under the Individuals with Disabilities Education Act ("IDEA") or Section 504. If, at any time, a teacher, counselor, administrator, or other professional staff member has reason to believe that the student's difficulties may be attributable to a disability, the student should be referred for an evaluation. If a parent/guardian at any time requests an evaluation, the District must either honor that request or notify the parent/guardian of his/her due process rights under the IDEA, or Section 504, as applicable.
PARENT RIGHTS

Section 504 guarantees certain rights to parents of students with disabilities. A Section 504 Notice of Procedural Safeguards has been developed for distribution to parents.

SECTION 504: THE PROCESS

This section of the Manual addresses important steps in the Section 504 process including: referral, evaluation, eligibility determination, development of the Section 504 Plan, review, and reevaluation.

A. Referral

A student who, because of a suspected disability, is believed to need services under Section 504 is typically referred for a Section 504 evaluation by a parent, guardian, teacher, other certified school employee, the student if 18 years of age or older, or other concerned adult individual. Upon the receipt of a referral:

- The referral should be reduced to writing.
- The parent should be provided written notice of the referral, and be asked to provide written consent to a Section 504 evaluation.
- The parent should be provided with a copy of "Section 504 Notice of Procedural Safeguards" with notice of the referral.

Once the District has received parent consent to evaluate, the District may begin the evaluation process. If a parent refuses to consent to an initial evaluation, the District may, but is not required to, use due process hearing procedures to seek to override the parent’s refusal to consent to the evaluation. Additionally, if a parent refuses to consent to an evaluation that is necessary for a determination of eligibility, the 504 Team may determine that the student is not eligible under Section 504.

B. Evaluation

The evaluation is the starting point for determining whether a student is an eligible student under Section 504. The District is required to conduct an evaluation before providing Section 504 services. The nature and extent of the information needed to make a Section 504 eligibility decision is determined on case-by-case basis by a group of persons knowledgeable about the student, the meaning of evaluation data, and the placement options, i.e., the Section 504 team. Information obtained through the evaluation process must be documented and all significant factors must be considered. The District may, but is not required to, use the same evaluation process used to evaluate students under the IDEA. The evaluation must draw upon information from a variety of sources and may include:
Where formal testing is determined to be necessary, the evaluation procedures must ensure that:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer.

2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.

3. Tests are selected and administered so as best to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except when those skills are the facets that the tests purport to measure).

A medical diagnosis of a physical or mental impairment does not, in and of itself, determine Section 504 eligibility. As mentioned above, Section 504 requires the District to draw upon information from a variety of sources in making its eligibility determination. A medical diagnosis is only one source of information. Additionally, the District may request, but cannot require a parent to provide a medical statement or authorize the release of the student's medical information as part of the evaluation process. If the District determines, based on the facts and circumstances of the individual case, that a medical assessment is necessary for an appropriate evaluation, the District must ensure that the child receives this assessment at no cost to the parents. If alternative assessment methods meet the evaluation criteria, those methods may be used in lieu of a medical assessment. If a parent refuses to consent to a medical assessment and alternate assessment methods are not available, the 504 Team must proceed to make an eligibility determination based on the information it has on hand.

Absent extenuating circumstances, the District’s evaluation and the development of a Section 504 Plan, if necessary, should be completed no later than 30 school days following the District’s receipt of the parent’s
consent to evaluate. If an extension of time is required, the parent must be notified in writing of the extension, the reason for the extension, and the expected date of completion of the process.

C. Eligibility Determination

The eligibility determination must be made by a group of persons knowledgeable about the student, the meaning of evaluation data, and placement options and must be documented in writing. The parent of the student should be given a meaningful opportunity to provide input into identification, evaluation, and placement decisions for his/her child. Therefore, the parent should typically be included in this process.

D. Section 504 Plan

Where a student is found to be eligible under Section 504, the need for a Section 504 Plan must be determined. The Section 504 Team, which should include the parent, will be responsible for determining the services that are needed to provide the student a FAPE. The Plan should specify how services will be provided and by whom.

The Section 504 Coordinator/Designee, indicating the District’s intent to implement the plan, shall sign the Section 504 Plan. A copy of the Plan, along with the Section 504 Notice of Procedural Safeguards, must be provided to the parent.

If a Section 504 Plan is developed for a student, all school personnel with implementation responsibilities should be informed of the existence and particulars of the Plan. Failure to implement the Section 504 Plan can result in non-compliance with Section 504.

E. Review of Section 504 Plan

The teacher or other person(s) designated by the Section 504 Team shall monitor the student’s progress and the effectiveness of the student’s Plan. The teacher or other designated person will contact the parent (in person or by phone) at least annually to discuss whether the Section 504 Plan continues to be appropriate or whether any changes are necessary. If changes are to be considered, the Section 504 Team must be convened.

In addition, the Section 504 Team should be convened and the student's Section 504 Plan updated whenever the student’s situation warrants a review (e.g., during natural transition periods, when a teacher or parent raises concerns, or when the student’s performance changes).

F. Reevaluation
A reevaluation should be completed at least once every 3 years to redetermine eligibility under Section 504 and before any significant change in the student’s placement.

**SUSPENSION AND EXPULSION OF SECTION 504 STUDENTS**

Students who are eligible under Section 504 have certain additional protections when charged with a violation of the Code of Student Conduct which may result in a suspension or expulsion that constitutes a significant change in placement. Similar to suspension or expulsion of a student with a disability under the IDEA, it is necessary to conduct a manifestation determination for a Section 504 student when:

° The suspension or expulsion will be for more than 10 consecutive school days; or

° The student has been subjected to a series of suspensions that total more than 10 school days in a school year and a pattern of exclusion exists. Whether a series of suspensions creates a pattern of exclusion is determined on a case-by-case basis taking into account the following factors: the length of each suspension, the proximity of the suspensions to one another, the similarity of the behavior that resulted in the removals and the total amount of time the student is excluded from school.

If either of the situations above applies, then the District is required to conduct a manifestation determination before any significant change in student’s placement may occur. The manifestation determination should be conducted within 10 school days of the decision to change the student’s placement. The parent must be invited to participate in the meeting and provided a copy of the Section 504 Notice of Procedural Safeguards. The purpose of the manifestation determination is to review whether the student’s misconduct was caused by, or had a direct and substantial relationship to the student’s disability; or whether the conduct was a direct result of the District’s failure to implement the student’s Section 504 plan.

This determination should be made by a group of persons knowledgeable about the student, the meaning of evaluation data, placement options, the student’s Section 504 Plan, and the disciplinary incident. In making its determination, the Section 504 Team must review all relevant information in the student’s file, the student’s Section 504 plan, any teacher observations of the student, and relevant information provided by the parent.

If the Section 504 Team concludes that the student’s conduct is a manifestation of the student’s disability, the student must remain in (or be returned to) his/her current educational placement unless the parent and the District agree to change the student's placement. If the 504 Team concludes that the student’s conduct is not a manifestation of the student’s disability, the District may apply the relevant disciplinary procedures applicable to all students. Unlike the IDEA, there is no requirement to
provide a student whose conduct is not a manifestation of the student’s disability educational services during a disciplinary change in placement unless services are provided to similarly-situated non-disabled students. Please note that Section 504 allows a student to be disciplined, without going through the manifestation determination review process, when the infraction results from the student’s current illegal use of drugs or alcohol in violation of the Code of Student Conduct.

