

# **Riverview Community School District**

## **BOARD OF EDUCATION BYLAWS AND POLICIES**

Revised 3-26-19



**Lusk Albertson PLC**

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## INTRODUCTION

### Name and Legal Status

The legal name of the School District is the Riverview Community School District, more commonly known as the Riverview Community Schools. The School District is a Michigan general powers school district within the meaning of the Michigan Revised School Code (RSC), MCL 380.1 *et seq.*

### The Board of Education

The School District is governed by the Board of Education (the Board). A principal function of the Board is to adopt Bylaws and Policies that are reasonable and necessary to guide present and future Board and School District decision making and operations. The adoption, amendment or repeal of Bylaws or Policies requires the vote of a majority of the Board members elected and serving.

Bylaws and Policies supplement the wide body of federal and state statutory and regulatory law that applies to public school districts in the State of Michigan. Federal and state law supersede these Bylaws and Policies, to the extent of any inconsistency. The Board has determined that it is not reasonable or necessary to attempt to replicate statutes or regulatory law in these Bylaws and Policies.

### The Superintendent of Schools

The Board will, at all times, employ a Superintendent of Schools in conformity with the RSC and other applicable laws. The Superintendent will serve as the School District's chief administrator and is responsible for the development and implementation of regulations that give operational effect to the Board Policies. Regulations are to be consistent with these Bylaws and Policies and, except as otherwise agreed by the Board, will not be effective for a period of one month from the date they are provided to the Board. References to the Superintendent throughout these Bylaws and Policies shall include the Superintendent and his/her designee, unless otherwise expressly stated.

For purposes of labor negotiations, the Superintendent will serve as the chief negotiator for the Board. If the Superintendent elects not to serve as the chief negotiator, he or she may appoint a chief negotiator at his/her discretion. In such cases, the Superintendent may serve as a consultant to the negotiating team.

The Superintendent shall keep the Board informed of pending legislation and other relevant legislative activity.

At the time of hire, the Superintendent shall have (1) earned at least a master's degree from an approved institution of learning with graduate study in educational administration (although a doctor's degree is not required, work toward the degree is considered desirable); (2) acquired at least five years of successful experience in teaching and in the administration of schools; and (3) established himself/herself as an educational leader in the profession through active participation in a variety of areas.

The Board has adopted these Bylaws to define the manner in which the Board meets, operates and conducts its business. Bylaws are intended to provide for the Board's own internal governance, providing the basic framework for Board operations. Administrative regulations created hereunder by the Superintendent and/or his/her designee do not require formal Board approval, though the Board should be made aware of any such guidelines.

## 1000.01 Organization and Functioning of the Board

**Composition** The Board of Education is comprised of seven (7) members, elected or appointed in accordance with the RSC and the Michigan Election Law. RSC and the Michigan Election Law.

**Term of Office** The term of office of each member is four (4) years.

**Oath of Office** Newly elected, reelected and appointed members of the Board will take the required oath of office before being seated.

**Vacancies** In the event of a vacancy on the Board, the Board may, pursuant to the Michigan Election Law, appoint an eligible person to fill the position. The appointed person will serve until a successor is elected at the next regular School District election and the elected person takes office.

**Duties and Responsibilities of Board Members** Board members are elected to serve the interests of the School District and the entire school community. These interests may not be subordinated to any partisan principle, group or interest. Board members are expected to be and remain informed about issues that may come before the Board for decision. Regular attendance at Board meetings is necessary to fulfill the obligations of a Board member. Board members are encouraged to participate in conferences, workshops, in-service programs, or other educational programming that will improve their service as Board of Education members and enhance their ability to stay informed on educational issues. and enhance their ability to stay informed on educational issues.

**Role of Individual Board Members** The Board acts as a whole, and only at properly convened Board meetings. An individual Board member lacks independent authority and may not act for or on behalf of the Board unless he/she has been specifically delegated authority by the Board to act in a particular instance.

**Code of Ethics** Each board member will be asked to acknowledge and sign the following code of Ethics:

As a member of the Board, I will promote the best interest of the School District as a whole and shall adhere to the following ethical standards and principles:

1. I will represent all School District constituents honestly and equally and refuse to surrender my responsibilities to any partisan principal, group or interest.
2. I will avoid any conflict of interest or the appearance of impropriety that could result from my position and will not use my membership on the Board for personal gain, where contrary to the interests of the School District.
3. I will recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public meeting of the Board.
4. I will take no private action that might compromise the Board or administration and will respect the confidentiality of privileged information.



5. I will abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.
6. I will encourage and respect the free expression of opinion by my fellow Board members and will participate in Board discussions in an open, honest and respectful manner, honoring differences of opinion or perspective.
7. I will prepare for, attend and actively participate in School Board meetings.
8. I will become sufficiently informed about and prepared to act on the specific issues before the Board.
9. I will respectfully listen to those who communicate with the Board, seeking to understand their views, while recognizing my responsibility to represent the interests of the entire school community.
10. I will strive for a positive working relationship with the Superintendent, respecting the Superintendent's authority to advise the Board, implement Board policy, and administer the School District.
11. I will model continuous learning and work to ensure good governance by taking advantage of Board member development opportunities, including those sponsored by state and national school board associations, and encourage my fellow Board members to do the same.
12. I will strive to keep the Board focused on its primary work of clarifying the School District purpose, direction and goals, and monitoring District performance.

**Confidentiality** In their capacity as a member of the Board, members may receive information that is not available to the general public. This includes information that is received during a closed session of the Board. In order for the proper functioning of the Board, an individual Board member will not share confidential information without the prior authorization of the Board or as may be required by law.

**Conflict of Interest** Board members are expected to conduct themselves in a manner that does not give the appearance of a conflict interest prohibited by law.

**New Members** Board service requires considerable preparation and study. New Board members are strongly encouraged to participate in orientation and educational activities to acquaint themselves with the duties and responsibilities of a Board member.

**Committees** The Board may create various committees to gather information for the Board. A committee shall consist of no more than three (3) current Board members.

**Election of Officers of the Board** The President, Vice-President, Treasurer and Secretary of the Board will be elected at the Board's annual organizational meeting. The vote of the majority of the Board members elected and serving will be necessary for election to these offices. The elected officers will hold office for one year and continue in office until their successors are chosen and take office. Board officers are eligible for reelection to their office.

**President** The President of the Board will preside at all meetings of the Board and conduct meetings in the manner prescribed by these Bylaws. The President will prepare the agenda for Board meetings in consultation with the Superintendent and may perform such other tasks as are reasonably necessary to facilitate Board meetings.

The President, or his/her designee, functions as the official spokesperson for the Board. The President will be the official recipient of correspondence directed to the Board and will provide copies of School District

related correspondence to all other Board members and, in his/her discretion, to the Superintendent. Board members who receive School District related correspondence that was not addressed to the President will promptly provide a copy to the President.

The President will sign all papers and documents required by law or otherwise authorized by action of the Board.

The President, on behalf of the Board, is authorized to consult with the Superintendent and/or School District legal counsel prior to presentation of an issue to the full Board.

***Vice-President*** The Vice-President will have the powers and duties of the President during the temporary absence or disability of the President. The Vice-President will also have such other powers and duties as the Board may from time to time determine.

***Treasurer*** The Treasurer of the Board will sign all School District documents required by law or otherwise authorized by action of the Board and perform other duties required by law and/or assigned by the Board.

***Secretary*** The Secretary of the Board will be responsible for taking and keeping the Board minutes in conformity with applicable legal requirements and performing such other duties as the Board may from time to time determine.

***Vacancies in Officer Positions*** In the event of a vacancy in a Board office, the Board will elect a successor to serve for the balance of the term.

***Removal from Office*** The Board may remove a person from an elected Board office by a majority vote of the serving members. Removal from an office does not constitute removal from the Board.

***Compensation*** Board members will be paid the sum of \$30.00 for attendance at each meeting and/or study session of the full Board.

***Reimbursement of Expenses*** In addition to compensation for meeting attendance, Board members will be reimbursed for actual and necessary expenses incurred in the discharge of their official duties, as well as for attending Board approved activities and functions. Board members are expected to exercise good judgment, and ensure that expenditures incurred are reasonable, necessary, and in the best interest of the School District. Board members will not be reimbursed for entertainment expenses or the purchase of alcoholic beverages.

***Indemnification*** The School District will indemnify the Board and individual Board members to the extent permitted by law. The School District will also purchase and keep in effect insurance policies for the defense and indemnification of the Board and individual Board members.

