# IONIA TOWNSHIP SCHOOL DISTRICT #2

*(N. LeValley School)*

# BOARD OF EDUCATION
# BYLAWS AND POLICIES

**CLARK HILL PLC**
**Revised: June 2026**

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# ARTICLE I. BYLAWS

## A. GENERAL.

### Section 1. Name and Legal Status.

The legal name of the school district is **Ionia Township School District #2 (N. LeValley School),** ("the District"). The District is a Michigan general powers school district as provided in the Michigan Revised School Code ("RSC"), MCL §380.1, *et seq.*

### Section 2. Authority.

The District is governed by the Board of Education ("the Board"). The Board shall have all powers and authority granted to districts by the RSC, state law generally, and, where applicable, federal law.

### Section 3. Bylaws.

These bylaws set forth the internal rules which govern the operations and business of the Board. To the extent these bylaws may be inconsistent with applicable federal and state law, the applicable federal or state law shall govern.

### Section 4. Board Policies.

In addition to these bylaws, the Board shall adopt policies to govern the administration of the District.

### Section 5. Amendment of Bylaws or Policies.

The Board may amend these bylaws or the policies of the Board by a majority vote. Any such amendment shall take effect on the date specified by the Board, but not sooner than the next regular meeting of the Board.

### Section 6. Suspension of Bylaws or Policies.

Bylaws or policies may be suspended during a Board meeting by a two-thirds vote of the Board members present at such meeting. Unless amended by the Board, the suspended bylaw or policy shall resume full force and effect upon the adjournment of the Board meeting at which the suspension occurs.

### Section 7. Superintendent.

The Board shall at all times employ a Superintendent in conformity with the RSC. The Superintendent shall enforce Board policies, as well as applicable state and federal law, within the District. The Superintendent shall, as necessary, adopt administrative guidelines for the implementation of Board policies. Administrative guidelines do not require formal approval by

the Board, but shall be provided to the Board at the time or before they become effective. In cases in which the Board has not adopted policies, the Superintendent may act, and shall thereafter notify the Board of such action. References in these bylaws and the Board policies to "the Superintendent" shall also mean the Superintendent's designee except if action solely by the Superintendent is expressly required.

## B. ORGANIZATION OF THE BOARD.

### Section 1. Composition of the Board.

The Board is composed of three members, elected or appointed as provided by the RSC and Michigan law. Board members shall be elected on a staggered basis on the November general election date in even-numbered years.

### Section 2. Term of Office.

Board members are elected for six-year terms. Terms of elected Board members shall commence on January 1 of the year following their election.

### Section 3. Board Vacancies.

If a Board position becomes vacant, the Board shall appoint a qualified person to fill the position within 30 days after the vacancy occurs. The appointee shall hold office until the next regular school election. Board positions may become vacant for any of the reasons provided by Michigan law. Resignations of Board members are effective without acceptance or approval by the Board.

### Section 4. Acceptance and Oath of Office.

Elected, re-elected or appointed Board members shall file an acceptance of office and affidavit of eligibility as required by state law, and, before taking office, shall take the oath of office required by Article XI, Section 1 of the Michigan Constitution of 1963.

### Section 5. Board Officers.

Members of the Board shall elect by majority vote a President, Secretary, and Treasurer at the Board's annual organizational meeting. Officers shall hold office for one year, or until their successors are elected and take office. Officers are eligible for re-election to their offices.

### Section 6. Vacancies in Board Offices.

A Board office shall become vacant if the holder of the office ceases to be a Board member, resigns from the Board office, or is removed from the Board office by a majority vote of the Board. A vacancy in a Board office shall be filled by a majority vote of the Board.

**Section 7. Compensation and Reimbursement.**

Board members shall receive (choose one)

____ no compensation
____ compensation of ____ per annum
____ compensation of _____ per Board meeting
_X___ compensation of _$2,000 to Board President & Treasure AND $3,000 to Board Secretary per annum_ (specify).

Board members shall be reimbursed for actual and necessary expenses incurred in the discharge of their official duties. Board members will not be reimbursed for entertainment expenses, or for the purchase of alcoholic beverages. The Board will ordinarily not approve expenditures of District funds for members to attend meetings outside Michigan, and any such attendance must first be approved in advance by the Board. The Board may establish policies for the reimbursement of expenses of Board members.

**Section 8. Committees.**

In the event that the Board consists of more than three members, then the Board may create standing or *ad hoc* committees to gather information for and make recommendations to the Board. The President shall appoint the members of committees. No committee may consist of more than a quorum of Board members.

**C. FUNCTIONING OF THE BOARD.**

**Section 1. Duties of Board Officers.**

A. President.

The Board President shall preside at all meetings of the Board, and shall conduct meetings in the manner prescribed by these bylaws and state law. The President is the official spokesperson for the Board. The President, in cooperation with the Superintendent, shall prepare agendas for Board meetings. In the absence of the Secretary at a meeting of the Board, the President shall appoint an Acting Secretary, who shall sign the minutes of that meeting. The President shall perform such other duties as authorized by the Board, or as otherwise required by law and appropriate to the office. The President may consult with the Superintendent and/or legal counsel prior to bringing an issue before the Board.

B. Secretary

The Secretary shall take and keep the minutes of meetings of the Board in conformity with the Open Meetings Act and other state law, and shall perform all other duties as may be authorized by the Board.

C. Treasurer

The Treasurer, working with the Superintendent or other District staff designated by the Superintendent, shall perform such duties as may be authorized by the Board or state law.

**Section 2. Duties and Role of Individual Board Members.**

The Board acts as a whole, and only at properly convened and noticed Board meetings. Individual Board members do not possess the powers that reside in the Board, and may not act or purport to act for the Board unless the Board has specifically delegated the authority of an individual member to act. Individual members of the Board may not speak for the Board. A Board member who speaks to or otherwise communicates with the media, the public or other officials on District matters shall make clear to the audience that the Board member is expressing only that Board member's views, and that those views do not necessarily reflect the views of the Board as a whole or any other Board member.

**Section 3. Confidentiality.**

Board members will on occasion receive information that is not available to the general public, including information about students or employees, information subject to the attorney-client or another privilege, and information disseminated during a closed session of the Board. An individual Board member shall not disclose or share confidential information without the authorization of the Board or as may be required by law.

**Section 4. Board Ethics.**

The Board by majority vote shall prescribe a Code of Ethics applicable to the conduct of individual Board members, and each Board member shall be asked to acknowledge and sign the Code of Ethics at the commencement of his or her term.

**Section 5. Conflict of Interest.**

Board members shall perform their official duties in a manner free from conflict of interest, and shall refrain from actions that create the appearance of a conflict of interest prohibited by law. Board members shall familiarize themselves with and at all times comply with the requirements and prohibitions of state law relative to conflicts of interest. The Board by policy may prohibit the hiring by the District of immediate family or other relatives of Board members during their terms on the Board.

**Section 6. Indemnification.**

The District shall indemnify the Board and individual Board members to the fullest extent permitted by law. The District will purchase and maintain in effect insurance policies for the indemnification and defense of the Board and individual Board members.