In the case of a Section 504 student who carries or possesses a weapon to or at school, on school premises, or to or at a school function, the District may place the student in an interim alternative educational setting for up to 45 school days if a student without a disability would be similarly disciplined. The Section 504 team must meet to develop the interim alternate educational setting after evaluating the student as described above in this Manual. The interim alternate educational setting must be educationally appropriate and the services provided must enable the student to continue to progress in the general curriculum. The interim alternate educational setting must also address the behavior prompting the disciplinary action.

**IMPARTIAL DUE PROCESS HEARING**

A parent who disagrees with the identification, evaluation, placement, or the provision of a free appropriate public education of a student with a disability under Section 504 has the right to request an impartial due process hearing. Request for a Section 504 due process hearing must be made in writing to the District’s Section 504 Coordinator. Upon receipt of such a request, the necessary arrangements will be made by the District, including the selection of a hearing officer. A person who is an employee of the District, or any person having a personal or professional interest which would conflict with his/her objectivity in the hearing, may not be appointed as a hearing officer.

Any party to a hearing has the right to:

1. Be accompanied and advised by counsel or an individual with special knowledge or training about the problems of children with disabilities;

2. Present evidence and cross-examine witnesses;

3. Obtain a written or electronic verbatim record of the hearing or obtain alternate forms of the verbatim record to be provided in the parent's native language;

4. Obtain written or electronic findings of fact and decisions; and

5. Seek judicial review of a hearing officer decision.
The District will adhere to the following timeframes if a due process hearing is requested:

1. A hearing will be scheduled not more than 30 calendar days following receipt of the parent’s written request.

2. The hearing officer will, not later than 30 calendar days after the hearing, draft a written decision (with specific findings of fact) and send a copy of the decision to each party and/or their attorneys/representatives.

3. In the absence of an appeal, the District will implement the decision of the hearing officer 15 calendar days of the District's receipt of the decision.
**GRIEVANCE PROCEDURE**

The District has adopted the following Grievance Procedure for addressing complaints of discrimination under Section 504 of the Rehabilitation Act of 1973 and/or Title II of the Americans with Disabilities Act of 1990. A person is not required to use this procedure and may instead file a complaint directly with the U.S Department of Education's Office for Civil Rights, 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115:

**Step 1:** A person who believes that he/she has been discriminated against by the District is encouraged, but is not required, to discuss the matter informally with the appropriate building principal, in the case of a student, or his/her immediate supervisor, in the case of an employee. [NOTE: If the building principal or the immediate supervisor is the subject of the complaint, or the grievant is not a student or employee, the grievant may, instead, contact the District Section 504 Coordinator]. The person receiving the complaint shall verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 business days.

**Step 2:** If the informal Step 1 process does not resolve the matter, or if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to the District Section 504 Coordinator who will investigate the complaint. [NOTE: If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent who will appoint another administrator to conduct the investigation]. The complaint shall be signed by the grievant and include 1) the grievant’s name and contact information; 2) the facts of the incident or action complained about; 3) the date of the incident or action giving rise to the complaint; 4) the type of discrimination alleged to have occurred; and 5) the specific relief sought. Names of witnesses and other evidence as deemed appropriate by the grievant may also be submitted. An investigation of the complaint will be conducted within 10 business days following the submission of the written complaint. The investigation shall include an interview of the parties and witnesses, a review of relevant evidence, and any other steps necessary to ensure a prompt and thorough investigation of the appeal. Copies of the response shall be provided to both the grievant and the person who is the subject of the complaint.
The District hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Grievance Procedure. If you have questions regarding these procedures or desire to file a complaint, please contact the District Section 504 Coordinator:

Any person who believes they have been discriminated against by the District on the basis of disability or who believes the District otherwise violated Section 504 and/or Title II of the Americans with Disabilities Act of 1990 has the right to file a complaint through the District’s grievance procedure. A person who wishes to file a complaint should contact:

**District Section 504 Coordinators:**
Derrick Padgett (Students)
Cynthia S. Ryan (Employees)
2555 South State Street
Ann Arbor, MI 48104
734-994-2318

A person may file a complaint with the Office for Civil Rights (OCR) if he/she does not wish to use the District’s grievance procedure. A person who wishes to file a complaint with OCR should contact:

**Office for Civil Rights**
U.S. Department of Education
600 Superior Avenue East, Suite 750
Cleveland, OH 44114-2611
FAX: (216) 522-2573; TDD: (877) 521-2172
Telephone: (216) 522-4970
E-mail: OCR.Cleveland@ed.gov

A discrimination complaint may be filed with OCR at any time. Additionally, if a person is dissatisfied with the District’s resolution of a complaint, that complaint may be filed with OCR at the address above within 60 days of the District’s resolution.
Title VI
Non-Discrimination Policy

ANN ARBOR PUBLIC SCHOOLS STATEMENT OF NON-DISCRIMINATION: No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any educational program or activity available in any school on the basis of race, color, sex, religion, creed, political belief, age, national origin, linguistic and language differences, sexual orientation, gender, gender identity, gender expression, socioeconomic status, height, weight, marital or familial status, disability or veteran status. The following person has been designated to handle inquiries regarding the nondiscrimination policies: The Executive Director of Human Resources, 2555 S. State Street, Ann Arbor, MI 48104 (734) 994-9444.
Title IX Compliance Policy Statement

- In compliance with Title IX of the Education Amendments of 1972, the District does not discriminate on the basis of sex in the educational programs and activities which it operates, including employment, admissions, recruitment, referrals, and collective bargaining. If an employee or student believes that he or she has been discriminated against in violation of Title IX, please reference the District’s Title IX Grievance Procedures which are available on the District’s website, in every school site administrative office, and on request from the District’s Human Resources Department.

For more information about Title IX, please contact the following individuals:

Title IX Complaints (students):

- Elementary Schools: Dawn Linden, lindend@a2schools.org
- Secondary Schools: Lee Ann Dickinson-Kelley, dickinso@a2schools.org
- Athletic Programs: Dottie Davis, davis@a2schools.org

Employee Issues:

- Cynthia Ryan, ryan@a2schools.org
ANN ARBOR PUBLIC SCHOOLS TITLE IX GRIEVANCE PROCEDURES

PURPOSE: The purpose of these procedures is to secure, at the lowest possible level, prompt and equitable resolutions of complaints based on sex discrimination, including complaints of sexual harassment or sexual violence, in violation of Title IX of the Education Amendments of 1972 ("Title IX"), and violation of District policies that prohibit these types of discrimination. These procedures apply only to complaints alleging discrimination prohibited Title IX (including sexual harassment and sexual violence).

These procedures shall be available in every school site administrative office, posted on the District website, and included in student handbooks.

1. DEFINITIONS:

A. "Complainant" -- A complainant is a student or employee of the District who submits a complaint alleging discriminatory action or treatment prohibited by Title IX, including acts of sexual harassment or sexual violence.