***Discipline and Removal*** By a majority vote, the Board may censure an individual Board member or members for violating federal or Michigan law, these Bylaws or Board policy, or otherwise acting in a manner inconsistent with the office of a Board member. By a majority vote, the Board may petition the Governor to remove an individual Board member or members from office for gross neglect of duty, corrupt conduct in office or any other misfeasance or malfeasance in office, as set forth in Section 1107 of the RSC.

***Student Representation*** Student representation on the Board is authorized in order to facilitate effective communication and to help promote sound education. The Superintendent shall establish guidelines for the selection of a student representative to the Board.

***Professional Services*** The Board may select and appoint qualified individuals, or firms to provide professional services to the District for legal, architectural, and auditing/accounting services. The Board

shall minimally consider certification and/or licenses; and training and experience, including that of partners and associates, in making its selections.

## **1000.02 Meetings of the Board of Education**

**Michigan Open Meetings Act** The Michigan Open Meetings Act (OMA), MCL 15.261 *et seq.*, governs many aspects of Board of Education meetings. These Bylaws supplement the requirements of the OMA.

**Annual Organizational Meeting** An organizational meeting will be held annually during the month of January. The business of the meeting will include:

- the election of Board officers; the establishment of a schedule of regular Board meetings for the year; and
- such other business as the Board may choose to address.

**Regular Meetings** Regular meetings of the Board will be held in accordance with the schedule established by the Board at the organizational meeting. The agenda of each regular meeting will be developed by the President of the Board in consultation with the Superintendent.

**Special Meetings** Special meetings of the Board may be called by the President or any three (3) Board members by providing not less than 24 hours' notice to all Board members. The notice to Board members and the public shall be consistent in manner and form with the requirements of the OMA.

### **Meeting Procedures**

**Quorum.** Unless otherwise required or permitted by law, a majority of the serving members will constitute a quorum.

**Order of Business.** The order of business conducted by the Board will be dictated by the Open Meetings Act, as applicable, or as outlined in the Board Operating Procedures, as determined by the Board.

**Voting.** Unless otherwise required or permitted by law, the affirmative vote of a majority of the serving Board members is required to exercise the Board's authority.

**Guidelines for Public Participation at Board Meetings.** The Board will publish guidelines concerning public participation at Board meetings. The guidelines will include, but not be limited to:

- Limiting the time any individual may address the Board.
- Requiring individuals who wish to address the Board to identify themselves, their address, and any organization they may represent.
- Advising the public that, generally, the Board and individual Board members will not directly respond to comments or questions that arise during the public participation portion of the meeting.
- Requiring individuals who wish to address the Board to direct their comments to the entire Board and not to individual Board members, the Superintendent, other School District employees or members of the audience.
- Prohibiting behavior that is intemperate, abusive, defamatory or discourteous or that otherwise interferes with the orderly conduct and timely completion of the Board meeting.
- Excluding from the meeting an individual who engages in conduct that constitutes a breach of the peace.

**Rules of Order.** Disagreements concerning the rules of order for a meeting will be resolved according to the latest edition of *Robert's Rules of Order*. The Board may, however, suspend the Rules for a particular meeting or vote by action of a two-thirds (2/3) vote of those members present.

**Suspension or Waiver of the Bylaws.** Bylaws may be suspended by general consent or a two-thirds (2/3) vote of the Board members present at a properly constituted meeting. The suspension will apply to a particular instance and matter only and will not otherwise be applicable to subsequent actions or events.

### **1000.03 Adoption or Amendment of Bylaws and Policies**

The Board will adopt or amend Bylaws and Policies after readings at two separate Board meetings. The Board may, by a majority vote of members elected and serving, waive a first reading and proceed to consider and act on a revision of an existing, or adoption of a new, Bylaw or Policy.

Every child, regardless of race, religion, color, sex, age, national origin, marital status, genetic information, pregnancy, disability, or cultural or economic background is entitled to equal opportunity for educational development. No student will be excluded from participating in, denied the benefits of, or subject to discrimination under any educational program or activity conducted by the School District.

**2000.01****Admission and Enrollment**

**Resident Students** Michigan law establishes which students have the right to attend school in the School District. The Superintendent will develop and implement regulations for the enrollment of resident students and their assignment to School District schools, facilities and programs. The Superintendent may also develop and implement regulations for intra-district open enrollment.

**Nonresident Students** Nonresident students may be permitted to enroll in the School District, as described below. Enrollment decisions will be made on a nondiscriminatory basis.

**Children of Non-resident Employees.** A child of a non-resident employee of the School District may be permitted to enroll in the School District without the payment of tuition, provided the enrolling student is enrolling in the K-12 program. Once enrolled, such a student will be permitted to continue to attend the School District through graduation or receipt of a certificate of completion. This policy does not, however, bar the long-term suspension or expulsion of a student for a violation of the Student Code of Conduct.

**Schools of Choice.** The Board may choose to permit the enrollment of nonresident students through a schools of choice program. If a program is adopted, the Superintendent will develop and implement regulations for the enrollment of nonresident schools of choice students. Students duly enrolled through a schools of choice program will, thereafter, be considered School District students for all curricular and extracurricular purposes.

**Tuition Students.** The Board may choose to permit the enrollment of nonresident students through a tuition program. If a tuition program is adopted, the Superintendent will develop and implement regulations for the enrollment of nonresident tuition students. Students duly enrolled through a tuition program will, thereafter, be considered School District students for all curricular and extracurricular purposes.

**Foreign Exchange Students.** The Superintendent may develop and implement regulations for the enrollment of foreign exchange students.

**Homeless Students.** The School District will comply with applicable legal requirements concerning the enrollment of students defined as homeless under federal law. The Superintendent will appoint a central office administrator to serve as the District's liaison with homeless students and their parents or guardians. The liaison will coordinate and collaborate with state and local officials, as necessary. Students duly enrolled as homeless students will, thereafter, be considered School District students for all curricular and extracurricular purposes.

**2000.02****Learning and Achievement**

The core function of the School District is to educate students to prepare them to become productive and responsible citizens and adults. All other policies and considerations remain secondary to this objective.

**Curriculum** The Superintendent, in consultation with selected School District personnel, is responsible for developing and implementing a legally compliant School District-wide curriculum. The curriculum is to be designed to further the educational growth of School District students and prepare students for post-

secondary education and employment opportunities. All School District personnel are responsible for faithfully and effectively implementing the curriculum in their respective buildings and classrooms.

**Assessments** The Superintendent, in consultation with selected School District personnel, is responsible for developing and implementing legally compliant student assessments. These assessments are to be designed to accurately measure the degree to which students of the School District are progressing in the School District's curriculum, in general, and how each individual student is progressing within the curriculum.

The Superintendent, in consultation with selected School District personnel, is also responsible for developing and implementing an assessment reporting system. The purposes of the reporting system include informing the Board, School District staff, parents,<sup>1</sup> and the community, at large, about student progress within the School District's curriculum, in general; informing the Board, School District staff, parents and the community at large about student progress relative to their peers in other school districts and communities; and notifying parents and students of the particular student's individual progress in the School District's curriculum. All School District personnel are responsible for faithfully and effectively administering the School District's assessments and following the prescribed system of assessment reporting.

**Progress Reports and Grades** The Superintendent, in consultation with selected School District personnel, is responsible for developing and implementing a system of legally compliant periodic progress reporting and grading that accurately reflects the degree to which students are progressing within the School District's curriculum, in general, and relative to their peers, as well as how each individual student is progressing. All School District personnel are responsible for faithfully and effectively implementing the School District's progress reporting and grading system.

**Placement** The Superintendent and building administrators, in consultation with parents, are responsible for placing students in schools, grades and courses consistent with the School District's core function of preparing students to become productive and responsible citizens and adults. Where agreement cannot be reached, following consultation, placement decisions may be made notwithstanding parental objection.

**Graduation Requirements** In order to graduate and receive a high school diploma from the School District, a student must successfully complete all coursework required by law, all credits, coursework and assessments required by the School District and all other requirements that may be established and published from time to time by the Board.

## 2000.03 Education Records

**General** The Superintendent will develop and implement legally compliant regulations covering the creation, maintenance, preservation and confidentiality of student records. The Superintendent will annually notify parents of their rights with respect to student records and related matters, as required by the Family Education Rights and Privacy Act (FERPA) and Pupil Privacy Rights Amendment (PPRA).

