



409 E. Jefferson Ave., Fifth Floor
Detroit, Michigan 48226
Main: 248.258.2850
LuskAlbertson.com

TO: LA Policy Service Clients
FROM: LA School Policy Services
DATE: November 27, 2018
RE: Policy Manual and Administrative Regulations Manual Updates – November 2018

Thank you for choosing LA School Policy Services (SPS) for your school policy needs. This memo contains recommended updates/modifications to all LA SPS policy manuals and administrative regulation manuals completed prior to November 1, 2018. Proposed revisions are presented by section, with a specific update number, for ease of reference.

As each district policy manual and administrative regulations manual is unique, modified consistent with school district priority and prerogative, recommended modifications may already be contained in your completed manuals. If you have any questions regarding the suggested revisions outlined herein and how they may/may not fit with your existing manuals, please contact Bob Lusk, Kevin Sutton, or Anya Lusk. **Please note that if you would like assistance in making any of these updates to our policy and/or administrative regulation manuals, we are happy to complete those edits upon request.**

Additionally, LA SPS is now offering online hosting for all its completed manuals. Districts will receive a dedicated URL and their policy and/or administrative regulations manuals will be hosted in such a manner that allows them to be keyword searched, scanned by section, and printed. LA is strongly recommending a move to online hosting for all existing policy clients. Costs associated with online hosting are relatively nominal – an initial fee of \$500 and an annual hosting cost of \$125. If your district would like to opt-out of online hosting, please contact us.

INTRODUCTION

Update 4.01 (Policy)

We recommend adding the following underlined language to the second paragraph “Superintendent,” typically found under “Introduction” or Section 0003, to resolve any confusion over when the Board may be represented by a negotiating team:

The Board is represented in all labor negotiation proceedings by a negotiating team. The Board approves all members of the team prior to the start of the negotiations. All agreements negotiated by the team are subject to ratification by the Board.



BYLAWS

There are no recommended updates for this section.

STUDENTS

Update 4.02 (Policy and Administrative Regulation)

We recommend the following, minor underlined changes to “Placement,” typically found under Section 2002/2000.02. These changes reflect the requirements of the third-grade reading law as provided in section 1280f of the Revised School Code, MCL 380.1280f:

Placement. To the extent permitted by law, 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. The Superintendent will promulgate administrative regulations necessary to implement this policy.

If your district also uses LA’s administrative regulations manual, we recommend addition of the following, underlined language to “Placement,” typically found under 2002-AR/2000.02-AR:

Placement. The Superintendent designates to building administrators the responsibility for placing students in schools, grades and courses. Building administrators should exercise good judgment with respect to placement decisions and consider the following factors, among others:

1. The student's academic achievement and ability as reflected in scores on standardized tests;
2. The student's academic performance in School District classes or while enrolled in another school district;
3. The student’s chronological age; and
4. The student’s social maturity; and
5. In accordance with Board policy and MCL 380.1280f (the Third Grade Reading Law statute).



In the event of disagreement, the student and his or her parents should be consulted before a final placement decision.

Update 4.03 (Policy)

Federal law requires all school districts to implement a policy regarding the administration of physical examinations and screenings to students on school grounds. Thus, we recommend adding this policy to the end of Section 2003/2000.03 as a stand-alone policy. Also, please remember to update your annual notification documents to include physical examinations and screenings, as well as a corresponding opt-out form, if necessary:

Physical Examinations and Screenings. Annual notice will be given to parents of any health or physical examinations or screenings. Parents will be given the opportunity to opt-out their students from all physical examinations and screenings.

Update 4.04 (Administrative Regulation)

Section 1309 of the Revised School Code, MCL 380.1309, defines “SNAP Suspensions” as one-day suspensions imposed by teachers. The statute requires all school districts to have a written description of the types of student conduct to which SNAP suspensions apply. For school districts which use LA’s administrative regulations, we recommend addition of the following language under Section 2006-AR/2000.06-AR as a stand-alone regulation:

SNAP Suspensions. If a student engages in conduct which unquestionably interferes with the education of him/herself or other students, or a teacher has good reason to believe a student has engaged in conduct which poses a clear and present danger to him/herself or other students, the teacher may suspend the student from a class, subject, or activity for one full school day.