B. Respondent" -- the person alleged to be responsible for the prohibited conduct alleged in a complaint.

C. "Day" -- The calculation of days in complaint processing, except as otherwise expressly provided, shall exclude Saturdays, Sundays, and federal, state and school holidays or closures.

D. "Title IX" of the Educational Amendments of 1972 -- No person in the United States shall on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Sex discrimination under Title IX includes sexual harassment and sexual violence.

E. "Sexual Harassment” – Conduct occurring between any persons, including members of the same sex, that:

(1) is sexual in nature;

(2) is unwelcome; and

(3) denies or limits a student’s ability to participate in or benefit from a school’s education program.

Sexual Harassment may include acts of sexual violence. Sexual Harassment is a form of sex discrimination prohibited by Title IX.

F. “Sexual Violence” -- Physical sexual acts occurring between any persons, including members of the same sex, perpetrated by against a person’s will or where a person is incapable of giving consent (e.g., due to the student’s age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including 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 sex discrimination prohibited by Title IX.

G. "Complaint Submission Date" --- the date on which a written complaint was received by the Responsible Administrator.

H. "Responsible Administrator" --- The Title IX Coordinator, Deputy Superintendent for Human Resources, the authorized designee of these individuals, or the administrator designated by the Superintendent, as appropriate.

I. "Neutral and objective investigator/administrator" --- an administrator or designated investigator who is not the subject of a complaint or is not a Complainant.

II. PROCEDURAL REQUIREMENTS.

A. Time Limits. A complaint under this procedure should be filed as soon as possible after the time of occurrence of the alleged violation(s) of Title IX. Failure of a complainant or appellant to comply with any time limitation in the complaint procedure may result in dismissal of the complaint and/or denial of the appeal. Dismissal shall not preclude the individual's right to pursue the complaint through other appropriate external agencies. If a district representative fails to comply with any time limitation in the complaint procedure, the Complainant may immediately proceed to the next level permitted by these Procedures.

B. Service. Service of any notice or decision provided for under this procedure shall be deemed effective on the person served as of the date of delivery, if personally served, faxed or emailed, or effective three (3) calendar days of deposit by first class mail if delivered by mail.

C. Confidentiality.

1. Confidentiality will be maintained to the greatest extent possible. Any information gathered during an informal procedure may be used during a formal procedure, if initiated. While there can be no assurance of complete confidentiality, complaints under this procedure will be treated as sensitive information not to be shared with others except in limited circumstances. Examples of exceptions to maintaining confidentiality include:

   • information the law requires to be reported.
   • information imparted to others in supervisory positions in order to further an investigation or halt a discriminatory practice.
   • information given to the respondent in order to have sufficient information to respond to the allegations.

2. The District will take all reasonable steps to investigate and respond to a complaint consistent with a request by the complaining party not to disclose his/her name. However, such requests for confidentiality may limit the District's ability to adequately investigate and respond to the allegations raised in the complaint.

3. Requests for confidentiality, therefore, will be evaluated in the context of the District’s responsibility to provide a safe and nondiscriminatory environment for all students, and the request will be weighed against whatever factors the District deems relevant, including, without limitation:

   • the complainant's age;
• circumstances that suggest there is an increased risk of future acts of harassment and/or sexual violence under similar circumstances; and
• whether the District possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).

4. All parties to a grievance, including the Complainant, Respondent and witnesses, have privacy interests and, therefore, all parties should be cautioned not to divulge or publicize the nature of the proceedings or the identity of those involved outside the scope of the investigation.

III.  **INFORMAL AND FORMAL PROCESSES.**

A.  **INFORMAL RESOLUTION PROCESS:**

Informal resolution may be an appropriate choice when the conduct involved is not of a serious or repetitive nature and disciplinary action is not required to remedy the situation. No formal investigation is involved in the informal resolution process, and the informal resolution process shall not be considered a precondition for the filing of a formal written complaint pursuant to Section III.B., below.

1. A written request for informal resolution must be made within ten (10) days of the date of the alleged incident. The school principal or designee shall determine whether the nature of the problem is such that it is likely to be resolved by agreement on an informal basis.

2. Methods for informal resolution may include, but are not limited to, coaching the person on how to directly address a situation which is causing a problem; mediating the dispute with the parties; developing written behavior expectations of the alleged offender to redirect conduct; assisting with the resolution of a real or perceived problem; or arranging a documented meeting with the alleged offender that involves a discussion of the sex discrimination and sexual harassment policies and requirements for compliance.

3. The principal or designee shall document any informal resolution, and a copy of such documentation shall be forwarded to the Title IX Coordinator or Assistant Superintendent for Human Resources within three (3) days of resolution.

B.  **FORMAL COMPLAINT PROCEDURES:**

Initiation of the formal complaint procedures requires a written complaint. All written complaints regarding harassment or discrimination of students or employees in violation of Title IX shall be submitted to:

For students:
Elementary Schools: Dawn Linden,
lindend@a2schools.org Secondary Schools: Lee Ann Dickinson- Kelley, dickinso@a2schools.org Athletic Programs: Dottie Davis, davis@a2schools.org

For employees: Cynthia Ryan, ryanC@a2schools.org
**Step 1 -- Reporting Complaints.**

(a) The Complainant may obtain a Complaint Form from the Title IX Coordinator, Human Resources Department, school principal, or the District website. A complaint form also may be copied from a student handbook. The Complainant may attach a written narrative explaining the nature of the complaint to the Form. The Complaint Form or narrative shall contain information that describes the conduct that has violated prohibitions against sex discrimination, including sexual harassment and sexual violence, and identify with reasonable particularity the respondent(s) and any witnesses to the alleged conduct.

(b) Any District employee who either reasonably believes a student has been discriminated against based on sex or who receives a complaint of sex discrimination, harassment or violence from a student must immediately submit the Complaint Form to the Responsible Administrator. This reporting obligation is in addition to a school employee’s reporting obligations to appropriate officials pursuant to law and the District Child Abuse or Neglect Reporting Guidelines when the employee has a reasonable belief that a student is being sexually abused or subjected to other forms of abuse and neglect prohibited by law.

**Step 2 -- Determining Applicability of the Procedures.**

The Responsible Administrator shall initially review the written complaint to determine whether the matter falls within the scope of these procedures. Within five (5) days after the Complaint Submission Date, the Responsible Administrator shall initiate an investigation of the matters alleged, or inform the Complainant in writing that the matters alleged in the complaint are not within the jurisdiction or authority of the District to investigate and that the District will not carry out any further investigation. If the matter does not involve allegations of discrimination within the scope of these procedures, the Responsible Administrator shall forward the matter to the proper District administrative authority for review, if appropriate.

**Step 3 -- Investigation.**

(a) The Responsible Administrator shall oversee that an adequate, reliable and impartial investigation of the complaint is conducted by the principal or designee of the school site where the student is enrolled, the employee is assigned, and/or where the alleged discrimination occurred.

(b) In order to provide a neutral and objective investigation, neither the Responsible Administrator, nor the principal or designee conducting the investigation shall be a party to the complaint in the investigation.