**Directory Information** The Board designates the following student record information as directory information:

- a student's name, address and telephone number;
- a student's photograph;
- a student's birth date and place of birth;
- a student's participation in School District related programs and extracurricular activities;

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<sup>1</sup>The word "parents," when used in these policies, includes legal guardians and, where required by law, those acting in the place of parents.

- a student's academic awards and honors;
- a student's height and weight, if a member of an athletic team;
- honors and awards received by a student; and
- a student's dates of attendance and date of graduation.

Such information may be released by the School District, upon request, unless a parent or adult student has made timely objection, in writing, in accordance with FERPA.

**Student Surveys** Parents may inspect all materials used for any student survey, analysis or evaluation conducted by the School District in connection with a program that is funded by the United States Department of Education. The School District will not, without the consent of the parents of a student, require the student to participate in such a survey, analysis or evaluation that reveals or is intended to reveal information concerning the student's or the student's parents':

- political or religious affiliations, beliefs or practices;
- mental or psychological problems;
- sexual behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom the student or the student's parents have close family relationships;
- legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers;
- income, other than when required by law to determine eligibility for programs or financial assistance.

## 2000.04 Extracurricular Activities

The Board strongly encourages the participation of School District students in extracurricular activities. Such activities are intended to supplement the School District's curriculum and provide opportunities for student enrichment. While important, it must be emphasized that participation in extracurricular activities is a privilege; not a right.

**Athletics** The Superintendent in consultation with the Board and selected School District personnel will develop and administer a robust program of interscholastic athletics. The athletic program must, at all times, adhere to the principle that participants are students first and athletes second.

**School District Clubs and Other Activities** The Superintendent will develop and implement guidelines for the establishment and maintenance of student activity funds in support of these curricular and extracurricular organizations. The Superintendent will develop and implement guidelines for the establishment and maintenance of student activity funds in support of these curricular and extracurricular organizations.

School District secondary students may also initiate clubs and other activities to be held on School District premises, subject to such rules and regulations as may be established by the Board, the Superintendent or District personnel consistent with the federal Equal Access Act. The School District will not discriminate among such student-initiated clubs and activities based on the religious, political or philosophical content of their meetings, provided the following conditions are met:

- Club meetings and events may not take place during instructional time.
- Club meetings and events must, in fact, be student initiated and student participation must be voluntary.
- Club meetings and events will not be sponsored by the School District.
- School District employees and agents shall be present in only a supervisory capacity. They may not otherwise participate in club meetings and events.

- Persons not affiliated with the School District may not direct, conduct, control or regularly attend club meetings and events.
- Club meetings and events must not materially or substantially interfere with the orderly conduct of School District educational programs or activities.

## 2000.05 Communication

**Closed Forum** The School District is a closed forum, dedicated to the education of School District students based on the School District's curriculum. Where deemed necessary, the School District reserves the right to prohibit communication, by students or others, while observing all applicable legal requirements.

**Student Publications** The School District supports and encourages student publications that are part of the School District's curriculum, including school newspapers, yearbooks and similar publications.

**Distribution and Posting of Materials** The posting and distribution of materials on School District premises is prohibited, unless the materials are generated by the School District itself or provide factual information about School District academic or extracurricular activities. All postings and materials to be distributed require the prior written approval of the building administrator, or his/her designee.

The Superintendent, in consultation with building administrators, may develop and implement regulations for the posting and distribution of other information. In all cases, the School District prohibits the posting or distribution of literature that:

- Is libelous, defamatory, obscene, lewd, vulgar, or profane;
- Violates federal, state or local laws;
- Advocates the use or availability of any substance or material that may reasonably be believed to constitute a direct and substantial danger to the health or welfare of students, such as tobacco, alcohol or illegal drugs;
- Incites violence;
- Interferes with or advocates interference with the rights of any individual or the orderly operation of the schools and their programs;
- Is primarily of a commercial nature, including but not limited to material that primarily seeks to advertise products or services; or
- The primary purpose of which is fundraising, except as approved in advance by the Superintendent.

## 2000.06 Behavior

**Introduction** The Board of Education is committed to providing a school environment in which students may receive and staff may deliver educational services without disruption or interference. Expectations for students are based on principles of civility, mutual respect, and otherwise doing what is necessary to be a functioning member of a school community. These expectations apply to conduct on School District premises, while en route to and from school, while in attendance at school functions, as well as when off-campus, to the extent the off-campus behavior is likely to or does substantially disrupt District academic or extracurricular activities or programs.

**Attendance** Regular school attendance is expected of all students. The Superintendent shall develop and implement regulations to promote regular school attendance.

**Student Code of Conduct** The Superintendent, in consultation with the Board and other School District personnel, will develop and implement a legally compliant Student Code of Conduct. The Student Code of Conduct will apply to student behavior on school premises, while en route to and from school, at School District related events, as well as to off-campus behavior, to the extent the off-campus behavior is



likely to or does substantially disrupt District academic or extracurricular activities or programs, or to extent the District is legally required to consider the off-campus behavior, such as criminal sexual conduct and cyberbullying.

As permitted by the Revised School Code, the Board delegates to the Superintendent and building principals the authority to impose student discipline as follows:

- Principals are delegated the authority to suspend a student from school for misconduct for a period not to exceed ten (10) school days. The Student Code of Conduct to be developed by the Superintendent is to include the due process protections that will apply in connection with such suspensions. The Superintendent is delegated the authority to hear and decide appeals from student discipline imposed by building principals.
- The Superintendent is delegated the authority to suspend or expel a student from school for violations of the Student Code of Conduct or law after following the due process procedures to be included within the Student Code of Conduct.

**Appeals.** A student who has been suspended for more than ten (10) school days or expelled by action of the Superintendent may submit a written appeal to the Board. The Board will decide, in each instance, whether or not it will consider the appeal.

**In the event** the Board decides to permit an appeal to proceed, an appeal hearing will be scheduled before the Board or a committee of the Board. During the appeal hearing, no further testimony or new evidence will be permitted. The Superintendent will share the results of the hearing at his/her level. The student, parent(s) or guardian(s) or a legal representative will have an opportunity to address the Board or the committee and explain why, in their opinion, the disciplinary action is unjust. The Board or committee may ask questions of either the Superintendent or the student and will render a written decision on the appeal within fourteen (14) school days.

The Superintendent may also develop and implement an Athletic and Extracurricular Code of Conduct. The Code will be developed on the foundational basis that participation in athletics and extracurricular activities is a privilege; not a right.

The Superintendent will post the School District's Student Code of Conduct and Athletic and Extracurricular Code of Conduct on the School District's web site and take other reasonable measures to assure that students and parents are aware of their existence.

**Other Student Behavior** Michigan law requires that the Board adopt policies concerning bullying, "verbal assault" and locker searches. The Board adopts the following policies, which the Superintendent is to incorporate into the Student Code of Conduct.

**Bullying** The Board recognizes that bullying and cyberbullying significantly interfere with the learning process. Through this Policy, the Board prohibits bullying "at school," as defined below, as well as off-campus conduct that could likely lead to a material or substantial disruption of the school learning environment for one or more students.

This Policy is intended to protect all students from bullying, regardless of the subject matter or motivation for the behavior. The Board, through this Policy, also prohibits retaliation or false accusations against a target of bullying, a witness or another person with reliable information about an act of bullying. The identity of an individual who reports an act of bullying shall remain confidential.

### **Implementation**

**Responsible School Official.** The principal of each school building is responsible for implementing this Policy for the school to which he or she is assigned.

**Publication.** The Superintendent shall revise the District's Student Code of Conduct, consistent with this Policy, to specifically prohibit bullying and cyberbullying, as defined below. The Superintendent is directed to post this Policy on the District's website.

**Reporting.** The Superintendent shall report to the Board of Education, on an annual basis, all verified incidents of bullying, and the resulting consequences that were imposed.

**Administrative Regulations.** The Superintendent shall promulgate such administrative regulations as he/she may deem necessary for the implementation of this Policy. The regulations shall include all of the following:

- a procedure for an individual to report an act of bullying;
- a procedure for the prompt investigation of a report of an act of bullying by the building principal or his/her designee;
- a procedure for providing notification to the parent or guardian of both the claimed victim of an act of bullying and the parent or guardian of the alleged perpetrator;
- a procedure to protect the confidentiality of a person making a report of bullying;
- a procedure for documenting any prohibited bullying incident that is reported; and
- the procedure for the Superintendent to report to the Board of Education, on an annual basis, all verified incidents of bullying, and the resulting consequences that were imposed

#### **Definitions.**

**"Bullying,"** for purposes of this Policy, means any written, verbal or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one or more District students, either directly or indirectly, by doing any of the following: (i) substantially interfering with educational opportunities, benefits or programs; (ii) adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress; (iii) having an actual and substantial detrimental effect on a student's physical or mental health; or, (iv) causing substantial disruption in, or substantial interference with, the orderly operation of the school. Bullying may include, but is not limited to, the following:

- *Physical* – hitting, kicking, spitting, pushing, pulling; taking and/or damaging a person's belongings; extorting money; blocking or impeding student movement; unwelcome physical contact; punching, shoving, poking, choking, pulling hair, beating, biting, throwing objects, etc.
- *Verbal* – taunting, malicious teasing, insulting, hurtful name-calling, making threats, gossiping, etc.
- *Psychological* – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion or intimidation.