**Section 7. Professional and Consulting Services.**

The Board shall employ an independent auditor to examine the books and records of the District, to render an opinion on the financial statements of the District prepared at the close of the fiscal year, and to perform such other services as may be requested by the Board. The Board may appoint qualified individuals or firms to provide legal, architectural, insurance and other professional services for the District, and may appoint other consultants as it deems appropriate.

**Section 8. Discipline of Board Members.**

By majority vote, the Board may censure a Board member for violating these bylaws, the policies of the Board, or state or federal law, or otherwise acting in a manner inconsistent with the duties and responsibilities of a Board member. By majority vote, the Board may petition the Governor to remove a Board member from office in accordance with MCL §380.1107.

## D. MEETINGS OF THE BOARD.

**Section 1. Organizational Meeting.**

The Board shall conduct an organizational meeting annually during the month of January. During the annual organizational meeting, the Board shall elect its officers for the coming year, shall establish a schedule of regular Board meetings for the coming year, and may conduct any other business it elects to address.

**Section 2. Regular Meetings.**

Regular meetings of the Board shall be held in accordance with the schedule established by the Board at its organizational meeting. The schedule of regular meetings may be amended by the Board.

**Section 3. Special Meetings.**

Special meetings of the Board may be called by the President, or by any two members of the Board, upon not less than 24 hours' notice to each Board member. Notice to Board members of a special meeting may be provided by personally delivering a notice to the Board member, by delivering the notice to the Board member's household and leaving it with a responsible member of the household, or by sending the notice to the Board member on his or her District-provided email account.

**Section 4. Emergency Meetings.**

In the event of a severe and imminent threat to the health, safety or welfare of the District, its students or employees, the Board President may call an emergency meeting, and the Board may meet and take action without complying with public notice requirements, provided that two-thirds of the members of the Board determine that delay would detrimentally affect the ability of the

Board to respond to the threat. Actual notice to all Board members of an emergency meeting shall be attempted, but is not required.

**Section 5. Meetings Open to the Public.**

All meetings of the Board in which a quorum is present for the purpose of deliberating toward or rendering a decision on public policy shall be open to the public.

**Section 6. Open Meetings Act.**

Meetings of the Board are subject to and shall comply with applicable provisions of Michigan's Open Meetings Act ("OMA"), MCL §15.261, *et seq.* Depending upon its function, a Board committee may be a public body whose meetings are subject to the OMA.

**Section 7. Public Notice of Meetings.**

Public notice of Board organizational, regular and special meetings shall be given as provided in OMA.

**Section 8. Closed Sessions of the Board.**

In accordance with the Open Meetings Act, the Board may meet in closed session for the following purposes upon the affirmative vote, on a roll call vote, of a majority of the Board members voting:

1. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a Board member, employee, staff member or individual agent of the District, if such person requests a closed hearing.

2. To consider the dismissal, suspension, or disciplining of a student, if the student or the student's parent or guardian requests a closed hearing.

3. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement, if either negotiating party requests a closed session.

In accordance with the Open Meeting Act, the Board may meet in closed session for the following purposes upon the affirmative vote, on a roll call vote, of not less than two-thirds of the members of the Board then elected or appointed and serving (*i.e.*, not less than two members of the Board if all three Board positions are then filled):

1. To consider the purchase or lease of real property, up to the time an option to purchase or lease that property has been obtained.

2. To consult with its attorney(s) regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigation or settlement position of the Board.

3. To consider the specific contents of an application for employment or appointment if the candidate requests that the application remain confidential. Interviews of candidates must take place in open session.

4. To consider material exempt from disclosure or discussion by state or federal statute (including, without limitation, written opinions of legal counsel).

5. To consider security planning to address existing threats or prevent potential threats to the safety of the students and staff.

**Section 9. Minutes of Meetings.**

A. Open Meetings: Minutes of open meetings of the Board shall be kept, made available and approved as provided by OMA. Minutes shall, at a minimum, include the date, time and place of the meeting; Board members present and absent; decisions made by the Board; roll call votes; a record of other votes; the purpose(s) of a closed session; and corrections to the minutes of a previous meeting.

B. Closed Sessions: A separate set of minutes of a closed session shall be maintained. Closed session minutes shall be provided to Board members confidentially, shall be retained by the Secretary or the Superintendent, and may be destroyed one year and one day after their approval of the Board.

C. Committee Meetings: Minutes of meetings of committees whose function renders them subject to OMA shall be kept, made available and approved in the same manner as for open meetings of the Board.

**Section 10. Meeting Procedures.**

A. Location. All meetings of the Board or Board Committees shall be held in District facilities.

B. Agenda. The President, in consultation with the Superintendent, shall prepare and publish a written agenda prior to each regular meeting and each special meeting unless otherwise directed by the Board. Individual Board members may include items on the agenda upon the concurrence of the President. The Board shall adopt or amend the agenda at the start of the meeting.

C. Quorum. A majority of the serving members of the Board shall constitute a quorum. A meeting of the Board may not be called to order in the absence of a quorum.

D. Remote Participation.

(1) If a member of the Board is required to miss one or more meetings due to military duty, the Board shall make arrangements, if feasible, to allow such member to participate by conference telephone connection or other electronic voice communication that allows

persons participating in the meeting to communicate with each other and persons attending the meeting to hear the comments, including the votes, of the member attending remotely. The notice of a Board meeting at which a member will be participating remotely due to military duty shall include notice of such member's remote participation, and shall provide information about how to contact that member sufficiently in advance of a meeting to provide input on any business that may come before the Board.

(2) After December 31, 2021, and absent a change in state law, remote Board meetings shall not be permitted, and remote participation will be permitted only for the reason identified in subsection (1).

E. Procedure for Board Action. The Board shall take action by way of motions duly offered and approved. No motion shall be acted upon until it has been supported by a second member of the Board.

F. Voting. The vote on motions shall be "yes" or "no," and will be taken by voice vote or, if required by law or requested by a Board member, by roll call vote. Unless otherwise required by law or these bylaws, the affirmative vote of a majority of the serving Board members is required to exercise the Board's authority. Following the vote, the President shall announce that the motion either passed or failed, and, if not a unanimous vote, shall announce the number voting "yes" and the number voting "no." No Board member shall abstain from a vote of the Board absent an identified conflict of interest.

G. Public Attendance at Board Meetings. Any member of the public may attend an open Board meeting. A person shall not be excluded from an open meeting except for a breach of the peace committed at the meeting. Closed sessions of the Board may be attended by members of the Board and any necessary resource persons, such as administrators or legal counsel, designated by the Board. Members of the public may not attend closed sessions unless specifically authorized by the Board.

H. Public Participation at Open Board Meetings. Members of the public may address the Board at open meetings, subject to guidelines to be published by the Board.

I. Rules of Order. To the extent not addressed by these bylaws or the Board's policies, issues of procedure shall be governed by the current edition of *Robert's Rules of Order*. The President, or Vice-President in the absence of the President, shall decide all procedural issues, but may be overruled by majority vote of the Board.