(c) In the event that the principal or his/her designee is not a neutral party, the Responsible Administrator shall designate a neutral and objective administrator to conduct the investigation. In the event that the Responsible Administrator is not a neutral party, the Superintendent shall designate a neutral and objective administrator to oversee the investigation.

(d) In conducting the investigation, the designated investigator shall interview all parties identified in the complaint and other witnesses that the investigator determines may provide information relevant to resolving the complaint allegation(s). Both the Complainant and Respondent
shall have the opportunity to identify witnesses to be interviewed and provide documentation or other evidence for the designated investigator to review.

(e) The Responsible Administrator shall consider the evidence compiled by the designated investigator and take whatever additional actions the Responsible Administrator deems necessary to complete the investigation.

(f) The Responsible Administrator will maintain documentation of all proceedings, which may include written findings of facts, transcripts, notes, or audio recordings.

**Step 4 -- Notice of Resolution.**

(a) **Notice.** The Responsible Administrator shall notify both the Complainant and Respondent in writing within thirty (30) days from the Complaint Submission Date of the results of the investigation.

(b) **Written Determination.** The Responsible Administrator shall consider the totality of the evidence and determine whether the preponderance of the evidence establishes that the alleged discrimination occurred (i.e., it is more likely than not that discrimination/sexual harassment/sexual violence occurred).

(i) If the Responsible Administrator determines that the preponderance of the evidence does not support the allegations of discrimination, the Complainant may appeal the determination pursuant to Step 5, below.

(ii) If the Responsible Administrator determines that the preponderance of the evidence supports the allegations of discrimination by the Respondent, the Responsible Administrator shall provide written findings and conclusions supporting the determination. In addition, the written determination shall make recommendations for (A) immediately ending the discriminatory conduct; (B) ways to remedy the discriminatory effects of any discriminatory behavior on the complaining party and, if applicable, the District’s educational environment, and (C) the steps to be taken to prevent the recurrence of any discriminatory or harassing conduct found to have occurred. The recommendations of the Responsible Administrator shall become final and shall be implemented unless either party appeals as provided in Step 5 -- Appeal Rights.

**Step 5 -- Appeal Rights.**

(a) A party not satisfied with the resolution in Step 4, above, may submit a written appeal within five (5) days to the Superintendent. The written appeal shall state with particularity the nature of the disagreement, the reasons underlying such disagreement, and how the outcome would be changed by reconsideration of the determination.

(b) The Superintendent or designee shall conduct a review of the record to determine whether the preponderance of the evidence supports the determination. The Superintendent or designee shall issue a written decision and mail it to the parties within ten (10) days of the receipt of the appeal. The Superintendent’s decision is a final decision.
Step 6 -- Complaints to an External Agency.

If a party is not satisfied with the Superintendent's decision in Step 5, above, the party may file a complaint with the Office of Civil Rights ("OCR") in Cleveland, Ohio. More information is available at the United States Department of Education, Office of Civil Rights, 1350 Euclid Avenue, Suite 325. Cleveland, OH 44115.

IV. DISCIPLINE.

Employees and students may be disciplined if it is determined through this procedure that discriminatory action, treatment, harassment or retaliation for complaining, has occurred in violation of federal or state laws or District policies. The Responsible Administrator shall refer the matter to the appropriate District administrator to initiate disciplinary proceedings against the Respondent.

A. Students. If the recommended disciplinary consequences involve either a long-term suspension or expulsion, the student is entitled to pursue the hearing and appeal rights pursuant to the District’s Rights and Responsibilities Guide and Michigan state law.

B. Employees. If the disciplinary consequence involves discharge or termination, the employee's hearing and appeal rights will be governed by Michigan law and District policies.

V. NO RETALIATION

A. Students, employees or parents who make complaints in good faith, shall be free from retaliation, coercion, and reprisal in seeking resolution of their complaint. Furthermore, persons acting as witnesses to a complaint, in good faith, shall be free from reprisal.

B. Retaliation is a separate violation distinct from the initial underlying harassment or discrimination allegation. Claims of retaliation, submitted in good faith and in writing to the Responsible Administrator, shall be investigated pursuant to these procedures. Individuals who engage in retaliation will be subject to discipline, regardless of whether there has been a finding of cause for the underlying complaint.

VI. FALSE COMPLAINTS.

A. Individuals who knowingly file a false or misleading complaints alleging harassment, discrimination or retaliation are subject to appropriate disciplinary action, including, but not limited to, dismissal of the complaint.

B. If the preponderance of the evidence supports a finding that the Complainant submitted a false or misleading complaint alleging harassment, discrimination or retaliation, the complaint will be dismissed, and the student or employee who submitted the complaint will be recommended for discipline in a manner consistent with the District’s Rights and
Responsibilities Guide.

VI. RELATIONSHIP OF THESE PROCEDURES AND TIMELINES TO LAW ENFORCEMENT ACTIVITIES.

A. Nothing in these Procedures should in any way be deemed to discourage the Complainant from reporting acts subject to these Procedures, including acts of sexual violence, to local law enforcement. In the event that the Complainant files a criminal complaint, the Responsible Administrator should not wait for the conclusion of a criminal investigation or criminal proceeding to begin the District’s own Title IX investigation.

B. Although the District may need to delay temporarily the fact-finding portion of a Title IX investigation while local law enforcement officials are gathering evidence, it is important for the Responsible Administrator to understand that during this brief delay in the Title IX investigation, the District must take interim measures to protect the Complainant in the educational setting. The District should also continue to update the parties on the status of the investigation and inform the parties when the District resumes its Title IX investigation.

VII. INTERIM MEASURES PENDING FINAL DETERMINATION OF THE COMPLAINT.

A. Title IX requires the District to take steps to ensure equal access to its education programs and activities and protect the complainant as necessary, including taking interim measures before the final outcome of an investigation. The District should take these steps promptly once it has notice of a sexual harassment or sexual violence allegation and should provide the complainant with periodic updates on the status of the investigation. The Responsible Administrator should notify the complainant of his or her options to avoid contact with the alleged perpetrator and allow the complainant to change academic and extracurricular activities as appropriate. The Responsible Administrator should also ensure that the complainant is aware of his or her Title IX rights and any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance, and the right to report a crime to local law enforcement.

B. The specific interim measures implemented and the process for implementing those measures will vary depending on the facts of each case. The Responsible Administrator should consider a number of factors in determining what interim measures to take, including, for example, the specific need expressed by the complainant; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the complainant; whether the complainant and alleged perpetrator share the class, transportation, or extra-curricular activities; and whether other judicial measures have been taken to protect the complainant (e.g., civil protection
orders).
GRIEVANCE PROCEDURE

The District has adopted the following Grievance Procedure for addressing complaints of discrimination under Section 504 of the Rehabilitation Act of 1973 and/or Title II of the Americans with Disabilities Act of 1990. A person is not required to use this procedure and may instead file a complaint directly with the U.S Department of Education's Office for Civil Rights, 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115:

**Step 1:** A person who believes that he/she has been discriminated against by the District is encouraged, but is not required, to discuss the matter informally with the appropriate building principal, in the case of a student, or his/her immediate supervisor, in the case of an employee. [NOTE: If the building principal or the immediate supervisor is the subject of the complaint, or the grievant is not a student or employee, the grievant may, instead, contact the District Section 504 Coordinator]. The person receiving the complaint shall verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 business days.