**"At school,"** for purposes of this Policy, 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 telecommunications service provider if the device or service provider is owned by or under the control of the District.

**"Cyberbullying"** means 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:

- (i) substantially interfering with educational opportunities, benefits or programs;

- (ii) adversely affecting a student's ability to participate in or benefit from educational programs or activities by placing a student in reasonable fear of physical harm or by causing substantial emotional distress;
- (iii) having an actual and substantial detrimental effect on a student's physical or mental health;  
or

causing substantial disruption in, or substantial interference with, the orderly operation of the school.

**Accountability.** Each student in the School District is accountable for his/her own behavior, based on age-appropriate expectations. The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents/guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. Respect for all students is part of a safe and healthy learning environment. Each student is expected to demonstrate respect through their interactions with the give-and-take of friendships, group cooperation, social interaction, compromise and acceptance of differences among other students and staff.

**Retaliation.** Retaliation against a target of bullying, a witness, another person with reliable information about an act of bullying or any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of the Board policy and independent of whether a complaint is found to have been substantiated. Suspected reprisal or retaliation should be reported in the same manner as bullying.

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

Retaliation and intentionally false reports may result in disciplinary action.

The Superintendent is directed to implement this Policy and is authorized and directed to promulgate such administrative regulations as may be deemed necessary.

**Verbal Assault** A verbal assault is a communication or series of communications that does or is intended to put a reasonable person in fear of harm to him/herself or his/her property. The Superintendent will address verbal assault within the Student Code of Conduct.

**Locker and Other Searches** Lockers provided to students are the property of the School District and students and others have no expectation of privacy with respect to the lockers or their contents. School District principals and their designees may search student lockers at any time for any reason and may request the assistance of local law enforcement personnel. When conducting locker searches, School District personnel will respect the privacy rights of students regarding items found that are not illegal or possession of which is not in violation of School District policy. Any searches of personal property on school grounds will be conducted in a manner consistent with applicable legal standards.

**Personal Electronic Devices** The School District reserves the right to prohibit the possession or use of personal electronic devices on School District property or at School District-related functions. For purposes of this Policy, "personal electronic device" means a privately-owned device that is used for audio, video or text communications.

The Superintendent may develop regulations to control student possession and use of personal electronic devices.

The Board and Superintendent will endeavor to provide a suitable environment conducive to the general health, safety, and welfare of each student in school attendance and in school-sponsored activities.

**Programs and Activities** School District personnel will take reasonable precautions to preserve the health, safety and welfare of students participating in School District related programs and activities.

**Release of Students** Students shall only be released during the school day in a manner consistent with state laws and which ensures the health, safety and welfare of the student.

**Health Concerns Raised by Parents or Guardians** Parents and guardians are responsible for informing the School District of health and safety concerns particular to their children and cooperating with the School District to address those concerns. The Superintendent will develop and implement regulations for addressing the health and safety concerns of students with disabilities within the meaning of Section 504 of the Rehabilitation Act of 1973.

**Immunization** Except as otherwise specifically provided by law, the Board requires that all students be properly immunized, not later than the first day of school.

**Medication** The Superintendent will develop regulations concerning student medications. The regulations will address the possession, storage and accessing of student medications, as well as the administration of prescription medications to students while at school.

**Performance Enhancing Substances** Students are prohibited from using or being in the possession of any performance-enhancing substances, including, but not limited to, those that may be listed by the National Collegiate Athletic Association, the Michigan High School Athletic Association or the Michigan Department of Community Health.

**Seclusion and Restraint** The Board fully embraces the Michigan State Board of Education policy on Positive Behavior Support and the prohibition against seclusion and restraint as disciplinary measures. The Superintendent will assure that all staff receive training on the use of Positive Behavior Support and the very limited circumstances in which seclusion and restraint are permitted.

**Wellness** The Board of Education recognizes that student wellness is integral to learning, growth and development. The School District will promote proper nutrition and nutrition education, as well as physical education and regular physical activity, as steps toward student wellness. The Superintendent will develop administrative regulations to implement this policy.

**Epinephrine Auto-Injectors (Epi-Pens)** The District will acquire, purchase and maintain at least two (2) functioning epinephrine auto-injectors (epi-pens) for and at each school building it operates. Properly trained district personnel or authorized contractors will administer an epi-pen injection to any individual on school grounds who is believed to be having an anaphylactic reaction or any student who has a prescription on file at the school. The District will notify the parent(s) or legal guardian of any student to whom the District administers an epi-pen injection on school grounds or at a school-related activity.

The Superintendent shall promulgate administrative regulations for implementing this policy, which regulations are to incorporate by reference, the Michigan Department of Education's Medication Administration Guidelines.

**3000.01****Curriculum Development**

The Superintendent is responsible for the development, implementation and ongoing evaluation of a School District curriculum. The curriculum will:

- be consistent with the Board's policy on Student Learning and Achievement;
- meet or exceed all requirements of the State of Michigan for instructional programs; and
- be standards based and founded upon legally compliant, research based grade level learning and achievement standards that lead to the awarding of a School District diploma.

The School District's curriculum will also include legally compliant, research based learning and achievement standards for students who participate in career and technical education programs, as well as address the needs and provide opportunities for students with disabilities and students who are considered gifted.

The Superintendent will appoint well qualified administrators and teachers to assist the Superintendent in implementing and improving the School District's curriculum, as well as otherwise improving student learning and achievement.

**3000.02****Parental Involvement**

The Board strongly encourages and supports the involvement of parents in their children's education. The Superintendent will develop and implement regulations, in consultation with parents, which include:

- The manner in which the School District will cooperate with parents of students to develop students' intellectual and vocational skills in a safe and positive environment;
- The manner in which the School District will permit parents to review the School District's curriculum, textbooks and teaching materials;
- The manner in which the School District will permit parents to observe instructional activities, other than testing and assessments, in which their students are enrolled and present; and
- The manner in which the School District will permit the disclosure or use of student information for purposes of sales or marketing.

Parental involvement is also considered a key component of federal Title I programs. In order to help build a partnership between home and school for purposes of Title I, the School District:

- Informs parents of the program, the reasons for their children's participation and the specific instructional objectives;
- Trains parents to work with their children to attain instructional objectives;
- Trains teachers and other staff involved in Title I programs to work effectively with the parents of participating students;
- Consults with parents on a regular basis;
- Provides opportunities for parents to be involved in the design, operation and evaluation of the program; and
- Provides opportunities for the full participation of parents who lack literacy skills or whose native language is not English.

The Superintendent will develop and implement regulations that are compliant with Title I. The regulations are to support the above principles and actions and also assure that services provided with state and local funds in Title I schools are comparable to those provided in non-Title I schools in the School District.

### **3000.03 Instruction**

To the maximum extent feasible, student instruction will be delivered using research based and peer reviewed instructional methodologies. The Superintendent may develop regulations that are consistent with this policy.

### **3000.04 Textbooks and Other Instructional Materials**

The Superintendent will recommend to the Board, for its approval, instructional materials, including textbooks that are compatible with the School District's curriculum. The Superintendent may utilize well qualified administrators and teachers to assist in the selection of instructional materials, including textbooks, to be recommended to the Board.

### **3000.05 Selection of Media Center Materials**

The Board intends that students be provided access to a wide variety of educational materials, in various media, to support learning. The Superintendent is authorized to make or approve purchases for the media center and may receive recommendations for such purchases from professional staff members, parents and students.

### **3000.06 Parental Objections**

The Superintendent will develop regulations that provide an opportunity for the presentation and fair consideration of parental objections to the School District's curriculum, the selection of textbooks and other instructional materials and media center materials.

### **3000.07 School Year / School Calendar**

The Superintendent will develop and recommend for approval by the Board a school year that is consistent with the Board's policies on Student Learning and Achievement. The school year adopted by the Board will meet all applicable legal requirements and, to the extent feasible, will be coordinated with the school year calendars of the intermediate school district and neighboring school districts.