Please note that MCL 380.1309 also requires all school districts to add this regulation to their Student Codes of Conduct.

Update 4.05 (Policy and Administrative Regulation)

Due to the recent nation-wide opioid crisis, there has been an increase in dialogue over whether schools should keep opioid antagonists in stock for students who experience opioid-related overdoses on school grounds. While we would encourage all school districts to consider stocking opioid antagonists, **the law does not currently require it.**

For school districts that *currently stock opioid antagonists*, Michigan law requires the following underlined language, which we recommend combining with the “Epinephrine Auto-Injectors (Epi-Pens)” policy, typically found under Section 2007/2000.07:



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

In the case of a believed opioid-related overdose for a student, the School District will also encourage the parent(s) or legal guardian(s) to seek treatment for the student from a substance use disorder services program licensed under part 62 of the Public Health Code, 1978 PA 368. The District will also call 911 when a student is believed to be having an opioid-related overdose.

The purpose of this policy is to comply with 2013 PA 187 (PA 187)-sections 1178, 1179, and 1179b of the Revised School Code. This policy is not intended, and should not be construed, to create or grant any rights or remedies to any person. The Superintendent will promulgate administrative regulations for implementing this policy consistent with the requirements of PA 187 the Revised School Code, which regulations will incorporate, by reference, the Michigan Department of Education’s Medication Administration Guidelines.

For school districts which use LA’s administrative regulations, we recommend addition of the following underlined language to “Epinephrine Auto-Injectors (Epi-Pens),” typically found under Section 2007-AR/2000.07-AR:

Epinephrine Auto-Injectors (Epi-Pens) and Opioid Antagonists.

Student Possession and Use. Students may possess and, if necessary, use epi-pens on School District premises and at school-related activities, programs and events if the following three conditions are met:

1. The student has permission to use the epi-pen from his or her physician and, if the student is a minor, from his or her parent(s);
2. The building administrator has received a copy of the necessary written permissions; and,
3. The school has on file a written emergency care plan (or IEPT Report or 504 Plan that includes a written emergency care plan, however designated) prepared or approved by a licensed physician in collaboration with the student and the student's



parent(s) that is updated as necessary to account for any change in the student's circumstances.

The building administrator will notify each teacher of each student in his or her classroom who is permitted to possess and use an epi-pen pursuant to this regulation.

Under no circumstances should District students administer opioid antagonists to themselves or others.

District Acquisition and Maintenance. The School District will acquire and deliver at least two otherwise unassigned functioning epi-pens and at least one otherwise unassigned functioning package of an opioid antagonist to each school building. The building administrator is responsible for maintaining the epi-pens and opioid antagonist at his or her building, making them readily accessible to designated staff members and notifying the Superintendent if the building administrator believes the necessary number of epi-pens or opioid antagonist packages is not available or functional.

Training and Designation. The School District is responsible for training a sufficient number of staff members in each school to properly administer epi-pens, as follows: at least one staff member if the instructional and administrative staff is less than 10; and, at least two staff members if the instructional and administrative staff is more than 10. For opioid antagonists, the School District is responsible for training at least two staff members in each building which stores an opioid antagonist. All training will be supervised, evaluated and approved by a licensed registered professional nurse. The building administrator is responsible for designating the necessary number of staff members to administer epi-pen injections and opioid antagonists on school grounds. The building administrator is also responsible for informing other school personnel which staff members have been designated to administer epi-pen injections and opioid antagonists on school grounds and for notifying the Superintendent if there are an insufficient number of trained or designated staff members in the building.

Administration of Epi-Pen Injectors and Opioid Antagonists. Designated staff members who have been trained in accordance with these procedures are required to administer an epi-pen injection to any person on school grounds who is believed to be suffering an anaphylactic reaction or an opioid antagonist to any person on school grounds who is believed to be suffering from an opioid-related overdose.