**Step 2:** If the informal Step 1 process does not resolve the matter, or if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to the District Section 504 Coordinator who will investigate the complaint. [NOTE: If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent who will appoint another administrator to conduct the investigation]. The complaint shall be signed by the grievant and include 1) the grievant’s name and contact information; 2) the facts of the incident or action complained about; 3) the date of the incident or action giving rise to the complaint; 4) the type of discrimination alleged to have occurred; and 5) the specific relief sought. Names of witnesses and other evidence as deemed appropriate by the grievant may also be submitted. An investigation of the complaint will be conducted within 10 business days following the submission of the written complaint. The investigation shall include an interview of the parties and witnesses, a review of relevant evidence, and any other steps necessary to ensure a prompt and thorough investigation of the appeal. Copies of the response shall be provided to both the grievant and the person who is the subject of the complaint.

The District hereby provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Grievance Procedure. If you have questions regarding these procedures or desire to file a complaint, please contact the District Section 504 Coordinator:
Derrick Padgett  
(Students) Cynthia S. Ryan (Employees) 2555  
South State Street  
Ann Arbor, MI  
48104  
734-994-2318
PURPOSE: The purpose of the Title IX grievance procedures is to secure, at the lowest possible level, prompt and equitable resolutions of complaints based on sex discrimination, including complaints of sexual harassment or sexual violence, in violation of Title IX of the Education Amendments of 1972 (“Title IX”) and violation of District policies that prohibit these types of discrimination. These procedures apply only to complaints alleging discrimination prohibited by Title IX (including sexual harassment and sexual violence).

INSTRUCTIONS: Individuals alleging Title IX discrimination and requesting review are required to complete this form and submit it to the appropriate administrator as soon as possible after the occurrence of the alleged discrimination:

**Title IX Complaints (students):**

Elementary Schools: Dawn Linden, lindend@a2schools.org
Secondary Schools: Lee Ann Dickinson-Kelley, dickinso@a2schools.org Athletic Programs: Dottie Davis, davis@a2schools.org

**Title IX Complaints (employees):**

Cynthia Ryan, ryanc@a2schools.org
1. **Name of Complainant:**

[Continued on the next line]

<table>
<thead>
<tr>
<th>Home Address</th>
<th>City/State/Zip</th>
<th>Home Phone</th>
</tr>
</thead>
</table>

**School/Office:** ___________________________  **Grade:** ___________________________

2. **Nature of Grievance:** Please describe the action you believe may be sex discrimination, including complaints of sexual harassment or sexual violence, in violation of Title IX and identify with reasonable particularity any person(s) you believe may be responsible. Please attach additional sheets, if necessary:

[Continued on the next line]

3. **When did the actions described above occur?**

[Continued on the next line]

4. **Are there any witnesses to this matter?** (Please circle)  **Yes**  **No**

If yes, please identify the witnesses:

[Continued on the next line]

5. **Did you discuss this matter with any of the witnesses identified in Item 4?**

(Please circle)  **Yes**  **No**

If yes, please identify:

**Person to whom you have spoken:** ___________________________

**Date:** ______________  **Method of communication:** ___________________________
6. Have you spoken to any administrator(s) or other District employee(s) about this matter? (Please circle) Yes No

If yes, please identify:

Person to whom you have spoken: ________________________________
Date:_____________ Method of communication:
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

7. Please describe the result of the discussion(s) identified in Item 6:
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________
_________________________________________________________________

PLEASE ATTACH ANY STATEMENTS, NAMES OF WITNESSES, REPORTS, OR OTHER DOCUMENTS WHICH YOU FEEL ARE RELEVANT TO YOUR COMPLAINT.

I certify that the foregoing information is true and correct.

Print Name __________________________ Signature __________________________ Date __________
Ann Arbor Public Schools

Child Abuse or Neglect Reporting Guidelines
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OVERVIEW

The Ann Arbor Board of Education is concerned with the physical and mental well-being of all the students of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Each professional staff member employed by this District who has reasonable cause to suspect child abuse or neglect shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a student by other than accidental means.

The professional staff member or appropriate administrator in the presence of the staff member shall immediately call the Department of Human Services.

Any support staff member who has reasonable cause to suspect child abuse or neglect shall immediately report any such case to the principal who shall, in turn, immediately notify the Department of Human Services.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the District is a violation of the law and subjects the disseminator to civil liability for resulting damages.

The 24/7 phone number for reporting is: (855)-444-3911.

MANDATORY REPORTING

The Michigan Child Protection Law MCL 722.621 et seq. requires the reporting of child abuse and neglect by mandated reporters. Included in the definition of mandated reporters are:

- School Administration
- School Counselor
- School Teacher

In addition to the above, any person who has reasonable cause to suspect child abuse or neglect may report the incident to the Department of Human Services or law enforcement.
LEGAL STANDARD FOR REPORTING

Michigan law requires that you file a report when you have **reasonable cause** to suspect **abuse** or **neglect**.

DEFINITIONS

“**Child abuse**” means harm or threatened harm to a child’s health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other persons responsible for the child’s health or welfare or by a teacher, a teacher’s aid, or a member of the clergy. MCL 722.622 (2)(f)

“**Child neglect**” means harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child’s health or welfare that occurs through either of the following:

- Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care.
- Placing a child at an unreasonable risk to the child’s health or welfare by failure of the parent, legal guardian, or other person responsible for the child’s health or welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk. MCL 722.622 (2)(j)

“**Sexual abuse**” means engaging in sexual contact or sexual penetration as defined in section 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a, with a child.

“**Sexual exploitation**” includes allowing, permitting, or encouraging a child to engage in prostitution, or allowing, permitting, or encouraging a child to engage in prostitution, or allowing, permitting, encourage, or engaging in the photographing, filming, or depicting of a child engaged in a listed sexual act as defined in section 145c of the Michigan penal code, 1931 PA 328, MCL 750.145c
REPORTING REQUIREMENT

Verbal Report  (855) 444-3911
Those who have reasonable cause to suspect child abuse or neglect shall make immediately, by telephone or otherwise, an oral report, or cause an oral report to be made, of the suspected child abuse or neglect to the Department of Human Services (DHS).

Written Report  (Form DHS-3200)
Written 72 hours after making an oral report, the reporting person shall file a written report. If the reporting person is a staff member, the reporting person shall notify the person in charge of the school, that a report has been made, and shall make a copy of the written report available to the person in charge of the school.

In addition to the mandated reporting, any person who has reasonable cause to suspect child abuse or neglect may report the matter to the Department of Human Services or law enforcement. MCL 722.624 (4).