### **3000.08 School Day**

The Superintendent will develop and recommend for approval by the Board a school day that is consistent with the Board's policies on Student Learning and Achievement. The school day will meet all applicable legal requirements.

### **3000.09 Limited English Proficiency**

The Board is committed to providing equal educational opportunities for all students in the School District. This includes students who have an English language deficiency. The Superintendent will develop and implement programs of instruction that:

- Appropriately identify students who have an English language deficiency;
- Provide appropriate instruction to limited English proficient students to assist them in gaining English language proficiency; and
- Annually assess the English proficiency of students and monitor their progress in order to determine the degree to which they may participate in a regular classroom environment.

A quality educational program is very largely a function of the personnel employed to implement the educational goals of the Board of Education. The Board will search for and employ persons of the highest character who have the skills and other qualifications necessary to meet staffing requirements.

Board policies apply to all School District employees, including personnel who are covered by a collective bargaining agreement. In the event that a Board policy conflicts with a provision of a currently effective collective bargaining agreement, the bargaining agreement will control the particular matter for employees who are within the coverage of that agreement.

All staff members have the responsibility to make themselves familiar with, and abide by, the laws of the state of Michigan as they affect their work, the policies of the Board, and the administrative regulations designed to implement them.

#### 4000.01 Administrative Staff and Organization

***The Superintendent of Schools*** The Board will, at all times, employ a Superintendent of Schools in conformity with relevant provisions of the Revised School Code and other applicable laws. All contract offers of employment, or continued employment, shall be made by the Board contingent upon review of the contract by the Board's legal counsel and subject to final approval by the Board. The Superintendent will be offered a written contract not to exceed five years.

***Other Administrators*** The Board may employ other administrators as it deems necessary for the proper operation of the School District. No administrator will be offered a written contract in excess of three years.

#### 4000.02 Employment Considerations

***Equal Employment Opportunity*** The Board is committed to equal employment opportunities in all aspects of employment, including recruitment, selection, training, promotion and retention of staff.

***Discrimination and Harassment*** The Board is committed to maintaining a learning/working environment in which all individuals are treated with dignity and respect, free from discrimination and harassment. There will be no tolerance for discrimination or harassment on the basis of race, color, national origin, religion, sex, marital status, genetic information, disability, age, or any other illegal grounds.

***Nepotism*** It is the intent of the Board to avoid favoritism as well as the appearance of favoritism towards relatives in all matters concerning employment in the School District. The Board adopts the following standards:

- No Board member or employee shall participate in any personnel action, including a recommendation for appointment, employment, promotion or evaluation concerning an applicant or employee to whom she or he is related.
- No Board member or employee may directly supervise or be directly supervised by an employee to whom that person is related. If a person is hired into or transferred into a position for which s/he will directly supervise or be directly supervised by a relative, s/he shall immediately notify the Superintendent or his/her designee.
- Whenever one relative is promoted or transferred to a position that would result in a violation of this policy, the conflict shall be resolved by transferring one of the related employees to another comparable position. The employee who is to be transferred shall be designated by the Superintendent and must meet all established certifications and qualifications for the position to which transferred.



This policy shall not, except as otherwise expressly provided, be interpreted to prohibit the employment of relatives of Board members or relatives of any employee of the School District.

For purposes of this policy, the terms “related” or “relative” refer to the following relationships: father, mother, son, daughter, brother, sister, spouse, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or any other persons who reside at the same location as the Board member or employee.

**Criminal Background Check** The Board seeks to ensure a safe and secure environment for students, staff and other members of the school community. Accordingly, the School District will comply with state law and require that any individual working in a school building, whether as an employee or working regularly and continuously under contract, submits to a criminal history and background check by the department of state police. If an individual has been convicted of a listed offense, as defined by Michigan law, the School District will not employ the individual. If the individual has been convicted of a felony other than a listed offense, the School District will consider the severity of the felony, when the conduct occurred, its effect on the ability of the individual to work in a school building, and any other matters considered relevant to the safety of the school community. An individual with a felony conviction will not be permitted to work in a school building unless the assignment is specifically approved by the Superintendent and the Board of Education. Should the School District become aware, at any time, that an individual already working in a school building has been convicted of a listed offense or a felony, the same procedures, above, will apply. The Superintendent will develop and implement administrative regulations to carry out this policy.

## 4000.03 Conditions of Employment

**Alcohol and Drug Free Workplace** The Board maintains a workplace free of alcohol and illegal drugs, as well as prescription drugs for which the employee does not have a current, valid prescription. An employee or volunteer who is found to have unlawfully manufactured, distributed, dispensed, possessed, or used alcohol or any drug in the workplace shall be disciplined, up to and including discharge from employment. Similarly, an employee or volunteer who is found to have been present in the workplace while under the influence of illegal drugs, prescription drugs for which the employee does not have a current, valid prescription, or alcohol will be subject to discipline, up to and including discharge from employment. All employees must notify the School District, in writing, if charged with a violation of a criminal drug statute occurring in the workplace. Notification must be provided no more than three (3) business days after being arraigned for the crime. All employees agree to abide by this policy as a condition of employment. This notification requirement does not eliminate the obligation of School District employees or volunteers to report convictions of felonies and/or listed offenses, as otherwise required by law.

Notwithstanding state permissibility, the use and possession of marijuana and marijuana- induced intoxication are prohibited on school grounds.

The School District’s Superintendent is directed to establish a drug-free awareness program to inform employees about: the dangers of drug abuse in the workplace; employee awareness of this policy; and available drug counseling, rehabilitation, and employee assistance programs.

**Omnibus Transportation Employees** The School District is required to and will comply with the Omnibus Transportation Employee Testing Act of 1991. The Superintendent will develop and implement regulations to conduct alcohol and drug testing of all employees working in safety sensitive transportation positions, within the meaning of the Act.

**Staffing Layoff and Recall of Teachers** This policy relates to all teachers working for the School District as defined by the Michigan Teachers’ Tenure Act, MCL 380.71 et seq. As used in this policy, the term “personnel decision” refers to any situation where the School District is:

- conducting a staffing or program reduction or any other personnel determination resulting in the elimination of a position;
- conducting a recall from a staffing or program reduction; or
- any other personnel determination resulting in the elimination of a position, or in hiring after a staffing or program reduction or any other personnel determination resulting in the elimination of a position.

All personnel decisions will be made based on the following factors, in order of priority:

- individual performance;
- significant, relevant accomplishments and contributions;
- relevant special training.

The focus of personnel decisions will be the retention of effective teachers. Length of service or tenure status will not be a consideration unless the factors described above are found to be equal, and, then, only at the discretion of the Superintendent.

No teacher who has received a rating of ineffective on his/her last year-end evaluation will be given any preference that would result in that teacher being retained over a teacher who received a performance rating other than ineffective.

The Superintendent or his/her designee will develop and implement regulations or practices necessary to ensure implementation of this policy in accordance with Michigan law.

**HIPAA** The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires the School District to provide employees with notice of the uses and disclosures of their protected health information that may be made by the School District. The School District will comply with the requirements of HIPAA with regard to any employee benefit or group health plan provided by the District that is subject to the requirements of the Act. The Superintendent or his/her designee will develop and implement regulations necessary to ensure continuing School District compliance with the requirements of HIPAA.

**Leaves of Absence** An employee may be granted a leave of absence, with a right to return to employment upon expiration of the leave. A leave of absence is without pay unless otherwise provided by law, Board policy or a negotiated contract. The Superintendent will develop and implement legally compliant leave of absence regulations, specifying the various types of leave that are available to School District employees and the manner in which application for a leave may be made, regulations, specifying the various types of leave that are available to School District employees and the manner in which application for a leave may be made.

**FMLA** The School District will fully comply with the Family and Medical Leave Act (FMLA), 42 USC 12201 et seq., and corresponding regulations. The School District will use the rolling calendar method under the FMLA. The FMLA leave of any employee of the School District will be without pay. If the employee has paid leave time available under an applicable contract, the employee will be required to use that paid time concurrent with any FMLA leave.

**Paid Medical Leave** The School District will provide paid medical leave (PML) to eligible employees pursuant to Michigan law. The Superintendent will determine whether PML will accrue over the course of each benefit year or will be provided at the beginning of each benefit year and will promulgate administrative regulations concerning the use of PML. Payment and use of accrued or provided PML will be coordinated with all types of paid leave available to an eligible employee pursuant to collective bargaining agreements, individual contracts, or other School District policies and administrative regulations. This policy and any implementing administrative regulations will be automatically rescinded, without further action by the Board or the Superintendent, if paid medical leave is mandated by federal law.