## ARTICLE II. ADMINISTRATION

### Section 1. The Superintendent.

The Board will at all times employ a Superintendent of Schools, in accordance with state law. The employment shall be evidenced by a written contract, with a term of not more than five years.

The Superintendent is the Chief Executive Officer of the District and the primary advisor to the Board.

The Superintendent shall identify such subordinate administrative positions, such as Assistant or Deputy Superintendent(s) and Director(s), Principals and Assistant Principals, as necessary to administer the District, and shall recommend to the Board the establishment of such positions and candidates to fill such positions.

**Section 2. Duties of the Superintendent.**

The Superintendent is responsible to carry out the policies of the District as expressed in Board Policies. The Superintendent shall develop and implement Administrative Guidelines to give operational effect to Board Policies. Administrative Guidelines are to be consistent with the Board's Policies.

In a situation in which action must be taken to maintain the orderly operation of the schools, and no Board Policy governs the situation, the Superintendent is authorized to take appropriate action. The Superintendent shall thereafter report the situation and the action taken to the Board, and shall advise the Board whether a formal policy should be adopted.

References to the "Superintendent" in these policies or the Board's bylaws shall be understood to include the Superintendent's designee, unless the policies or their context clearly indicate otherwise.

The Board shall annually review and evaluate the Superintendent's performance and success in meeting the goals established by the Board.

**Section 3. Non-renewal or Termination of the Superintendent.**

In the event the District directly employs a Superintendent and if the services of the Superintendent are found to be unsatisfactory to the Board, the Superintendent shall be so notified by the Board President and given a reasonable amount of time to provide satisfactory services. If the Superintendent's services continue to be unsatisfactory, the Superintendent should be notified that his or her contract will be non-renewed, in accordance with applicable law (currently ninety (90) days before the expiration of the contract). The contract of the Superintendent may be terminated during its term in accordance with the provisions of the contract and Michigan law.

**Section 4. Incapacity of the Superintendent.**

If the directly employed Superintendent becomes incapacitated to the extent that he or she is unable to perform the duties of the office, the Board shall appoint an Acting Superintendent, who will serve until the Superintendent's incapacity is removed or until the expiration of the Superintendent's contract, whichever first occurs. The Superintendent may voluntarily indicate that he or she has become incapacitated. Alternatively, the Board may determine the Superintendent to be incapacitated upon the certification of a physician chosen and compensated by the Board, and may compel the Superintendent to undergo an examination by the physician so

chosen. Pending or upon a finding that the Superintendent is incapacitated, the Board may employ and interim superintendent. Upon request to the Board, the incapacitated Superintendent may resume his or her duties, unless the request is denied by the Board. The Board may require the Superintendent to demonstrate to its satisfaction that he or she is able to resume the duties of Superintendent.

**Section 5. Evaluation of Administrators and Teachers.**

The Superintendent shall create evaluation protocols for all administrators and teachers that comply with state law, and shall ensure that evaluations are carried out in the manner prescribed by state law.

**Section 6. Non-renewal or Termination of Other District Administrators.**

State law prescribes the manner in which the contracts of administrators below the level of Superintendent may be non-renewed. The Superintendent shall advise the Board of the advisability of non-renewing a District administrator, and shall work with the Board to ensure that any such non-renewal takes place in a timely manner and consistent with state law.

**Section 7. Councils, Cabinets and Committees.**

The Superintendent is authorized to establish and appoint the members of permanent or temporary councils, cabinets or committees deemed necessary or advisable for the proper administration of Board policies and the conduct of District business.

## ARTICLE III. CURRICULUM AND INSTRUCTION

**Section 1. Curriculum.**

The Superintendent is responsible for the development, implementation and ongoing evaluation of the District's curriculum. The curriculum shall:

A) be consistent with the District's mission and any Board Policies establishing guiding principles with respect to student learning and achievement;

B) meet or exceed all requirements of the State of Michigan;

C) be standards-based and based upon legally compliant, research-based learning and achievement standards geared toward the award of a District diploma;

D) include standards-based, legally compliant, research-based learning and achievement standards for students who participate in career and technical education programs; and

E) address the needs of and provide opportunities for students with disabilities consistent with federal and state law.

**Section 2. Family Involvement.**

Parent and family involvement within the schools is necessary to develop shared educational goals, and to have a positive effect on student learning for all learners. Educational research has shown that strong partnerships between home and school lead to higher levels of achievement. Parents and families are encouraged to provide input through district committees, parent-teacher organizations, school improvement teams, and other committees regarding matters of interest to students and families. Parents and families are also encouraged to visit their child's school and participate in school activities.

References to "parent" or "parents" in these policies shall be understood to include a student's legal guardian, unless the policies or their context clearly indicate otherwise.

District teachers and administrators will strive to encourage family involvement through:

Effective Means of Communication, by facilitating open and ongoing communication between home and school; providing information and resources to families regarding safety, proper health and wellbeing; ensuring accessibility to information about District programs and policies; providing accurate and timely information regarding State and local academic standards and assessments; and engaging families in monitoring student growth and progress reports.

Facilitating Volunteering, by creating volunteer opportunities for parents and families to participate in and contribute to school activities and encouraging family participation in volunteer activities; and

Community Collaboration, by integrating programs, activities and events that support and encourage family involvement and their participation in their child's educational growth and development; and supporting parents and students in the educational process through referrals to community resources or agencies that support the district's mission.

**Section 3. Title I Services.**

The Board elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments to the Elementary and Secondary School Improvement of 1965.

The Superintendent shall prepare and present to the State Department of Education a plan for the delivery of services which meets the requirements of the law. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan.

**Section 4. Parental Participation in Title I Programs.**

Parental involvement is 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 District will:

A. Inform parents of the program, the reasons for their children's participation and the specific instructional objectives;

B. Support parents to work with their children to attain instructional objectives;

C. Train teachers and other staff involved in Title I programs to work effectively with the parents of participating students;

D. Provide feedback to parents on a regular basis;

E. Provide opportunities for parents to provide input into the design, operation and evaluation of the program; and

F. Provide opportunities for parents who lack literacy skills or whose native language is not English, to provide input.

The Superintendent will develop and implement regulations that are compliant with Title I. The regulations shall 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 District.

**Section 5. Parents' Right to Know.**

In accordance with Title I, for each school receiving Title I funds, the Superintendent shall make sure that all parents of students in that school are notified that they may request, and the District will provide, the following information on the student's classroom teachers:

A. Whether the teacher(s) have met the State qualification and licensing criteria for the grade level and subject areas they are teaching.

B. Whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived.

C. The undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned.

D. The qualifications of any paraprofessionals providing services to their child(ren).

E. Information on the level of achievement of their child(ren) on the required State academic assessments.

F. Timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

**Section 6. Special Education.**

The District shall enter into an agreement with the Ionia County Intermediate School District to provide a comprehensive, free, and appropriate educational program to all eligible disabled persons through age 25 which complies with Federal and State laws and guidelines.

The Superintendent shall prepare administrative guidelines necessary to ensure effective implementation of the special education program.