COOPERATION WITH INVESTIGATION

A school or other institution shall cooperate with the DHS during an investigation of a report of child abuse or neglect. Cooperation includes allowing access to the child without parental consent if access is determined by the DHS to be necessary to complete the investigation or to prevent abuse or neglect of the child. MCL 722.628(8)

If the Department of Human Services comes to your school the following applies:

Before contact with the child, the department investigator shall review with the designated school staff person the department’s responsibilities under this act and the investigation procedure. After contact with the child, the department investigator shall meet with the designated school staff person and the child about the response the department will take as a result of contact with the child. The department may also meet with the designated school staff person without the child present and share additional information the investigator determines may be shared subject to the confidentiality provisions of this act.

A child shall not be subjected to a search at a school that requires the child to remove his or her clothing to expose his buttocks or genitalia or her breasts, buttocks, or genitalia unless the department has obtained an order from a court of competent jurisdiction permitting such a search. MCL 722.628(9)
CONFIDENTIALITY AND IMMUNITY

The identity of a reporting person is confidential subject to disclosure only with the consent of that person or by judicial process. A person acting in good faith or who makes a report, cooperates in an investigation, or assists in any requirement of the law, is immune from civil or criminal liability for acts done according to the act.

A written report is a confidential record available only to a Department of Human Services agency or to a law enforcement agency investigating suspected child abuse or child neglect.

The Michigan Attorney General has opined that an agency worker or other individual who inappropriately discloses the name of a person filing a report may be held criminally liable for a misdemeanor.
YOU are a mandated reporter.

Michigan law requires that certain persons report any case of suspected child abuse or child neglect to the Michigan Department of Human Services (DHS). The definition of mandated reporter includes all school administrators, school counselors, and school teachers.

School personnel play an important role in the lives of children. You are in a unique position to observe and interact with children on a daily basis. You see changes in children that may indicate abuse or neglect. Because children often confide in you, you may learn information that indicates a child is being abused or neglected.

Once you file a report, the child and family may become eligible to receive a wide variety of services that will improve the family’s ability to care for the child. The family may be...
provided parenting classes, counseling, treatment for substance abuse, medical services, anger management education and other services designed to meet the family’s specific needs.
The legal standard for reporting

Michigan law requires that you must file a report when you have reasonable cause to suspect abuse or neglect. This is an extremely low legal standard. Elsewhere in this pamphlet is a description of certain signs of abuse and neglect. However, you must keep in mind that you are not required to determine whether abuse or neglect has actually occurred. DHS is responsible for investigating reports of abuse and neglect and for determining how each case progresses. You must make a report whenever you suspect that abuse or neglect may have occurred.

Your liability for failure to report

If you fail to file a report of suspected abuse or neglect, you will be subject to both civil and criminal liability. In a civil action you may be held liable for all damages that any person suffers due to your failure to file a report. In a criminal action, you may be found guilty of a misdemeanor punishable by imprisonment for up to 93 days and a fine of $500.

Notifying your supervisor or other agency administrator DOES NOT satisfy your legal obligation to file a report with DHS.

There are NO excuses for failing to report

You may believe that filing a report will not lead to any benefit to the child involved. You may believe that filing a report may actually place the child at
You CANNOT be “punished” for filing a report

When you file a report in good faith, you cannot be held liable to any person for any damages they may suffer. You are also immune from any criminal liability that could otherwise result. **When you file a report, you are PRESUMED to have acted in good faith.** An aggrieved person would have the burden of proving that you made a report for some reason unrelated to the well-being of the child who was the subject of your report. An aggrieved person could never meet this burden if you filed a report due to your concern for a child’s well-being.

Further, you cannot be dismissed or otherwise penalized within your agency for making a report required by the Child Protection Law or for cooperating in an investigation.

Your identity must be kept confidential

When you file a report with DHS, your identity may not be shared with any person unless you agree in writing to that disclosure or a judge orders such disclosure. Your identity may be disclosed to a child protective agency or a law enforcement agency that is investigating the alleged abuse or neglect. Any concern that a parent may discern your identity DOES NOT discharge your obligation to file a report.
What constitutes child abuse or neglect?

The legal definitions of child abuse and neglect are set forth below. At times it may be a challenge to translate and apply legal definitions and standards to a particular circumstance. Most importantly, keep in mind that you are not required to determine whether these legal standards are met in your case. If you in good faith believe that circumstances in your situation may constitute abuse or neglect, then you MUST file a report with DHS.

The following list of common indicators of abuse and neglect IS NOT exhaustive. Use common sense, and always err on the side of caution by filing a report when in doubt.

Physical abuse. Harm or threatened harm to a child through non-accidental injury. Examples of physical abuse include beating, kicking, punching, and burning.

Common indicators of physical abuse
- Questionable, recurring bruises and/or welts on various parts of the body or in various stages of healing
- Bruises or welts in the shape of an object (electric cord, belt)
- Bite marks
- Bald spots, missing clumps of hair
- Cigarette or cigar burns
- Burns in the shape of an object (iron, stove burner)
- Immersion burns (legs, hands, buttocks)
- Questionable, multiple, or recurring fractures

Neglect. Harm or threatened harm to a child’s health or welfare due to failure to provide adequate food, shelter, clothing, or medical care. The failure to protect a child from a known or potential risk of harm is also considered neglect.

Common indicators of neglect
- Persistent hunger
- Stealing or hoarding food
• Consistently inappropriate dress
• Excessive school absences

**Sexual abuse and sexual exploitation.** Engaging in sexual contact or sexual penetration with a child (as defined in the criminal code) constitutes sexual abuse. Sexual exploitation is defined as allowing, permitting, or encouraging a child to engage in prostitution or to be depicted in a sexual act (as defined in the penal code).

**Common indicators of sexual abuse and sexual exploitation**
• Age-inappropriate knowledge of sexual behavior
• Sexually explicit drawings and behavior
• Unexplained fear of a person or place
• Unexplained itching, pain, bruising or bleeding in the genital area
• Age-inappropriate seductive behavior
• Pregnancy 12 years or under
• Venereal disease, frequent urinary or yeast infections

**Maltreatment.** Treatment that involves cruelty or suffering that a reasonable person would recognize as excessive. Examples include forcing a child to eat dog food as punishment, locking a child in a closet, or teaching a child to assist in criminal activities.
Upon suspecting child abuse/neglect, you must both report to DHS and to the person in charge of the school. DHS is generally prohibited from discussing the details of any investigation stemming from your report. You should receive a very general letter, stating whether or not the case was assigned for investigation. Do not assume a lack of “follow-up” with you indicates nothing was accomplished. Although DHS may be unable to share with you details about an ongoing investigation, you should continue to report any new concerns that might arise after your initial report.

Step 1: Oral report
You must immediately make, by telephone or face-to-face, an oral report of the suspected child abuse and neglect to DHS, followed by a written report. (DHS contact information and written requirements are provided in this pamphlet). You should be prepared to provide, if known, the following information when making a verbal Children’s Protective Services report:

- Child’s current address as well as past addresses if known and the address where the alleged incident happened if different.
- If the alleged perpetrator lives with the child.
- Alleged victim’s full name, birth date, and race.
- Alleged perpetrator’s full name. If known, provide the relationship of the perpetrator to the child.
- Statements of the child’s disclosure and context of the disclosure. For example, was the child asked about the injury, or did they volunteer the information?
- History of the child’s behavior and patterns of attendance may be helpful to the investigation.
- Why you think the child is being abused, neglected, and/or maltreated.