**Medical Examinations** The Superintendent or his/her designee may require an employee to submit to a medical examination when:

- Required or permitted by federal or state law.
- Required or permitted by the employee's contract of employment.
- Information suggests that a health condition may be negatively affecting the employee's work performance.
- Information suggests that the employee has a health condition which may endanger the health of students or other employees.
- An employee has provided medical documentation as the basis for a health leave or in return from a health leave and the School District believes that a second medical opinion is necessary.

When the Superintendent or designee has required an employee to submit to a medical examination, all costs will be borne by the School District. The employee will be required to sign a release authorizing the physician to submit a copy of the report of the examination directly to the Superintendent or his/her designee. A copy of the physician's report will be maintained in a separate, confidential personnel file.

## **4000.04 Evaluations, Discipline and Discharge, Resignations**

**Performance Evaluations** It is the belief of the Board that all teachers and administrators can continually improve their performance and should strive for excellence in order to provide the best possible education for the students of the School District. To that end, the School District will use a rigorous, transparent, and fair evaluation system for all teachers and administrators. This system will comply with Michigan law and include annual year-end evaluations for all teachers and administrators, except where otherwise provided by Michigan law.

The evaluation system is intended to be used to improve the performance of all teachers and administrators and encourage professional growth. The system is also intended to result in the separation from employment of those teachers and administrators who, after notice and an opportunity to improve, are found to continue to be ineffective. The Superintendent or his/her designee will develop and implement regulations necessary to ensure implementation of this policy in accordance with Michigan law.

**Performance Based Compensation** The Board places great emphasis on employee performance and supports a system of performance-based compensation. The Superintendent will develop for Board review and approval a system of performance-based compensation which ties compensation directly to an employee's performance evaluation.

**Ineffective Teachers** Teachers will receive a rating pursuant to the School District's evaluation policy and guidelines. Any teacher rated ineffective on a year-end evaluation will be placed on an individualized development plan (IDP). That teacher will be evaluated mid-year during the next school year, in addition to receiving a year-end evaluation. If the teacher continues to be found ineffective after a second year, the School District will act to discharge the teacher, either through termination (if probationary) or the filing of tenure charges (if tenured), unless special circumstances are found to exist.

**Discipline and Discharge** This discipline and discharge policy includes, but is not limited to, District employees whose employment is regulated by the Teachers' Tenure Act (TTA), MCL 38.71 et seq., except that this policy does not apply to a decision to discharge or not to renew the employment of a probationary teacher. A probationary teacher is considered an at-will employee and their employment may be terminated at any time and for any reason that is not in violation of state or federal law. Where this policy conflicts with an individual contract of employment or a collective bargaining agreement, the applicable contract will supersede this policy.

The Board believes in maintaining a work environment that will allow employees to be successful in providing an education to students of the School District. In return, employees are required to meet the highest standards of personal integrity, professionalism and performance. Employees whose conduct or performance is inconsistent with the School District's expectations are subject to corrective and/or disciplinary action.

Discipline, for purposes of this policy, includes verbal and written warnings, verbal and written reprimands, suspensions, and dismissals/discharges. Discipline does not include verbal or written directives, placement upon a voluntary or involuntary leave of absence, or periodic performance evaluations. Such actions are not subject to this policy.

Disciplinary actions are taken at the discretion of the School District and may arise for any reason that is not arbitrary or capricious. Except as otherwise expressly provided by law, contract, or a collective bargaining agreement, all disciplinary decisions of the School District are final and not subject to any grievance or arbitration procedure.

**Resignations** The Superintendent is authorized to accept resignations on behalf of the Board. A resignation must be in writing and is effective upon acceptance by the Superintendent or his/her designee.

## 4000.05 Other Matters of Employment

**Gifts to School Personnel** No employee of the School District shall:

- Accept any personal gift of money, services or goods in excess of \$50.00 from a student of the School District or the parent or guardian of any student.
- Accept any gifts or favors in any form whatsoever from any person, firm or corporation that is involved, directly or indirectly, or may be interested in becoming involved, in any commercial dealings with the School District.

**Whistleblower Protection Policy** Employees are expected to report suspected unlawful activity in the School District without fear of retaliation. The Superintendent will develop regulations to inform employees of the protections and obligations that exist under the Michigan Whistleblowers' Protection Act, MCL15.361 et seq. The regulations will include a procedure for reporting alleged violations.

**Outside Activities** Employees may not engage in activities which interfere with their School District duties and responsibilities or denigrate the School District or the employee's profession.

Teachers are not permitted to receive pay for tutoring students currently assigned to them. Teachers may only tutor other students of the School District with the prior permission of the Superintendent. No private tutoring may be provided during the regular school day, on School District property at any time, or using School District equipment or supplies.

**Ownership of Works** Instructional staff members are encouraged to prepare scholarly articles and otherwise produce materials which might be considered for publication or distribution. Any works which reference the School District will require the prior written approval of the Superintendent.

Staff member works in which a copyright or patent interest may exist are subject to the following:

- Works developed within the specific scope of an employee's School District duties and responsibilities or occurring during the employee's regular or customary work hours, are the absolute and exclusive property of the School District.
- Works developed by an employee outside of both the specific scope of his/her employment duties and outside the employee's regular and customary hours of work belong to the employee.

***Selection and Dismissal of Employees*** The Board shall act on the selection or dismissal of school personnel, both certificated and non-certificated, only after submission of a recommendation by the Superintendent.

***Professional Development Opportunities*** The administration is encouraged to utilize any available, appropriate resource in the development of a comprehensive curriculum and encourages all staff to seek and utilize professional development opportunities. Any expenses or fees associated with such professional development opportunities must be pre-approved by the Superintendent in order to be eligible for reimbursement.

***Professional Staff Contracts*** The employment of teachers shall be secured through written contracts according to their status as a probationary or tenured teacher. The superintendent is authorized to sign teacher contracts on behalf of the Board.

***Prohibition of Referral or Assistance*** All District employees, Board members, and school officials must provide instruction in sex education in strict compliance with MCL 380.1507 of the Revised School Code. In addition, all District employees Board members, and school officials are prohibited from referring a student for an abortion or assisting a student in obtaining an abortion.

Pursuant to state law, District personnel found to be in violation of this policy will be assessed a fine by the District of no less than 3% of his or her annual compensation. The District will refund the State School Aid Fund in an amount equal to any fines applied to or collected from District personnel under this policy.

## 5000.01

## General

The Board of Education holds a position of public trust and is responsible to account for and direct the management and expenditure of all monies received by the School District. In furtherance of this responsibility, the Board directs the Superintendent to establish financial procedures to ensure the proper and effective accounting of all School District monies, that monies are administered in accordance with generally accepted accounting principles and that all legal requirements concerning School District monies are satisfied in letter and spirit. Under the supervision of the Superintendent, financial reports and statements will be prepared and submitted to the Board on a monthly basis, or more frequently if requested by the Board.

## 5000.02

## Budget Planning and Adoption

By law, the Board is required to adopt a budget prior to July 1 of each year, to be in place for the ensuing school year. The budget is a formalized statement of anticipated revenues and expenditures of the District and includes all district fund categories that are used to carry-out the District's educational goals and objectives. The budget will be prepared and published in conformity with GASB 54 and will maintain an end-year general fund balance of 5% with intent to increase such fund balance to 10% by 2022, with an ultimate goal of 15% fund balance.

The Superintendent is responsible for preparation of the budget and its timely presentation to the Board. Following adoption by the Board, the Superintendent will regularly inform the Board of actual or anticipated variances that may occur during budget implementation and recommend any action that may be required to be taken by the Board.

## 5000.03

## Purchasing

The Board authorizes the Superintendent to purchase and/or supervise the purchase of all materials, equipment, supplies and services necessary for the operation of the School District. It is the intent of the Board that the School District purchase competitively, without prejudice or favoritism, and seek maximum value for all expenditures. Competitive pricing is to be pursued by following legally required processes, as well as through such methods as cooperative purchasing, formal or informal bidding, requests for quotations from multiple vendors, and negotiation. The Board authorizes the Superintendent to make purchases not to exceed \$10,000 per purchase; individual purchases in excess of that amount shall be brought to the Board for approval.

**Federal Procurement Standards** The Board seeks to ensure the District complies with all procurement (EDGAR). The Superintendent will delegate responsibility for the development of procedures that comply with this policy to the Director of Business and Finance.