**Section 7. Programs for Gifted Students.**

The District may conduct appropriate instructional programs to meet the needs of gifted students in grades K through 12. A "gifted student" is one who, through valid assessment, shows specific academic ability superior to that of children of the same age or grade level within the District; creative ability in a particular area superior to that of his/her peers within the District; or superior leadership ability to that of his/her peers within the District.

The Superintendent shall develop administrative guidelines for identification, curriculum development and implementation, and assessment of learning outcomes for gifted students.

**Section 8. Students with Limited English Proficiency.**

All students are to be provided a meaningful education and access to the programs provided by the District. Limited proficiency in the English language should not be a barrier to equal participation in the instructional or extra-curricular programs of the District. Students identified as having limited English proficiency will be provided additional support and instruction to assist them in gaining English proficiency and in accessing the educational and extra-curricular programs offered by the District.

The District will endeavor to assist the student and his/her parents in their access to District programs by sending notices to the parents in a language designed to enable them to understand.

**Section 9. Homebound Instruction.**

The District shall provide, pursuant to requirements of state law and the State Board of Education, individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability.

The District reserves the right to withhold homebound instruction when the instructor's presence in the place of a student's confinement presents a hazard to the health of the instructor; a parent or other adult in authority is not at home with the student during the hours of instruction; or the condition of the student is such as to preclude his/her benefit from such instruction.

The Superintendent shall develop administrative guidelines for implementing this policy.

**Section 10. Guidance and Counseling.**

A planned program of guidance and counseling is an integral part of the educational program of the District. The Superintendent shall implement an appropriate counseling and guidance program, and shall adopt administrative guidelines with respect to the program.

**Section 11. Textbooks, Technology, and Other Essential Curricular Materials.**

The Superintendent will recommend to the Board, for its approval, textbooks, technology, and other essential curricular materials. The Superintendent may designate qualified administrators and teachers to assist in the selection of textbooks, technology, and essential curricular materials to be recommended to the Board.

**Section 12. Selection of Media Center Materials.**

District students shall be provided access to a wide variety of educational materials, in various media, to support learning. Consistent with District purchasing protocols, the Superintendent may make or approve purchases for District media centers and may receive recommendations for such purchases from professional staff members, parents and students.

**Section 13. Parental Objections.**

The Superintendent shall 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.

**Section 14. Wellness.**

The Superintendent shall prepare and implement administrative guidelines and SMART Goals, in accordance with applicable law, with input from the District's Wellness Committee, that promote students' health, nutrition, well-being, and regular physical activity as part of the learning environment, in accordance with applicable laws, rules and regulations. The Principal of each school building shall have the authority and responsibility to ensure that each school building complies with this policy.

The District will inform the public annually about the wellness policy, provide a link to the wellness policy online, review the wellness policy at least triennially, and provide information to the public on how they can participate on the wellness committee and assist with the development, implementation and periodic review and update of this policy.

**Section 15. Non-discrimination.**

The District shall not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity or gender expression, age, religion, height, weight, marital or family status, disability, military status, genetic information, or any other legally protected category in its

programs and activities, including employment. Sexual harassment is a form of sex discrimination, and shall likewise not be permitted with respect to students or employees. The District shall not retaliate against a person who reports or opposes improper discrimination or retaliation. The District shall fully comply with all applicable federal and state civil rights statutes, including, without limitation, Title IX of the Civil Rights Act of 1964.

The Superintendent shall designate not less than two compliance officers responsible for coordinating the District's compliance with applicable federal and state laws and regulations, and for investigating reports of discrimination or harassment. The Superintendent shall ensure that all required notices under the civil rights or other laws are provided to staff members.

The Superintendent shall develop and implement administrative guidelines to enforce this policy.

**Section 16. Field Trips and Other District-Sponsored Trips.**

The District recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should supplement and enrich classroom procedures by providing learning experiences in an environment outside the school. A field trip is any planned journey by one or more students away from District premises under the supervision of a professional staff member and an integral part of a course of study. Other District-sponsored trips are any planned, student-travel activity which are approved as part of the District's total educational program.

Board approval is required for field trips and other District-sponsored trips which are planned to take students out of the United States, except that under normal conditions, when no applicable travel alert has been issued by the federal government, trips to Canada may be permitted without approval of the Board. Approval of the Superintendent is required for all other such trips.

Students on all field trips and other District-sponsored trips remain subject to the District's policies and administrative guidelines, including the Student Code of Conduct.

The District does not assume liability for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Board or Superintendent. No staff member may solicit students of this District for such trips on school property without permission from the Superintendent.

The Superintendent shall prepare administrative guidelines for the operation of both field and other District-sponsored trips, including athletic trips.

**Section 17. Student Assessment.**

The District shall, in compliance with state law and rules of the State Board of Education, assess student achievement and needs in designated subject areas in order to determine the progress of students and to assist them in attaining District goals.

The Superintendent shall develop and present to the Board annually a program of testing and assessment that comports with state law and is consistent with the policies of the District, and shall develop administrative guidelines as necessary to implement this policy.

**Section 18. Placement and Promotion.**

The District recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It is the policy of the District, subject to the Administration's sole discretion, that each student be moved in a continuous pattern of achievement and growth that is in harmony with his/her own development.
The Superintendent shall develop administrative guidelines for the placement and promotion of students consistent with this Policy.

**Section 19. Third Grade Reading Requirements.**

The District shall comply with the requirements of MCL §380.1282f, governing third grade reading proficiency and requirements. The Superintendent shall develop administrative guidelines as necessary to implement this policy and the state statute.

**Section 20. Reporting Student Progress.**

The cooperation of school and home is a vital ingredient to the growth and education of the whole child, and the District recognizes its responsibility to keep parents informed of student welfare and progress in school.

The District shall establish a system of reporting student progress which shall include written reports and/or parent conferences with teachers, and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The Superintendent, in conjunction with appropriate staff members, shall develop procedures for reporting student progress to parents.

**Section 21. Grading.**

The District is responsible for providing a system of grading student achievement that can help the student, teachers, and parents accurately to judge how well the student is achieving the goals of the District's program.

The Superintendent shall develop guidelines for grading containing clear, consistent criteria and standards. The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may not be changed without the permission of the Superintendent.

**Section 22. Compliance with Michigan Sex Education Statute; Prohibition of Abortion Referral or Assistance.**

The District shall comply with the requirements of MCL §380.1507, dealing with instruction in sex education and related subjects.

## ARTICLE IV. STUDENTS

**Section 1. Enrollment: Eligible Students.**

Except as set forth below, enrollment in the District shall be limited to those students who are residents of the District or are required by Michigan or federal law to be admitted to school in the District. The Superintendent shall implement administrative guidelines in accordance with the requirements of this section and Section 2, below.

**Section 2. Enrollment: Non-Resident Students.**

Students who are not residents of the District or otherwise required by law to be admitted to school in the District may enroll in the District under the circumstances described below. Decisions with respect to the enrollment of non-resident students shall be made on a non-discriminatory basis.

Schools of Choice Students: The Board may elect to enroll students in the District under MCL §388.1705 and/or .1705c.

Foreign Exchange Students: The Superintendent may develop and administer a program for the enrollment of foreign exchange students.