You SHOULD NOT attempt to investigate the matter yourself. Investigation and appropriate action are the responsibility of Children’s Protective Services, a division of the Michigan Department of Human Services, the state agency responsible for child welfare.
Step 2: **Follow-up written report**

**Within 72 hours after making the oral report, the reporting person shall file a written report** with the DHS office in the county where the child is found or resides. The report must be mailed or otherwise transmitted to this DHS office. The local county DHS office can be found through the statewide DHS hotline or DHS website, both listed in this pamphlet. The 72-hour period includes weekends and holidays.

For the written report, DHS encourages reporters to use its Form DHS-3200, which includes all the information required under the law. You should complete form items 1-21. One report from a school will be considered adequate to meet the law’s reporting requirement.

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Step 3: **Reporting obligations to person in charge of school**

You must notify the person in charge of the school of the suspected abuse/neglect that the report has been made with DHS. You must provide the person in charge with a copy of the written report.

*Note: Reporting the suspected allegations of child abuse/neglect to the person in charge of your school does not fulfill your mandated requirement to report directly to DHS.*
Reference and contact numbers

The Department of Human Services (DHS) toll-free number is 1-855-444-3911.

DHS-3200 Form can be accessed at: www.michigan.gov/dhs or www.michigan.gov/documents/FIA3200_11924_7.pdf

If a mandated reporter is dissatisfied with the DHS response, he or she may call the Mandated Reporter Hotline at 1-877-277-2585.

Childhelp USA, National Child Abuse Hotline 1-800-4-A-Child (1-800-412-4453)
Childhelp hotline is staffed 24 hours a day, seven days a week, by professional crisis counselors who have access to a database of emergency, social service, and support resources.

Michigan Office of Children’s Ombudsman is charged with the oversight of Children’s Protective Services, adoption and foster care services.
1-800-642-4326

Child Pornography Tipline
1-800-843-5678

Common Ground Crisis Line
1-800-231-1127
248-456-0909

Listening Ear Crisis Hotline
517-337-1717

Michigan Parent Help Line
1-800-942-4357

Michigan Assault Hotline
1-800-NO-MEANS-NO
National hotlines and helplines

National Domestic Violence/Abuse Hotline
1-800-799-SAFE
1-800-787-3224 TDD

National Runaway Switchboard
1-800-RUNAWAY
1-800-786-2929

National Suicide Hotline
1-800-SUICIDE
1-800-784-2433

No Abuse Helpline
1-800-996-6228

Rape, Abuse, and Incest National Network (RAINN)
1-800-656-HOPE

RAPLine (Michigan Runaway Assistance Program)
1-800-292-4517

School Violence Hotline
1-800-815-TIPS
This pamphlet was inspired by the dedication and donation of Judith Mynsberge, a classroom teacher for 32 years, and by Marcie Schalon, an MSU alumnus whose care for children is further informed by her background in child welfare.

For more information, contact:

MSU Chance at Childhood Program
610 Abbot Road
East Lansing, MI 48823

Ph. 517.336.8088 Fax 517.336.8089
http://chanceatchildhood.msu.edu

This pamphlet was prepared by the Michigan State University Chance at Childhood Program with assistance from the Michigan Department of Human Services, the Michigan Prosecuting Attorneys Association, and the Lansing School District.

The Chance at Childhood Program is sponsored by:
# REPORT OF ACTUAL OR SUSPECTED CHILD ABUSE OR NEGLECT

Michigan Department of Human Services

<table>
<thead>
<tr>
<th>Was complaint phoned to DHS?</th>
<th>Yes</th>
<th>No</th>
<th>If yes, Log #</th>
<th>If no, contact Centralized Intake (855-444-3911) immediately</th>
</tr>
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**INSTRUCTIONS:** REPORTING PERSON: Complete items 1-19 (20-28 should be completed by medical personnel, if applicable). Send to Centralized Intake at the address list on page 2.

1. Date

2. List of child(ren) suspected of being abused or neglected (Attach additional sheets if necessary)

<table>
<thead>
<tr>
<th>NAME</th>
<th>BIRTH DATE</th>
<th>SOCIAL SECURITY #</th>
<th>SEX</th>
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3. Mother’s name

4. Father’s name

5. Child(ren)’s address (No. & Street)

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9. Name of alleged perpetrator of abuse or neglect

10. Relationship to child(ren)

11. Person(s) the child(ren) living with when abuse/neglect occurred

12. Address, City & Zip Code where abuse/neglect occurred

13. Describe injury or conditions and reason for suspicion of abuse or neglect

14. Source of Complaint (Add reporter code below)

<table>
<thead>
<tr>
<th>01 Private Physician/Physician’s Assistant</th>
<th>11 School Nurse</th>
<th>42 DHS Facility Social Worker</th>
</tr>
</thead>
<tbody>
<tr>
<td>02 Hosp/Clinic Physician/Physician’s Assistant</td>
<td>12 Teacher</td>
<td>43 DMH Facility Social Worker</td>
</tr>
<tr>
<td>03 Coroner/Medical Examiner</td>
<td>13 School Administrator</td>
<td>44 Other Public Social Worker</td>
</tr>
<tr>
<td>04 Dentist/Register Dental Hygienist</td>
<td>14 School Counselor</td>
<td>45 Private Agency Social Worker</td>
</tr>
<tr>
<td>05 Audiologist</td>
<td>21 Law Enforcement</td>
<td>46 Court Social Worker</td>
</tr>
<tr>
<td>06 Nurse (Not School)</td>
<td>22 Domestic Violence Providers</td>
<td>47 Other Social Worker</td>
</tr>
<tr>
<td>07 Paramedic/EMT</td>
<td>23 Friend of the Court</td>
<td>48 FIS/ES Worker/Supervisor</td>
</tr>
<tr>
<td>08 Psychologist</td>
<td>25 Clergy</td>
<td>49 Social Services Specialist/Manager (CPS)</td>
</tr>
<tr>
<td>09 Marriage/Family Therapist</td>
<td>31 Child Care Provider</td>
<td>56 Court Personnel</td>
</tr>
<tr>
<td>10 Licensed Counselor</td>
<td>41 Hospital/Clinic Social Worker</td>
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</tbody>
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15. Reporting person’s name

15a. Name of reporting organization (school, hospital, etc.)

15b. Address (No. & Street)

15c. City

15d. State

15e. Zip Code

15f. Phone No.

16. Reporting person’s name

16a. Name of reporting organization (school, hospital, etc.)

16b. Address (No. & Street)

16c. City

16d. State

16e. Zip Code

16f. Phone No.

17. Reporting person’s name

17a. Name of reporting organization (school, hospital, etc.)

17b. Address (No. & Street)

17c. City

17d. State

17e. Zip Code

17f. Phone No.