An anaphylactic reaction is a severe, potentially life-threatening allergic reaction that may occur within seconds or minutes of exposure to an allergen. Common allergens that cause anaphylactic reactions in school include, but are not limited to, peanuts and tree nuts and venom from bee stings. All administrators and teachers are required to notify a designated staff member in the event he or she believes an individual on school grounds is suffering an anaphylactic reaction.



An opioid-related overdose is a condition which includes, but is not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death that results from the consumption or use of an opioid or another substance with which an opioid was combined or that an individual who has received training approved by a licensed registered nurse in the administration of an opioid antagonist would believe to be an opioid-related overdose that requires medical assistance.

Reporting. The building administrator is required to notify the parent of any student who receives an epi-pen injection or opioid antagonist at school, and call 911 for any student believed to be experiencing an opioid-related overdose. When notifying the parent about a student’s opioid-related overdose, the building administrator is required to encourage the parent to seek treatment for the student from a substance use disorder services program licensed under part 62 of the Public Health Code, 1978 PA 386. Notification is to be made to the Superintendent and the School District’s Nurse at the same time. The Superintendent designates School District’s Nurse to annually report to the Michigan Department of Education the number of epi-pen injections and opioid antagonists provided to students at school each year; the number of epi-pen injections to such students who were not previously known to have allergies; and, the number of students who were administered epi-pens and opioid antagonists from the School District’s stock of epi-pens and opioid antagonists.

CURRICULUM AND INSTRUCTION

There are no recommended updates for this section.

PERSONNEL

Update 4.06 (Administrative Regulation)

For school districts using LA’s administrative regulations manual, we recommend addition of the following regulation under Section 4003-AR/4000.03-AR as a stand-alone regulation. This regulation is required by federal law:

Aiding or Abetting. All state educational agencies, local educational agencies, and all employees, contractors, and agents of state and local educational agencies are prohibited from recommending for employment any person the recommender knows or has probable cause to believe has engaged in sexual misconduct with a student or minor in violation of the law.



Updated 4.07 (Policy)

On November 6, 2018, Michigan voters approved the passage of Proposal 1 which legalized the recreational use of marijuana throughout the state. However, marijuana continues to remain illegal under federal law. Moreover, federal law requires school districts to maintain an alcohol and drug-free workplace policy in order to receive certain federal funds. Thus, we recommend addition of the following underlined changes to “Alcohol and Drug-Free Workplace,” typically included under Section 4003/4000.03:

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.

BUSINESS

Update 4.08 (Policy)

We recommend a small addition, underlined below, to “Federal Procurement Standards,” typically found under Section 5003/5000.03. The addition acknowledges that the Education Department General Administrative Regulations (EDGAR) are gradually being transferred to 2 CFR 200, also known as Uniform Guidance for federal grants:

Federal Procurement Standards. The Board seeks to ensure the District complies with all procurement policies and procedures in accordance with the Education Department General Administrative Regulations (EDGAR) and/or issued pursuant to the Federal Uniform Guidance, 2 CFR Part 200. The Superintendent will delegate responsibility for the development of procedures that comply with this policy to the Assistant Superintendent for Business Services.



Update 4.09 (Policy)

If your district does not already have such a policy in place, we recommend addition of “Automated Clearance House (ACH) Arrangement and Electronic Transaction of Funds” to Section 5003/5000.03:

Automated Clearing House (ACH) Arrangements and Electronic Transaction of Funds.

The Superintendent may enter into Automated Clearing House (ACH) arrangements approved by the Board. The Superintendent may transact School District business electronically.

Update 4.10 (Policy and Administrative Regulation)

We recommend the following, underlined changes to “Meal Charge,” typically found under Section 5008/5000.08 for clarity:

Meal Charge/Food Services

The School District has established this meal charge and food services policy to address the provision of food services for School District students, including: ~~for~~ students who are eligible for reduced-price or full-price meal benefits, ~~but~~ and/or students who 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 parents and 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, and procedures for students entitled to reduced-price or full-price meal benefits. 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.