**Automated Clearing House (ACH) Arrangements and Electronic Transaction of Funds** This Board has determined that it is in the best interest of the District to make certain District financial transactions by electronic payments. Accordingly, the Board has adopted a resolution authorizing the School District to utilize electronic transactions. It is contemplated that the District shall be a party to an Automated Clearing House (ACH) arrangement. The Superintendent, or his/her designee, shall be responsible for the District's ACH agreements, including payment approval, accounting, reporting, and generally for overseeing compliance with the ACH policy.

## 5000.04

## School District Credit Cards

The Board of Education views the use of credit cards as a convenient and efficient means of transacting School District related business. The Board approves the issuance and use of School District credit cards on the terms and conditions set forth below.

School District credit cards may be issued to members of the Board, the Superintendent of Schools, and other School District employees designated by the Superintendent. The Superintendent is responsible for the issuance, accounting, monitoring and retrieval of School District credit cards and for overseeing compliance with this Policy. The Superintendent shall assure that:

- A School District credit card may be used only by a person to whom the card has been issued by the Superintendent.
- A credit card may be used only for the purchase of goods or services for the official business of the School District.
- No purchases for personal purposes or cash advances are permitted.
- An employee of the School District who has been issued a credit card shall submit to the Superintendent a contemporaneous report detailing the:
  - goods or services purchased
  - date of the purchase
  - cost of the purchase
  - School District related reason for the purchase

For a member of the Board of Education, the required reporting shall be made to both the Superintendent and the President of the Board of Education.

The person to whom a credit card has been issued is responsible for its protection and custody and shall immediately notify the Superintendent if the credit card is lost or stolen.

A person to whom a credit card has been issued must return the credit card upon the termination of employment or service in office for the School District.

Internal accounting controls will be developed to monitor credit card use, approval of credit card invoices and assurance that payment will be timely made. In no event will payment be made later than 60 days from the initial date of the statement on which the purchase is reflected.

Any unauthorized use of a School District credit card will result in appropriate disciplinary measures being taken.

## 5000.05

## Surplus Property

**Land or Buildings** The Superintendent will identify School District land or buildings no longer required for School District purposes and recommend to the Board the procedures to be followed for the sale or disposition of such property in a particular instance. Board approval is required for both the process to be followed and the ultimate sale or other disposition.

**Equipment and Supplies** The Superintendent will periodically review School District equipment and supplies and identify any that are thought to be obsolete and not able to be salvaged, as well as those that cannot be utilized effectively or economically by the School District. The Superintendent is authorized to dispose of any such equipment and supplies in a commercially reasonable manner.

## **5000.06 Investments**

The Board requires prudent management of the public monies to which it has been entrusted. Oversight and management of School District monies rests with the Superintendent. The Superintendent will, together with other School District administrators under his/her direction, develop and implement procedures to be followed in connection with School District investments. The procedures, which will include internal accounting and administrative controls to direct the investment activities of School District employees, shall comply with pronouncements of the Governmental Accounting Standards Board (GASB) and the Michigan Revised School Code.

## **5000.07 Risk Management**

The Board seeks to minimize risk in all School District operations. This requires planning that takes into account the safety of students, employees and the public, the protection of School District property and avoidance of financial loss or liability.

The Superintendent or his/her designee will be responsible for establishing a risk management program. The program will include means for identifying, eliminating, reducing, or transferring risk, and may provide for the purchase of insurance, if necessary.

## **5000.08 Audits**

The State of Michigan requires an annual audit of the School District's financial statements to determine, through an independent review, whether the financial statements fairly present the financial position of the School District. The auditor also examines whether the School District has followed generally accepted accounting principles and whether proper internal controls exist.

The Board will annually appoint an independent auditor to conduct the School District audit. The audit report will be presented at a public meeting of the Board.

## **5000.09 Meal Charge**

The School District has established this meal charge policy for children who are eligible for reduced-price or full-price meal benefits but have insufficient funds to pay for school meals. This policy also addresses bad debt incurred due to the School District's inability to collect unpaid meal charges from its students.

The Superintendent will develop and implement administrative regulations regarding meal charge procedures to provide consistent direction concerning students who are eligible for reduced-price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service. These regulations, and this policy, will be provided to all households in writing at the start of each school year, to households transferring to the School District during the school year, and to all School District staff and independent contractors and companies responsible for implementation.



## **6000**

## **FACILITIES AND OPERATIONS**

### **6000.01**

#### **Goal**

The Board intends that the educational program be fully supported by suitable facilities.

### **6000.02**

#### **Safety and Security**

The Board is committed to assuring a safe environment for students, employees and School District visitors. School District facilities and grounds will be kept safe, clean and attractive. The Superintendent will develop and implement a maintenance program for the safe and efficient operation of the School District. The program will provide for the regular inspection and periodic maintenance of all School District facilities and be legally compliant with all safety, health and environmental requirements.

It shall be the policy of the School District that a reasonable cooperative effort be maintained between the School District administration and law enforcement agencies. Administrators have the responsibility and the authority to determine when the presence and assistance of law enforcement officers is necessary within their respective jurisdictions.

To the full extent permitted by law, the District prohibits firearms and other weapons on District premises and at District-related functions without prior, written approval from the District's Superintendent. District employees and students who violate this policy are subject to discipline, including permanent expulsion or discharge. Others who violate this policy are subject to being banned from District premises and District-related functions. The District reserves the rights to report to police authorities any person who violates this policy.

### **6000.03**

#### **School Crisis, Response, and Closure**

The Board strives to provide a safe learning environment for students, staff and other members of the school community. The Superintendent will develop a school crisis response plan to be implemented in the event of an emergency.

The Superintendent is authorized to close schools in the case of inclement weather or other emergencies which make it, in his/her assessment, unsafe for students to attend school.

In the event of an emergency such as a power failure, severe cold weather or other such natural disasters, the Superintendent shall have the authority to purchase capital equipment needed to keep the schools of the district open or to reopen the schools. Any such purchases shall be approved by the Board at a special or regular meeting as soon as possible after the purchase is made. Such purchases shall not be made so as to circumvent the purposes of the competitive bid law.

### **6000.04**

#### **Hazardous Chemicals and Substances**

In order to assure a safe environment for students, staff and other members of the school community, the Superintendent will develop a plan that includes preventive and remedial measures to be taken in the event that there is exposure, or threatened exposure, to a toxic hazard. The Superintendent will also develop and implement an Asbestos-Management Program for the School District and take necessary measures to assure that the program is in compliance with the Asbestos Hazard Emergency Response Act (AHERA).

## **6000.05 Tobacco-Free Environment**

The use of all tobacco products on School District property is prohibited. For purposes of this policy, School District property includes all school buildings, areas adjacent to school buildings, athletic fields, pupil transportation vehicles, and parking lots. This prohibition applies to students, employees and visitors to the school or school campus and applies whether or not school is in session. The term "tobacco" includes any kind of lighted pipe, cigar, cigarettes, or any other lighted smoking materials, as well as chewing products and snuff.

## **6000.06 Electronic Cigarettes**

The use of electronic cigarettes on School District property is prohibited. For preparedness of this policy, the following definitions shall apply:

"Electronic Cigarettes" means:

Any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance, and the use or inhalation of which simulates smoking. The term includes any such devices, whether they are manufactured, distributed, marketed or sold as e-cigarettes, or under any product name or descriptor.

"School District Property" means:

All school buildings, areas adjacent to school buildings, athletic fields, pupil transportation vehicles and parking lots.

## **6000.07 Integrated Pest Management**

The Board is committed to providing students and staff with a school environment that is free of pests, pesticides and other harmful chemicals. The Superintendent will develop regulations that include strategies to reduce the use of pesticides that pose health risks to students, staff members and other persons in the school community.

## **6000.08 Animals in School**

Animals in any building must be housed in either a cage, aquarium, terrarium, or other similar type enclosure. Animals brought into the buildings for study, show, display or law enforcement, must be in the direct control of the individual supplying such animals. All other animals are strictly prohibited from school buildings.

## **6000.09 Transportation**

### ***Student Transportation***

The District shall provide safe, economical transportation to eligible students of the District. The use of busses by the District shall conform to state law. The use of transportation resources for field trips, co-curricular activities, and other authorized educational, cultural, and recreational activities is permitted when it does not conflict with the primary purpose for transportation and complies with District policies.