18. Reporting person’s name

18a. Name of reporting organization (school, hospital, etc.)
### General Information

This form is to be completed as the written follow-up to the oral report (as required in Sec. 3 (1) of 1975 PA 238, as amended) and mailed to Centralized Intake for Abuse & Neglect. Indicate if this report was phoned into DHS as a report of suspected CA/N. If so, indicate the Log # (if known). The reporting person is to fill out as completely as possible items 1-19. Only medical personnel should complete items 20-28.

Mail this form to:

Centralized Intake

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**TO BE COMPLETED BY MEDICAL PERSONNEL WHEN PHYSICAL EXAMINATION HAS BEEN DONE**

<table>
<thead>
<tr>
<th>18b. Address (No. &amp; Street)</th>
<th>18c. City</th>
<th>18d. State</th>
<th>18e. Zip Code</th>
<th>18f. Phone</th>
</tr>
</thead>
</table>

**INSTRUCTIONS**

**GENERAL INFORMATION:**

Department of Human Services (DHS) will not discriminate against any individual or group because of race, religion, age, national origin, color, height, weight, marital status, sex, sexual orientation, gender identity or expression, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to a DHS office in your area.

**AUTHORITY:**

P.A. 238 of 1975.

**COMPLETION:**

Mandatory.

**PENALTY:**

None.
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Fax this form to 616-977-8900 or 616-977-8050 or 616-977-1158 or 616-977-1154 OR email this form to DHS-CPS-CIGroup@michigan.gov

1. Date – Enter the date the form is being completed.
2. List child(ren) suspected of being abused or neglected – Enter available information for the child(ren) believed to be abused or neglected. Indicate if child has a disability that may need accommodation.
3. Mother’s name – Enter mother’s name (or mother substitute) and other available information. Indicate if mother has a disability that may need accommodation.
4. Father’s name – Enter father’s name (or father substitute) and other available information. Indicate if father has a disability that may need accommodation.

5.-7. Child(ren)’s address – Enter the address of the child(ren).

8. Phone – Enter phone number of the household where child(ren) resides.

9. Name of alleged perpetrator of abuse or neglect – Indicate person(s) suspected or presumed to be responsible for the alleged abuse or neglect.

10. Relationship to child(ren) – Indicate the relationship to the child(ren) of the alleged perpetrator of neglect or abuse, e.g., parent, grandparent, babysitter.

11. Person(s) child(ren) living with when abuse/neglect occurred – Enter name(s). Indicate if individuals have a disability that may need accommodation.

12. Address where abuse / neglect occurred.

13. Describe injury or conditions and reason of suspicion of abuse or neglect – Indicate the basis for making a report and the information available about the abuse or neglect.

14. Source of complaint – Check appropriate box noting professional group or appropriate category.

**Note:** If abuse or neglect is suspected in a hospital, also check hospital.

**DHS Facility** – Refers to any group home, shelter home, halfway house or institution operated by the Department of Human Services.

**DCH Facility** – Refers to any institution or facility operated by the Department of Community Health.

15.-19 - Reporting person’s name - Enter the name and address of person(s) reporting this matter.
Ann Arbor Public Schools Employee Handbook

Bullying/Cyberbullying Policy

1 Purpose
   1.1 To provide a process for reporting and investigating cases of bullying against students.
   1.2 To provide strategies within the school community to recognize and guard against bullying.

2 Organizational Units Affected
   2.1 All Staff
   2.2 Students
   2.3 Volunteers
   2.4 Independent Contractors
   2.5 Board Members
   2.6 Parents

3 Definitions
   3.1 Bullying/Cyberbullying - any written, verbal or physical act, or any electronic communication, that is intended or that a reasonable person would know is likely to harm one or more pupils either directly or indirectly by doing any of the following:
      3.1.1 Substantially interfering with educational opportunities, benefits, or programs of one or more pupils;
      3.1.2 Adversely affecting the ability of a pupil to participate in or benefit from the school district’s or public school’s educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress;
      3.1.3 Having an actual and substantial detrimental effect on a pupil’s physical or mental health;
      3.1.4 Causing substantial disruption in, or substantial interference with, the orderly operation of the school.
   3.2 "At School" means in a classroom, anywhere else on school premises, on a school bus or other school related vehicle, and at a school sponsored activity or event, whether or not the activity or event is held on school premises. "At school" includes the off premises use of a telecommunications access device or the telecommunications service provider if the device or service provider is owned by or under the control of the District.

4 Background Information
   4.1 The Ann Arbor Public Schools Board of Education recognizes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. The District finds that bullying/cyberbullying, like other disruptive or violent behavior, is conduct that disrupts both a student’s ability to learn and a school’s ability to educate its students in a safe environment.
   4.2 The Ann Arbor Public Schools Board of Education prohibits all bullying/cyberbullying, without regard to its subject matter or motivating animus.
      4.2.1 The Ann Arbor Public Schools Board of Education prohibits any form of retaliation or false accusation against a target of bullying, a witness or another person with reliable information about an act of bullying/cyberbullying.
      4.2.2 Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying/ cyberbullying is prohibited and will not be tolerated.
4.2.3 Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying.

4.2.4 Making intentionally false reports about bullying/ cyberbullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated.

4.3 Students found to have committed an act of bullying/ cyberbullying, retaliation or false accusation will receive the appropriate measure of discipline as outlined in the Rights & Responsibilities Handbook.

4.3.1 Students have the right to due process in all disciplinary proceedings.

4.3.2 Parent/guardian notification and participation in matters of disciplinary action is required.

4.4 To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, the investigation will, in some circumstances, require disclosure of names and allegations.

5 Procedures

5.1 Any student who believes he or she has been or is currently the victim of bullying/ cyberbullying should immediately report the situation to the school principal or assistant principal.

5.2 The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate school administrator.

5.3 Students who feel they are the subject of retaliation should immediately report the situation to the appropriate school administrator.

5.4 The school principal or assistant principal who has received a report of bullying/ cyberbullying shall investigate and complete the investigation as promptly as the circumstances permit.

5.4.1 Investigation completion goal within 5 school days from receipt of the complaint, and shall include:
• Contacting parent/guardian to inform of student report.
• Interviewing students involved and witnesses, if any.
• Providing appropriate agency referrals to all parties involved.

5.4.2 If incident is substantiated finding a student as the perpetrator, school principal/assistant principal affects immediate disciplinary action, up to and including law enforcement referral.

5.4.3 If incident is substantiated finding an adult as the perpetrator, school administrator contacts the appropriate central administrators.

5.4.3.1 School District action against substantiated adult perpetrators shall include:

• Discharge for employees;
• Exclusion for parents/guardians, guests, volunteers and contractors;
• Request for resignation for Board Members.

5.4.4 Determine long-term plan for remediation.

5.4.5 Provide written documentation of findings to all parties and to Executive Director of Elementary or Secondary Education.

6 Work Instructions, Templates, & Samples

6.1 Student Incident Report (to be developed)

7 Training & Feedback

7.1 Bullying/ cyberbullying is a non-negotiable component of the Pre-K - 12 PBIS Framework currently being developed.

7.2 Instruction will facilitate training for administrative staff.

8 Implementation and Feedback

8.1 Instruction will review and consider Pre-K - 12 implementation of anti-bullying/ cyberbullying programs.