For school districts that also use our administrative regulations, we recommend the following underlined changes to “Meal Charge,” typically included as 50010-AR/5000.10-AR, to reflect the changes made to the Meal Charge policy, above:

Meal Charge/Food Services

This administrative regulation gives effect to the Board of Education’s Meal Charge/Food Services Policy.

Requests for Reduced-Price or Full-Price Meal Benefits Parents may request reduced-price or full-price meal benefits by submitting [the appropriate form] found at [link], or by contacting [person, title or department] at [contact information].



Meal Account Balance Payment for school meals is expected at the time of purchase. Parents are expected to regularly monitor their child's meal account balance online, at [\[link\]](#).

Positive Balances. Any unpaid meal charges or money remaining in a student's meal account balance will be carried over, one time, to the next consecutive school year. The School District will refund balances in excess of \$5.00. The District does not refund balances of \$5.00 or less due to the administrative costs associated with creating a refund.

Insufficient Funds. The School District recognizes that, at times, students may come to school without sufficient funds in their meal account balance. If so, elementary school students may charge up to [\[number\]](#) lunches. Middle and high school students may charge up to [\[number\]](#) lunch. After the maximum number of lunches has been charged, an emergency lunch will be provided. The emergency lunch will consist of [\[items\]](#). No more than [\[number\]](#) emergency lunches will be provided per child per school year. Emergency lunches will be charged to the student's meal account and the student's parents or guardians are responsible for reimbursing the School District for the full amount of any emergency meals. The School District [does/does not](#) permit charging for breakfast.

~~**Negative Account Balances.** Students who have money to pay for a reduced price or full-price meal at the time of service shall be provided a reimbursable meal, even if they have incurred a negative account balance. The School District will not use funds students have in hand to repay a negative balance or other unpaid meal charge debts. Students who qualify for full-price meals will not be denied a reimbursable meal, even if they have incurred a negative meal charge balance from the purchase of additional cafeteria items, such as a la carte items. If students eligible for full-price meals have incurred a negative account balance, they will not be permitted to purchase additional cafeteria items above and beyond the reimbursable meal provided.~~

Notification and Collection

Low Account Balances. The School District will notify the student's household, by email or, if the District does not know the parent's email address, by telephone, when a student's meal account balance falls below \$[\[X\]](#) for [\[number\]](#) consecutive days. The notification will include the current account balance. The District may choose to use the following sample email and/or robo call:

Hello [\[parent/guardian\]](#). This is [\[name\]](#). I am the [\[position/title\]](#) at [\[school\]](#). I am calling to let you know that [\[student\]](#) has a low balance of \$[\[X\]](#) in their school meal payment account. To ensure your child has enough money to purchase school meals, please add funds to their account as soon as possible. You may do so by going to [\[link\]](#) and using a debit or credit card. If you



have any questions, please call us at [general contact information]. Thank you.

District personnel shall keep records of all such phone calls or emails sent which will include the date and time of the phone call or email, and the telephone number or email address used.

Negative ~~Meal Charge~~ Account Balances. Students eligible for reduced-price or full-price meal benefits who have money to pay for a ~~reduced-price or full-price~~ meal at the time of service shall be provided a reimbursable meal, even if they have incurred a negative account balance. The School District will not use funds students have in-hand to repay a negative balance or other unpaid meal charge debts. Students who qualify for full-price meals will not be denied a reimbursable meal, even if they have incurred a negative meal charge balance from the purchase of additional cafeteria items, such as a la carte items. If students eligible for full-price meals have incurred a negative account balance, they will not be permitted to purchase additional cafeteria items above and beyond the reimbursable meal provided.