Children of Staff Members: A child of a District employee who works on a half-time (.5) or greater basis may enroll in the District, in accordance with the provisions of MCL §388.1606(6)(j), under regulations to be established by the Superintendent.

Homeless Students: The District shall comply with the requirements of federal law, particularly the McKinney-Vento Homeless Assistance Act, with respect to the enrollment of homeless students. The Superintendent shall appoint a central office administrator to act as the District's liaison with homeless students and their parents or guardians and to coordinate with state and local officials.

A student who is in Foster Care: If a child who is under probate court jurisdiction and/or is under the care and responsibility of a child welfare agency is placed in foster care, the child will be permitted to enroll in and attend the appropriate grade in the school selected by the department of human services or a child placing agency without regard to whether or not the child is residing in the district.

**Section 3. Enrollment: Entrance Age.**

Unless otherwise provided by law, a child who is a resident or otherwise entitled to attend school in the District may enroll in the District if he or she is less than twenty (20) years on September 1st of the school year of enrollment. A child who is a resident or otherwise entitled to attend school in the District may enroll in kindergarten if the child is at least five (5) years of age on September 1st of the school year of enrollment, or under the early enrollment provisions of MCL §380.1147. Extended age eligibility may apply to certain students qualifying for special education services. The student's birth certificate or other legal documentation of the student's age is required at the time of registration.

**Section 4. Student Behavior: Governing Principles.**

In support of providing educational opportunity, the District strives to create a school environment that cultivates the development of knowledgeable, responsible and caring citizens. To create and maintain such an environment, respect for the rights of others, considerations of their privileges, and cooperative citizenship is expected of all members of the school community. When a student infringes upon others' education, it becomes the duty of the District to discipline this student and restore the conditions that promote learning for all students. In disciplining students and regulating their conduct, the District strives to assure that guidelines and consequences are appropriate and proportionate in nature, consistent with applicable law, constructive and limited to that reasonably necessary in the judgment of Administration to promote the District's educational objectives.

**Section 5. Student Code of Conduct.**

The Superintendent shall develop and implement, and shall publish to all students and their parents, a Student Code of Conduct consistent with these principles.

**Section 6. Levels of Discipline.**

The Board recognizes that exclusion from the educational programs of the District for disciplinary purposes is a serious sanction. The following levels of discipline are permitted in the District.

Emergency Removal: A student may be removed from any class, subject, or activity for up to one (1) day by the student's teacher for certain conduct as specified in the Student Code of Conduct pursuant to MCL §380.1309. A student so removed will be allowed to attend other classes taught by other teachers during the term of the one (1) day removal.

Suspension: The Superintendent, the Superintendent's designee, or a building administrator may suspend a student for a period of up to sixty (60) days. Ordinarily a suspension will be imposed by a building administrator. An appeal process shall be described in the Student Code of Conduct.

Expulsion of 180 days or Less: The Superintendent, the Superintendent's designee, or a building administrator may expel a student for not less than 61 days nor more than 180

days. Ordinarily an expulsion will be imposed by a building administrator. An appeal process shall be described in the Student Code of Conduct.

Permanent Expulsion or Expulsion of Greater Than 180 Days: Only the Superintendent or the Superintendent's designee may permanently expel a student or expel a student for greater than 180 days. An appeal process is described in this policy.

Removal of a Student from School Pending Investigation or Provision of Due Process. When an administrator deems it necessary, the administrator may remove from school a student charged with, suspected of committing, or suspected of being involved in, an infraction or incident, for a reasonable period of time necessary:

1. to complete the investigation of an alleged infraction or incident, or
2. to defuse a situation that could become worse without such removal, or
3. in unusual circumstances, to permit the student to be accorded due process, as defined in this policy, which shall be accorded as soon as possible thereafter, or
4. for other reason(s) as renders such a removal in the best interests of a particular student, a school, its students, or its staff.

Such a removal shall not constitute disciplinary action, although the infraction or incident may result in disciplinary action. If the infraction or incident that has prompted removal results in discipline, the time during which the student has been removed from school shall be credited to any disciplinary time imposed.

**Section 7. Due Process.**

The Board recognizes the importance of safeguarding a student's constitutional rights, particularly when subject to the District's disciplinary procedures. The due process to be accorded students is as follows:

Students subject to suspensions greater than 10 days or expulsions of 180 days or less. Except in emergency situations, prior to the implementation of a suspension or expulsion a student must be given oral or written notice of the charges against him or her, a summary of the evidence supporting the charges, and, if the student denies the charges, the opportunity to be heard and to respond to the charges. When such suspension or expulsion has occurred, notice and opportunity to respond shall occur as soon as reasonably possible. The building administrator shall provide the student an opportunity to be heard and shall be responsible for making the suspension decision.

Students subject to permanent expulsion or expulsion greater than 180 days. Prior to the imposition of a permanent expulsion or an expulsion of greater than 180 days, a student and the student's parent or guardian must be given written notice of the intention to permanently expel or expel for more than 180 days, a summary of the evidence supporting the expulsion, and notice that the Superintendent or designee shall conduct a hearing to determine whether to accept the recommendation for expulsion. The student and the student's parent or guardian must also be provided a brief description of the student's rights

and of the hearing procedure. The Superintendent shall establish guidelines in the Student Code of Conduct governing the procedure to be followed in the hearing to determine whether the expulsion shall be implemented.

**Section 8. Considerations Prior to Imposition of Discipline.**

In accordance with state law, and except as specifically provided in this policy, before a student may be suspended, expelled or permanently expelled, the District administrators making the disciplinary decision shall consider each of the following factors:

1. the student's age;
2. the student's disciplinary history;
3. whether the student is a student with a disability;
4. the seriousness of the violation or behavior committed by the student;
5. whether the violation or behavior committed by the student threatened the safety of any student or staff member;
6. whether restorative practices will be used to address the violation or behavior committed by the student; and
7. whether a lesser intervention would properly address the violation or behavior committed by the student.

The fact that consideration of these factors has occurred shall be documented in the record of the disciplinary decision. The Superintendent shall develop an appropriate checklist to be used to document consideration of these factors.

Whether student misconduct shall result in discipline, and the level of discipline to be imposed, shall be within the discretion of the Superintendent and designees, including administration of the respective school buildings. In the exercise of this discretion, there is a rebuttable presumption that a suspension, expulsion or permanent expulsion is not justified unless administration can demonstrate that it considered each of the factors listed above. The obligation to consider these factors shall not apply to a student being permanently expelled under state law for possessing a firearm in a weapon-free school zone.

The District shall consider using restorative practices as an alternative or in addition to suspension or expulsion of a student. The obligation to consider restorative practices shall not apply to a mandatory permanent expulsion for possession of a firearm in a weapon-free school zone. "Restorative practices" means practices that emphasize repairing the harm to the victim and the school community caused by a student's misconduct. The Superintendent shall establish procedures for the use of restorative practices within the District.

**Section 9. Appeal of the Imposition of Discipline.**

A student may appeal a suspension greater than 10 days or an expulsion of 180 days or less to the Superintendent or designee. The Student Code of Conduct shall identify the process to be used for such appeals. The decision of the Superintendent or designee shall be final.