### ***Business Transportation***

The Superintendent is authorized to determine the extent to which District owned vehicles may be used for official school business. Such vehicles shall not be used for personal travel unless expressly approved by the Board. Drivers of school owned vehicles shall be properly licensed.

Travel allowances shall be made to employees using their own automobiles for approved District business. The rate to be compensated will be at the rate established by the Internal Revenue Service.

## **6000.10 Naming Recognition and Plaques**

The Board may consider naming a building, major addition, or program in honor of an individual(s) who made a significant contribution to society and/or the District.

All new buildings and major building additions shall have plaques which include the names of all persons who were trustees of the Board of Education at any time between the date of employment of the architect and awarding of the construction. The plaque shall also contain the name of the Superintendent and the architect.

## 7000

## SCHOOL-COMMUNITY RELATIONS

### 7000.01

#### Goal

It is the policy of the Board that the community be regularly informed about the objectives, achievements and condition of the School District. The Board recognizes the importance of community input and encourages active involvement in School District planning and operations.

**Public Information** The School District annually releases a comprehensive Annual Education Report (AER) and other information in accordance with state and federal reporting requirements. The Superintendent will utilize various media to provide for meaningful sharing of information between the School District and the community.

In accordance with the Michigan Freedom of Information Act, MCL 15.231 *et seq.*, the District will make public records available for inspection or duplication. The Superintendent is designated the District's Freedom of Information Act Coordinator and will develop regulations and guidelines necessary to implement the Act. The regulations will include a schedule of costs to be charged, as allowable under the Act. The Superintendent may designate another individual to perform on his or her behalf in receiving, processing, granting and denying requests for public records.

### 7000.02

#### Community Use of School District Facilities

The Board encourages the use of School District facilities to promote educational, recreational, cultural and civic activities of the community. The Board does not intend, through this Community Use policy, to create or open any School District school, facility or property to create a public forum for expressive activity. The Superintendent will develop and administer regulations, as necessary, to implement this policy.

### 7000.03

#### Gifts, Bequests and Donations

The Superintendent may accept gifts, bequests and donations in the name of the School District. Gifts, bequests and donations must:

- Be free of any restriction that is contrary to law or inconsistent with Board policy.
- Be, in the opinion of the Superintendent, fitting and appropriate for School District use.
- Not require excessive installation, alteration or maintenance costs, or otherwise require a large commitment of School District resources.
- Contain no advertising of a commercial interest.

### 7000.04

#### Distribution of Information / Materials

The Board seeks to minimize intrusions on the time of students and employees caused by the distribution of information from sources outside of the School District. Materials which have not been purchased from or produced or sponsored by the School District may not be sold or distributed on School District property without the prior written approval of the Superintendent, or his/her designee.

### 7000.05

#### Public Complaints

The Board welcomes constructive criticism of School District operations. The Superintendent will develop and implement regulations which provide for the investigation and anticipated resolution of complaints at

their closest point of origin. A complaint concerning the Superintendent of Schools may be filed directly with the Board.

## **7000.06 District Support Organizations**

The Board recognizes the important role that supportive members of the community can make in creating educational opportunities for District students. To that end, the Board encourages the creation of District support organizations, including student fundraising activities, booster clubs, parent/teacher organizations, etc., to provide additional support to the School District community. The Superintendent will develop and implement administrative regulations to carry out this policy.

## **7000.07 Advertising**

No advertising may be distributed, posted, or displayed on or within any District-owned property without the written consent of the Superintendent. The Superintendent shall prepare regulations addressing the circumstances under which the District would consider accepting commercial advertisements.

Further, absent the express written consent of the Superintendent, all school personnel, including contracted personnel assigned to the District, shall be restricted from utilizing District resources, technology, including District email, and student/parent contact information received while engaged in duties for the District for non-District related purposes.

## 8000

## GENERAL POLICIES

Acceptable Use	Cardiac Emergency Response
Americans with Disabilities Act/ Section 504 of the Rehabilitation Act of 1973	Communicable Diseases
Bloodborne Pathogens	Copyrighted Works
	Discrimination/Harassment
	Privacy – Social Security Numbers

### 8000.01

### Acceptable Use

School District students and staff members may be permitted access to the School District's computer network for educational, instructional and administrative purposes. The Superintendent or his/her designee will develop and implement guidelines and user agreements that are consistent with the purposes and mission of the School District. The guidelines and user agreements will include all requirements of the Children's Internet Protection Act (CIPA). More particularly, provision shall be made for monitoring the online activities of minors and provide for educating minors about appropriate online behavior.

The Superintendent shall establish procedures that will insure security, safety and confidentiality of data management.

The Superintendent also shall develop a program providing for the orderly acquisition of databases, networks, information processing equipment and support materials that meet the needs of the District.

The Board encourages the application of technology to any District function where efficiency, reliability and student learning will be improved. The Superintendent shall advise the Board periodically regarding the improvements in computer technology related to District operations.

### 8000.02

### Americans with Disabilities Act (ADA) Section 504 of the Rehabilitation Act of 1973 (Section 504)

In accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act (ADA), the School District will ensure that no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination. The School District does not discriminate in admission or access to, participation in or treatment of, students with disabilities in its programs and activities. Similarly, the School District does not discriminate against any job applicant or employee with a disability in any term or condition of employment or in the recruitment process.

The Superintendent will appoint a Compliance Officer or Officers to assure that there is adherence to this policy. The Superintendent will also develop a complaint procedure for the processing and early disposition of alleged violations of the policy.

### 8000.03

### Bloodborne Pathogens

The School District follows universal precautions where there has been an exposure to blood or other potentially infectious materials. Universal precautions require that staff and students treat all human blood and certain human body fluids as though they were infectious.

The Superintendent, or his/her designee, will develop and implement an exposure control plan. This plan is to include in-service training for staff and provide opportunities for immunization at School District expense.

#### **8000.04 Cardiac Emergency Response Plan**

The Superintendent will develop and implement regulations that will enable the School District to offer an appropriate response in the event of a cardiac emergency. These procedures shall address, at a minimum:

- the use and regular maintenance of automated external defibrillators located within the School District.
- activation of a cardiac emergency response team in the event of an identified cardiac emergency.
- the methods for effective and efficient communication in the building or outside area in which the emergency arises.
- a training plan for the use of automated external defibrillators and cardiopulmonary resuscitation techniques.
- the incorporation or integration of a local emergency response system and emergency response agencies into the School District's procedures.

The Superintendent will annually evaluate the School District's cardiac emergency response procedures and report the evaluation results to the Board.

#### **8000.05 Communicable Diseases**

The School District will work cooperatively with the [Wayne](#) County Health Department to enforce and adhere to the Michigan Public Health Code (Act 368 of 1978 as amended) with regard to the prevention, control and containment of communicable diseases. The Superintendent will appoint a committee comprised of School District employees and one or more representatives from the County Health Department to develop and recommend legally compliant regulations. The regulations will specifically address matters of confidentiality under State and Federal law.

#### **8000.06 Copyrighted Works**

The School District will fully respect the personal property rights of others, whether tangible or intangible, in accordance with the Copyright Act of 1976, as amended. The Superintendent will develop and implement regulations to implement this policy. The regulations will specifically inform students, staff and other members of the school community about the applicability of copyright protections and what may be permitted under the "fair use doctrine."

#### **8000.07 Discrimination and Harassment**

The Board of Education is committed to maintaining a learning/working environment in which all individuals are treated with dignity and respect, free from discrimination and harassment. There will be no tolerance for discrimination or harassment on the basis of race, color, national origin, religion, sex, marital status, genetic information, disability or age. The School District prohibits harassment and other forms of discrimination whether occurring at school, on School District property, in a School District vehicle, or at any School District related activity or event. The Superintendent will designate compliance officers and

develop and implement regulations for the reporting, investigation and resolution of complaints of discrimination or harassment.

## **8000.08 Privacy Policy – Social Security Numbers**

The School District collects and maintains social security numbers of its employees, students and others in the ordinary course of its business. As required by law, and as otherwise necessary to protect the privacy rights of individuals, the School District will implement all appropriate measures to assure the confidentiality of social security numbers. These include:

- Social security numbers will only be requested or obtained when required by law or otherwise essential for a School District purpose.
- Access to documents or other forms of information containing the social security number of an employee, student or other person will be limited to those School District employees whose specific job duties and responsibilities require such access.
- Documents containing a social security number that are no longer required for School District purposes, and that are not legally required to be retained, may be permissibly disposed of by shredding or another process that assures strict confidentiality.
- Any violation of this Policy will result in appropriate disciplinary action against the violator.



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