The School District expects all delinquent debts will be paid in full on the last day the student will be in attendance for the relevant school year. Before uncollectable/delinquent debt can be reclassified as bad debt, the [department] must make reasonable efforts to collect on the debt and keep detailed records showing the efforts made, as follows:

- Once a student's meal ~~charge~~ account balance becomes negative for [number] consecutive days, the [department] will contact the household by email or, if the parent's email address is not known, by telephone to request payment. The [department] will also inform the parent of the School District's reduced-price and full-price meal program. The [department] will inform the parent that the matter will be turned over to the building principal if no payment is received within [time frame].
- If no payment on a student's negative meal ~~charge-account~~ balance is received within [time frame], the [department] will contact the building principal. The principal (or his or her designee) will contact the student's parents by email or, if the parent's email address is not known, by telephone, to determine an appropriate solution.
- If no payment is received within one week, a letter will be sent to the household notifying the debt will be turned over to a collection agency if no payment is received within 30 days of receipt of the letter or the end of the school year, whichever is first, and the student's meal account will be closed. The District may choose to use the following sample letter, or some variation thereof:

[Date]



[Parents/Guardians' Names and Address]

Dear [Parents/Guardian]:

The goal of [Name of District]'s lunch program is to provide healthy meals to children during the school day. In order to serve healthy, high-quality meals, we must make sure we are financially secure. You play a key role in this effort, and are responsible for purchases made by your child in our school cafeteria.

As of [date], your child has a negative account balance of \$[X]. We strongly encourage you to pay this amount as soon as possible. Your response to this request is important. Paying back this debt will help keep our food service program strong and ensures all children at our school have access to the healthy food they need to focus in the classroom. We understand that mistakes happen. But meal payments are important to our program, and we must collect your cafeteria debt.

Please contact [person] at [contact information] if you have any questions. To review [Name of District]'s Meal Charge/Food Services Policy, please visit [link]. We would be happy to work on a repayment plan with you.

You may pay your child's negative account balance at [link] using a debit or credit card or by sending a check payable to [person/department/district] at [address].

Please note that if your child has incurred a negative account balance, and do not pay off the balance within 30 days of receipt of this letter, or by the end of the school year, whichever is first, we will have no choice but to send the negative balance to collections and close your child's meal account.

If you think your child may qualify for a free or reduced-price meal, please submit [the appropriate form] found at [link].

Thank you for your quick payment.

Sincerely,

[Person, title]

CC: [Name of teacher, principal, superintendent, as appropriate]

District personnel shall keep records of all such letters sent.

Bad Debt The School District defines bad debt as uncollectable/delinquent debt that has been determined to be uncollectable by June 30th of the fiscal year in which the debt was



incurred or, in the event the debt was transferred to the next consecutive school year, June 30th of the next fiscal year. Debt is considered uncollectable/delinquent if: (1) the District has exhausted its collection attempts, as described in the preceding section, and/or (2) by December 31st of the fiscal year if the student was inactive by June 30th of the same fiscal year. A student is inactive if s/he was no longer enrolled in the School District or had graduated by June 30th. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, the debt is classified as bad debt. Bad debt shall be classified as an operating loss.

Once classified as bad debt, non-federal funding sources must reimburse the nonprofit school food service account (NSFSA) for the total amount of the bad debt. The funds may come from any non-federal funding, including: the School District's general fund, state or local funding, or school or community organizations such as the PTA. Bad debt also includes losses (whether actual or estimated) arising from uncollectable accounts, including costs associated with collection efforts or legal costs incurred prior to its classification as bad debt.

Recordkeeping Once uncollectable/delinquent debt charges are converted to bad debt, the School District shall maintain records relating to those charges.

Audits and Reviews. Upon request, the District must make accounts and records regarding its school food service available to the Michigan Department of Education and/or the United States Department of Agriculture, Food and Nutrition Service for audit or review. Such records shall be retained for a period of three years after the date of the final claim for federal reimbursement for the fiscal year in which the charges were incurred. The District may be required to keep such accounts and records for more than three years if the audit or review results in issues that require District correction, up until all such issues are resolved.

Competitive Foods Competitive foods means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966, which are available for sale to students on District campuses during the school day. The District is responsible for maintaining records in compliance with the nutrition standards for all competitive foods, as defined under 7 CFR 210.15(b). The District is also responsible for ensuring departments or third-party organizations responsible for food service at its schools maintain records documenting compliance with the nutrition requirements for the foods and beverages sold to students. At a minimum, such records must include receipts, nutrition labels and/or product specifications for the competitive food available for sale.