A student may appeal a permanent expulsion or an expulsion of greater than 180 days to the Board of Education in accordance with the following procedures:

A. Such expulsion may be appealed to the Board by the student or parent by filing with the Superintendent's office a written request for appeal within fifteen (15) school days after mailing of the notice of such expulsion. The Board shall hear the appeal within a reasonable time at a special meeting called for such purpose. If no such appeal is timely requested, the expulsion shall be deemed final.

B. Upon receipt of an appeal to the Board, the Superintendent shall provide the student or parent with a written notice that appeals to the Board shall be conducted in accordance with the rules and procedures described below.

C. The principal, Board attorney, and any other resource persons that the Board President deems appropriate may be present at the Board hearing. Only members of the Board shall have a vote in determining the appeal.

D. Pursuant to the Open Meetings Act, the hearing before the Board shall be closed to the public at the request of the student or parent(s).

E. Although a hearing to consider the appeal of a permanent expulsion or expulsion greater than 180 days is subject to due process and may have some similarities to a court proceeding, it is not conducted in a court of law and court rules are not applicable. The Board President or presiding officer shall determine any procedural questions that arise during the hearing.

F. At the hearing, the principal or other administrator shall first present to the Board the facts of the case and the basis for the discipline. Thereafter, the student (and/or the student's representative and parent(s)) may comment upon the facts as stated by the principal, and may present the basis of the appeal. Board members and other participants in the hearing may ask questions of witnesses.

G. The Board may:

    1. set aside the expulsion and reinstate the student with or without any limiting conditions;
    2. reduce the expulsion to a suspension or expulsion of 180 days or less with any conditions the Board deems advisable, or remand the matter to the Superintendent to impose a consequence less than permanent expulsion; or
    3. affirm the expulsion.

H. The Board shall decide the appeal within a reasonable time. The Board Secretary shall promptly notify the appealing party of the Board's decision in writing. The Board’s decision shall be final.

**Section 10. Reinstatement Following Permanent Expulsion.**

A student who has been permanently expelled from school in the District may apply for reinstatement in accordance with the following guidelines:

A. If the student is in grade 5 or below at the time of the permanent expulsion, the parents or legal guardian may submit a request for reinstatement after sixty (60) school days from the date of expulsion, but the student may not be reinstated before ninety (90) school days from the expulsion date.

B. If the student is in grade 6 or above at the time of the permanent expulsion, the parents, legal guardian, the adult student, or the emancipated minor may submit a request for reinstatement after 150 school days from the date of the expulsion, but the student may not be reinstated before 180 school days from the expulsion date.

C. The Superintendent or designee shall, within ten (10) school days after receiving the request, submit the request together with any other information he or she deems pertinent to the requested reinstatement, to a Board-appointed committee consisting of two (2) Board members, a District administrator, a teacher, and a parent of a District student.

D. The committee shall, within ten (10) school days after being appointed, review all pertinent information, and submit its recommendation to the Board. The recommendation may be for unconditional reinstatement, conditional reinstatement, or non-reinstatement, based on the committee's consideration of:

1. the extent to which reinstatement would create a risk of harm to students or school personnel;
2. the extent to which reinstatement would create a risk of District or individual liability for the Board or District personnel;
3. the age and maturity of the student;
4. the student's school record before the expulsion incident;
5. the student's attitude concerning the expulsion incident;
6. the student's behavior since the expulsion and the prospects for remediation;
7. if the request was filed by a parent, the degree of cooperation and support the parent has provided and will provide if the student is reinstated, including, but not limited to the parent's receptiveness toward possible conditions placed on the reinstatement. Such conditions may, as an example, include a written agreement by the student and/or a parent who filed the reinstatement request to:
    a. abide by a behavior contract which may involve the student, his/her parents, and an outside agency;
    b. participate in an anger management program or other counseling activities;
    c. cooperate in processing and discussing periodic progress reviews;
    d. meet other conditions deemed appropriate by the committee;
    e. accept the consequences for not fulfilling the agreed-upon conditions.

The committee may also allow the parent, adult student, or emancipated minor to propose conditions as part of the request for reinstatement.

E. In the event a student who has been permanently expelled from another school district requests admission to this District, the Board shall, in making its decision, rely upon the recommendation of the Superintendent.

F. The Board may:

1. set aside the expulsion and reinstate the student with or without any limiting conditions;

2. reduce the expulsion to a suspension or expulsion of 180 days or less with any conditions the Board deems advisable under the circumstances;

3. affirm the expulsion.

G. The Board shall make its decision no later than the next regular Board meeting following the committee's submission of its recommendations. The Board's decision shall be final and not subject to appeal.

**Section 11. Student Discrimination and Harassment.**

The District is committed to maintaining a learning environment in which all individuals are treated with dignity and respect, free from discrimination and harassment. The District shall not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity or gender expression, age, religion, height, weight, marital or family status, disability, military status, genetic information, or any other legally protected category in its programs and activities, including employment. Sexual harassment (see specific requirements below) is a form of sex discrimination, and shall likewise not be permitted with respect to students or employees. The District shall not retaliate against a person who reports or opposes improper discrimination or retaliation. The District shall fully comply with all applicable federal and state civil rights statutes. Discrimination, retaliation and harassment are prohibited whether occurring at school, on District property, in a District vehicle, or at any District-related activity or event.

The Superintendent shall designate not less than two compliance officers responsible for coordinating the District's compliance with applicable federal and state laws and regulations, and for investigating reports of discrimination or harassment. The Superintendent shall ensure that all required notices under the civil rights or other laws are provided to staff members.

A student who believes he or she has been or is the victim of discrimination or harassment should immediately report the situation to a teacher, counselor, social worker, the building principal or assistant principal, or the Superintendent. A staff member who observes, has knowledge of, or learns that a student has been or is the victim of discrimination or harassment shall immediately report the situation to the building principal or assistant principal or the Superintendent.

Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

The Superintendent shall develop and implement administrative guidelines to enforce this policy.

Sexual Harassment

"Sexual Harassment" is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*i.e. quid pro quo* sexual harassment);

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the District's education programs or activities; or

3. Sexual assault (as defined in the Clery Act, 20 U.S.C. §1092(f)(6)(a)(v)), dating violence, domestic violence or stalking (as defined in the Violence Against Women Act, 34 U.S.C. §12291(a)).

The District shall not retaliate against a person who reports or opposes sexual harassment. The District shall fully comply with Title IX of the Civil Rights Act of 1964 and the accompanying regulations.

The Superintendent shall designate not less than two Title IX Coordinators responsible for coordinating the District's compliance with Title IX and its regulations, and for investigating reports of sexual harassment.

A student who believes he or she has been or is the victim of sexual harassment should immediately report the situation to a teacher, counselor, social worker, the building principal or assistant principal, the Superintendent, or a Title IX Coordinator. A District employee who observes, has knowledge of, or learns that a student has been or is the victim of sexual harassment shall immediately report the situation to the building principal or assistant principal, Superintendent or Title IX Coordinator. Complaints against the building principal should be filed with the Superintendent or Title IX Coordinator. Complaints against the Superintendent should be filed with the Board President or Title IX Coordinator.