FACILITIES AND OPERATIONS

There are no recommended updates for this section.

SCHOOL AND COMMUNITY RELATIONS

There are no recommended updates for this section.

GENERAL POLICIES

Update 4.11 (Administrative Regulation)

For school districts which use LA's administrative regulations manual, we recommend addition of the underlined changes to "Acceptable Use," typically included under 8001/8000.01-AR, as required by federal law:

Generally. The School District encourages and promotes the use of technology in our schools and for school operations. To ensure students, staff and parents take full advantage of the technologies available, but in compliance with applicable law, all uses of technology in the School District must have proper authorization and adhere to School District policies. The use of technology is a privilege, not a right, and must be in support of and consistent with the purposes and stated goals of the School District. There are no inherent warranties for technological resources that the School District is providing. The School District reserves the right to will monitor all network activity by, for example, ensuring the presence of a teacher or other appropriate School District personnel when students are accessing the internet at school, installing filtering or blocking software on School District computers to restricted unauthorized websites, and monitoring access logs to keep track of websites visited by students in order to restrict access to newly-created or previously unknown websites harmful to minors.

Guidelines. Students will use technology as authorized by appropriate school personnel. Only software legally owned and/or authorized by the School District may be put on School District computers. All network activities will be legal and of an appropriate use. Prior approval of the building principal and District web manager is needed to place anything on the building or District web pages.

Technology Users Will:

- Comply with School District policies, rules and regulations.
- Use networks and technology in support of the School District's educational goals.



- Obey all School District, state and national copyright laws.
- Report to the building administrator or teacher any misuse of networks and/or technology.
- Use School District equipment responsibly; respect individual work, files, programs and security.
- Hold harmless the School District from any and all claims or damages of any nature arising from access, use or inability to access or use the technology or network system.

Technology Users Will Not:

- Intentionally tamper with computer or network components in a way that makes them temporarily or permanently inoperable.
- Access, vandalize, or modify anyone else's account, data, files and/or password without authorization of the network administrator or building principal.
- Use School District technology for commercial or 'for profit' purposes.
- Use School District technology to impersonate another, or to obtain illegal copies of software or audio, text, or video materials for which the School District does not have ownership.
- Use School District technology to send or intentionally receive messages that are inflammatory, harassing in nature, sexist, racist or otherwise inappropriate.
- Disclose confidential information, passwords, or access codes.
- Post personal information (such as address or phone number), credit card numbers, bank account numbers, or any other financial information.
- Use School District technology to distribute and/or access materials that:
 - Violate FERPA, or any other law which affords students certain rights with respect to their education records;
 - Jeopardize the health and safety of students;



- Are obscene, pornographic, or libelous;
- Cause disruption of school activities;
- Plagiarize the work of others;
- Are commercial advertisements; or
- Have not been approved by the building administrator, network administrator, or web master.

Any attempt at performing one of the aforementioned prohibited acts is also prohibited.

Internet Safety The School District will implement software and/or other safeguards on District-owned technology which protect adults and students from accessing images or other online depictions that are obscene, contain child pornography, and, with respect to students, are harmful to minors.

The District will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and chat rooms, and cyberbullying awareness and response, in accordance with Board policy [insert reference to student bullying policy] and any implementing regulations.

Update 4.12 (Policy and Administrative Regulation)

Many school districts have expressed interest in a policy regarding digital communications made by its staff and students, both while on school grounds and at home. To that end, we recommend addition of “Digital Communications,” typically noted as Section 8010/8000.10:

Digital Communications

Digital communication (including social networking) that occurs on district premises or involves the use of district equipment is governed by the Acceptable Use Policy and this Policy. This Policy also applies to digital communication that occurs off District premises and/or using non-District equipment.

Digital communication (including social networking) provides educational and other opportunities for staff and students. The Board of Education expects that staff and students who engage in digital communication will do so in a reasonable and appropriate manner. Specifically, digital communication between staff and students, or to which students reasonably may be exposed, should be professional and of the same content, tone and demeanor as in-school communication between staff and students. Similarly, digital communication between staff and parents, community members and other adults, or to



which staff members, parents and community members reasonably may be exposed, should be professional.

For school districts which also use LA's administrative regulations manual, we recommend addition "Digital Communications," usually included as 8007-AR/8000.07-AR:

Digital Communications

Digital communication (including social networking) provides educational and other opportunities for staff and students. There are also potential pitfalls arising from, among other things, the speed, permanence and perceived anonymity of digital communication. These regulations are intended to help staff and students take advantage of opportunities presented by digital communication in a manner that enhances education, student achievement and appropriate relationships between staff, students, parents and the larger community. These regulations are not intended, and should not be interpreted, to limit the legal rights of any person.

Digital Communication Involving Students. Digital communication between staff and students should always be professional and of the same content, tone and demeanor as in-school communications. This applies to direct communication between staff and students and to communication to which students reasonably may be exposed. Unless otherwise protected by law, examples of inappropriate digital communication include, but are not limited to:

- Communication that violates Board Policy, such as: communication that discloses personally identifiable information about students (see Policy [[insert reference to FERPA policy](#)]); communication that violates Board Policy against illegal harassment (see Policy [[insert reference to harassment policy](#)]); etc.
- Communication that is false or misleading.
- Communication that attributes personal views to others, including the district.
- Communication that defames, insults, derogates or embarrasses staff members or students.
- Communication that defames, insults, derogates or embarrasses Board members, parents or other community members.
- Communication stating or suggesting the desirability of confidentiality vis-à-vis students' parents or other staff members.



- Communication that have as its purpose the development of a romantic or sexual relationship between a staff member and a student, or that reasonably may be interpreted as having that purpose.

The district encourages staff to use district equipment and sites for all digital communication with students.

The district does not have the resources or ability to police digital communication between and among students. However, students may be subject to school-imposed disciplinary sanctions when their digital communication violates the Student Code of Conduct ([insert reference]) and interferes with the rights of others or is reasonably anticipated to result in the disruption of school or school activities. Separately, the district reserves the right to report suspected criminal misconduct to police authorities.

Digital Communication Involving Board and Staff Members, Parents and Others. Digital communication between Board and staff members, parents and other community members or adults should always be professional. This applies to direct communication and to communication to which they reasonably may be exposed. Unless otherwise protected by law, examples of inappropriate communication include, but are not limited to:

- Communication that violates Board Policy, such as: communications that disclose personally identifiable information about students (see Policy [insert reference to FERPA policy]); communication that violates Board Policy against illegal harassment (see Policy [insert reference to harassment policy]); etc.
- Communication that is false or misleading.
- Communication that attributes personal views to others, including the district.
- Communication that defames, insults, derogates or embarrasses other staff members or students.
- Communication that defames, insults, derogates or embarrasses Board members, parents or community members and is not otherwise protected by law.

Personal Digital Social Networking. The district does not have the inclination, resources or ability to police the off-duty behavior of staff members. At the same time, staff must be cognizant of the fact they serve as role models for our students. Furthermore, their communications and behavior may affect the reputation of the district and their colleagues. For these reasons, staff are reminded that off-duty digital communication may result in investigation, disciplinary sanctions or discharge when those communications, or



characterizations or depictions of staff behavior, disrupts the educational environment or adversely affects or undermines their ability to perform their jobs.

STREAMLINE RECOMMENDATIONS

Since its inception, LA SPS has had one overarching goal: to provide school districts with the policies and regulations they need using the most accessible and user-friendly language and construction possible. To that end, we frequently review the policies and regulations we already have in place to see if we can make their purpose clearer by removing unnecessary language, or, in some cases, combining policies and regulations which share a similar message or theme. The following “Streamline Recommendations” assist us to accomplish this overarching goal. None of the recommendations which follow are necessary, however; they are simply aimed at making your policy and/or administrative regulation manuals even more efficient.