The Superintendent shall develop and implement as an administrative guideline a Title IX Grievance Procedure.

**Section 12. Bullying.**

It is the policy of the District to provide a safe and nurturing environment for all of its students. Appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of students, as well as administrators, faculty, staff, visitors, and volunteers.

**Bullying and Cyberbullying Are Prohibited**

Bullying and cyberbullying of a student, whether by other students, staff, visitors, Board members, parents, guests, contractors, vendors, and volunteers, is prohibited. All students are protected under this policy, and bullying and cyberbullying are prohibited without regard to their subject matter or motivating animus.

**Definitions**

"Bullying" means any written, verbal, or physical act, or any electronic communication, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

A. Substantially interfering with educational opportunities, benefits, or programs of one (1) or more students.

B. Adversely affecting the ability of a pupil to participate in or benefit from the District's or school's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress.

C. Having an actual and substantial detrimental effect on a student's physical or mental health.

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

"Cyberbullying" means any electronic communication that is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

A. Substantially interfering with educational opportunities, benefits, or programs of one (1) or more students.

B. Adversely affecting the ability of a student to participate in or benefit from the District's or school's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress.

C. Having an actual and substantial detrimental effect on a student's physical or mental health.

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

Since "bullying" also includes "cyberbullying", any reference in this policy to "bullying" shall also be deemed to refer to "cyberbullying."

Bullying and cyberbullying are prohibited at school. "At school" is defined as on school premises, at school-sponsored activities or events, in a school-related vehicle, or using a telecommunications access device or a telecommunications service provider if the telecommunications access device or telecommunications service provider is owned by or under the control of the School District. "Telecommunications access device" and "telecommunications service provider" mean those terms as defined in MCL §750.219a.

Bullying and cyberbullying that does not occur "at school," as defined above, but that causes a substantial disruption to the educational environment, may be subject to disciplinary action in accordance with this policy and applicable law.

**Reporting and Investigating Reports of Bullying**

Every student is encouraged to promptly report any situation that he or she believes to be bullying behavior directed toward himself/herself or another student to a teacher, a counselor, a building principal, or an assistant principal. Staff members shall report any reports made by students or situations that they believe to be bullying behavior directed toward a student to the building principal. Complaints against the building principal shall be reported to the Superintendent. Complaints against the Superintendent shall be reported to the Board President.

Under State law, a school employee, school volunteer, student, or parent or guardian who promptly reports in good faith an act of bullying to the appropriate school official designated in this policy and who makes this report in compliance with the procedures set forth in this policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. This immunity does not apply to a school official who is responsible for implementing this policy or for remedying the bullying, when acting in that capacity.

Retaliation or false accusation against a target of bullying, a witness, or another person with information about an act of bullying is prohibited. Suspected retaliation should be reported in the same manner as suspected bullying behavior. Making intentionally false accusations of bullying is likewise prohibited. Retaliation and making intentionally false accusations of bullying may result in disciplinary action up to and including expulsion.

All complaints about bullying that may violate this policy shall be promptly investigated and documented. The building principal or the principal’s designee is responsible for the investigation. If the investigation results in a finding that bullying has occurred, it shall result in prompt and appropriate disciplinary action, up to and including expulsion for students, up to and including discharge for employees, and up to and including exclusion from school property for parents, guests, volunteers, and contractors. Individuals may also be referred to law enforcement officials.

Where the investigation results in a finding that bullying has occurred, both the parent or legal guardian of a victim of bullying and the parent or legal guardian of a perpetrator of the bullying shall be notified promptly in writing. In addition, administrators investigating alleged bullying may notify parents of the victim or perpetrator of bullying sooner than the conclusion of the investigation if circumstances dictate such earlier notification.

Each school shall document any prohibited incident that is reported and shall document all verified incidents of bullying and the resulting consequences, including the required notification of parents or guardians and any discipline and referrals.

The Superintendent is the school official responsible for ensuring that the policy is implemented.

**Confidentiality**

The District will comply with all applicable laws regarding confidentiality of personally identifiable information from education records. In addition, the identity of an individual who reports an act of bullying or cyberbullying shall be and remain confidential. The principal, or the principal's designee, shall ensure that the name of an individual who reports an act of bullying or cyberbullying is withheld from the alleged perpetrator and the perpetrator's parent(s), legal guardian(s) and representative(s), and is redacted from any report of bullying or cyberbullying that is publicly disclosed.

**Notification**

This policy will be annually circulated to parents and students, and shall be posted on the District website.

**Reporting**

As required by State statute, the Superintendent shall provide a report of all verified incidents of bullying and other required information to the Michigan Department of Education on an annual basis, according to the form and procedures established by the Department.

As required by State statute, the District's procedures with respect to bullying are contained within this policy, and thus no administrative guidelines accompany this policy.

**Section 13. Use of Seclusion or Restraint.**

Pursuant to Public Act 395 of 2016, MCL §380.1307a, the Board directs the Superintendent to adopt as an administrative guideline a local policy, applicable to all District administrators, staff and contractors, that is consistent with the policy issued by the Michigan Department of Education in connection with the requirements of Public Acts 394 through 402 of 2016, MCL §380.1307, *et seq.*, regarding restrictions on the use of seclusion and restraint in public schools. This policy is to accomplish the following objectives:

A. Promote the care, safety, welfare and security of the school community and the dignity of each pupil.

B. Encourage the use of proactive, effective, evidence- and research-based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all pupils.

C. Ensure that seclusion and physical restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation and reporting by trained personnel.

**Section 14. Search and Seizure.**

The Board has charged District administration with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, District administration may search school property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

School Property

Lockers and desks used by students remain at all times the property of the District. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have an expectation of privacy as to prevent examination by a school official. District administrators may search student lockers and desks at any time and for any reason.

Student Person and Possessions

The privacy of students or his/her belongings may not be violated by an unreasonable search and seizure. No student may be searched without reasonable suspicion or in an unreasonable manner. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history. Reasonable suspicion shall not be required for the use of canines to search a student's possessions as part of a random drug sweep.

Searches may be conducted by administrators, school resource officer(s), or their designees. Efforts should be made to conduct a search in the presence of the student and a staff member other than the principal. A search prompted by the reasonable belief that health and safety are immediately threatened may be conducted with as much speed and dispatch as may be required to protect persons and property.

A search of a student's person or intimate personal apparel shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened. Strip searches by district employees, school resource officer(s) or any other person acting on behalf of or as a representative of the District, on or off school premises, are not permitted.

Administrators or designated staff members are authorized to utilize a breath-test instrument for the purpose of determining if a student has consumed an alcoholic beverage.

The Superintendent shall prepare administrative guidelines to implement this policy.

**Section 15. Interrogation of Students.**

The District is committed to protecting students from harm that may or may not be directly associated with the school environment, but also recognizes its responsibility to cooperate with law enforcement and State's child protection agency.

Such agencies should be encouraged to investigate alleged violations of the law off school property if at all possible. An investigation by such an agency may take place immediately on school property at the request of the building administrator if the alleged violation of law took place on school property or in emergency situations.