Streamline Recommendation 4.01

“Cardiac Emergency Response Plan” is referenced twice in the policy manual, typically under Sections 2007/2000.07 and 8005/8000.05. Its corresponding administrative regulation is also referenced twice, typically under Sections 2007-AR/2000.07-AR and 8003-AR/8000.03-AR. Thus, we recommend replacing reference to “Cardiac Emergency Response Plan” under Section 2007/2000.07 with the language under Section 8005/8000.05 and removing Section 8005/8000.05 from the policy manual. Similarly, we recommend replacing reference to the “Cardiac Emergency Response Plan” under Section 2007-AR/2000.07-AR with the language under Section 8003-AR/8000.03-AR and removing Section 8003-AR/8000.03-AR from the administrative regulation manual.

Streamline Recommendation 4.02

“Surplus Property” and “Disposition of Surplus Assets,” typically found under Section 5004/5000.04 and Section 6013/6000.13, respectively, contain overlapping messages. Thus, we recommend removing Section 6013/6000.13 in its entirety and combining both policies under Section 5004/5000.04, as follows:

Land, Buildings, Facilities, and Real Estate. The Superintendent may identify School District land, buildings, facilities, and real estate 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. Board approval is required for both the process to be followed and the ultimate sale or other disposition.

Equipment, Supplies, and Other Personal Property. The Superintendent may periodically review School District equipment, supplies, and other School District personal property and identify any that are thought to be obsolete and not able to be salvaged, those that cannot be utilized effectively or economically by the School District, and those that



are identified as surplus personal property. The Superintendent may, after notifying the Board, authorize the sale or disposition of any such items in a commercially reasonable manner. The Superintendent will account to the Board for such sale or disposition, in writing, including the item(s) sold or disposed of and the price or other consideration received by the School District.

Streamline Recommendation 4.03

“Tobacco-Free Environment” and “Electronic Cigarettes, Vaporizers, Etc.,” typically found under Section 6006/6000.06 and 6007/6000.07, respectively, both prohibited the use of tobacco and tobacco-related products on school grounds. Thus, we recommend removing Section 6007/6000.07 in its entirety and combining both policies under Section 6006/6000.06, as follows:

Generally 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.

Electronic Cigarettes, Vaporizers, Etc. The use of electronic cigarettes, vaporizers, etc. on School District property is prohibited.

For purposes of this policy, “Electronic Cigarettes” and “Vaporizers” means any device that simulates smoking any type of product, regardless whether they are manufactured, distributed, marketed or sold as e-cigarettes, or under any product name or descriptor.

Streamline Recommendation 4.04

“Use of School District Facilities” and “Community Use of School District Facilities,” typically found under Section 6010/6000.10 and 7002/7000.02, respectively, both discuss the use of school district facilities for non-academic reasons. Thus, we recommend removing Section 6010/6000.10 in its entirety and combining both policies under Section 7002/7000.02, as follows:

The Board encourages the use of School District facilities to promote educational, recreational, cultural, and civil activities of the community. The Board does not intend, through this policy, to create a public forum or limited public forum for expressive activity.

The Superintendent is authorized to permit individuals, groups, and organizations to use School District facilities when the use does not conflict with the use of School District facilities for School District purposes. The Superintendent will develop administrative regulations concerning the use of School District facilities.



“Use of School District Facilities” and “Community Use of School District Facilities” both have corresponding administrative regulations, typically found under 6006-AR/6000.06-AR and 7001-AR/7000.01-AR, respectively. Thus, we recommend removing 6006-AR/6000.06-AR in its entirety and adding the following paragraph to 7001-AR/7000.01-AR, between “Generally” and “Fees”:

Agreements. The individual, group or organization will complete and execute an Agreement for the Use of School District Buildings, Facilities, and Property developed by the [position] that will address, at a minimum: the fee the School District will receive, consistent with this policy; the liability or other insurance the user will carry, consistent with this policy; a release of the School District (including School District agents and employees) for any injuries or damages that occur during the use; and, an agreement to indemnify and hold harmless the School District against such injuries, damages and actual attorneys’ fees and costs arising or relating to related litigation. The Superintendent may waive the requirement for such an agreement for School District-related users.