When police or other authorities arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the building administrator indicating the nature of their investigation and their desire to question a student or students.

Before a student is questioned by police as a witness to or suspect in an alleged violation of law, the building administrator shall attempt to contact the student's parent, and shall request to remain in the room during the questioning if the parent is not available.

If the student is the subject of a child abuse/neglect investigation, and the investigating agency indicates that the parent or a family member is believed to be the perpetrator, the building administrator will not contact either parent prior to the interview if so requested by the investigator.

If an authorized law enforcement officer or child protection agency removes a student, the administrator shall promptly also notify the parent and the Superintendent.

No school official may release personally identifiable student information in education records to the police or children's services agency without prior written permission of the parent, a lawfully issued subpoena, a court order, or as otherwise required by law, unless it is an emergency situation involving the health or safety of the involved student or other students. Directory information may be disclosed upon request.

**Section 16. Education Records.**

The District shall comply with the applicable requirements of the Family Educational Rights and Privacy Act ("FERPA") and Public Act 367 of 2016 (MCL §380.1136). In accordance with FERPA, not later than the 30th day of each school year, the Superintendent shall provide public notice, in writing or electronically, to students and their parents or legal guardians of the District's intent to make available, upon request, certain information known as "directory information."

The Board designates as "directory information" the following information about students:

A. name;
B. participation in officially recognized activities and sports;
C. height, if member of an athletic team;
D. weight, if a member of an athletic team which requires disclosure to participate;
E. grade level, and date of actual or expected graduation;
F. awards or honors received;
G. photographs;
H. videos of students participating in school activities, events or programs.

The Board determines that the following information about students shall not be considered "directory information," and shall thus not be disclosed unless otherwise permitted by FERPA.

A. residence address;
B. email address;
C. telephone numbers;
D. date and place of birth;
E. major field of study;
F. dates of attendance;
G. most recent previous educational agency or institution;
H. Social Security number.

The annual notice from the Superintendent shall inform parents and eligible students that they may refuse to allow the District to disclose such "directory information" upon written or electronic notification to the District using the "opt out" form provided with the notice. If a parent or legal guardian of a student or an eligible student elects to "opt out" of the disclosure of any specific type of directory information, the District will elect not to disclose any directory information for that student.

The District shall provide a copy of the notice and "opt out" form to a parent or legal guardian at any time upon request.

The District shall develop a list of uses for which the District would disclose a student's directory information.

**Section 17. Equal Access for Non-District-Sponsored Activities.**

Students of the District may also initiate other clubs and activities, which may use District facilities under the following rules. School facilities may not be used by non-District-sponsored student clubs and activities or District-sponsored, extra-curricular clubs and activities during instructional hours. During non-instructional time, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

An application for permission for non-district-sponsored student clubs and activities to meet on school premises shall be made to the Superintendent or designee, who shall grant permission provided that:

A. The activity has been initiated by students;

B. Attendance at the meeting is voluntary;

C. No agent or employee of the District will promote, lead, or participate in the meeting;

D. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school; and

E. Persons not affiliated with the District do not direct, conduct, control, or regularly attend the activity.

A student-initiated group granted permission to meet on school premises shall be provided the same rights and access and shall be subject to the same administrative guidelines that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, national origin, sex [Optional: including sexual orientation or sexual identity], age, religion, height, weight, marital or family status, disability, military status, genetic information, or any other legally protected category. There shall be no discrimination on the basis of the religious, political, philosophical, or other content of the speech at the meeting.

**Section 18. Medications.**

Medications Generally

The Model Policy and Guidelines for Administering Medications to Pupils at School ("the Model Policy"), published by the Michigan Department of Education, as currently in effect and as subsequently amended, and with the revisions noted below, is adopted as the District's Policy for medications at school.
Pursuant to the Model Policy, "medication" includes prescription, non-prescription and herbal medications, and includes those taken by mouth, by inhaler, those that are injectable, and those applied as drops to eyes, nose, or medications applied to the skin.

The following provisions of the Model Policy are clarified or revised as follows:

A. As used in the Model Policy, the term "physician" means any health care provider licensed by the State of Michigan to prescribe medication.

B. All documentation provided in connection with this policy, including medication administration logs, shall be retained for three years after the student graduates or otherwise leaves the District, or until the student's 19th birthday, whichever occurs later.

Administration is directed to publish the Model Policy, with the clarifications or revisions identified above, as an administrative guideline, and to amend the guideline to comport with any amendment(s) to the Model Policy.

Administration is authorized to make additional non-substantive wording changes in the Model Policy, and to revise or supplement the forms that accompany the Model Policy, to conform with practices in and the policies and needs of the District.

Epinephrine Auto Injectors (Epi-Pens)

Each school building in the District shall have at least two employees at the school who have been trained in the administration of epinephrine auto-injectors.

Each school building in the District shall possess and maintain at least two epinephrine auto-injectors. The epinephrine auto-injectors shall be stored in a secure location, and in accordance with manufacturer's instructions for the preservation of the medication.

Under state law, a prescriber of medication may issue a prescription for, and a dispensing prescriber or pharmacist may dispense, auto-injectable epinephrine. Administration shall take the necessary steps to obtain and fill prescriptions for epinephrine auto-injectors in order to ensure that sufficient quantities are distributed to and maintained by individual schools.

An employee of the District who is a licensed registered professional nurse or who is trained in the administration of epinephrine auto-injectors may administer an epinephrine auto-injectors to a pupil who has an epinephrine auto-injector prescription on file at the school.

An employee of the District who is a licensed registered professional nurse or an employee of the District who is trained in the administration of epinephrine auto-injectors may administer an epinephrine auto-injectors to any pupil who is believed to be having an anaphylactic reaction, regardless of whether that pupil has an epinephrine auto-injector prescription on file at the school.

The Superintendent shall issue administrative guidelines to ensure the proper implementation of this Policy.

**Section 19. Personal Communication Devices.**

A "personal communication device" is a privately-owned device that is used for audio, video or text communications. "Personal communication device" includes, but is not limited to, computers, tablets (*e.g.*, iPads and similar devices), electronic readers ("e-readers," *e.g.*, Kindles and similar devices), cell phones (*e.g.*, mobile/cellular telephones, smartphones (*e.g.*, BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), telephone paging devices (*e.g.*, beepers or pagers), and/or other web-enabled devices of any type.
Except as authorized by a teacher, administrator or IEP team, or by regulations issued by the Superintendent, students are prohibited from using personal communication devices during instructional time, including while off-campus on a field trip, to capture, record and/or transmit words or sounds (*i.e.*, audio) and/or images (*i.e.*, pictures/video) of any student, staff member or other person. Students may utilize personal communication devices before and after instructional

time, during the student's scheduled lunch time, or as directed by a teacher or other staff member for educational purposes. Students may possess personal communication devices on their person during times when their use is not permitted, but the devices must be powered off and kept out of sight in backpacks or purses, or in lockers during such times.

The Superintendent is authorized to develop regulations to further control student use and possession of personal communication devices.

**Section 20. Wireless Communication Devices and Personal Electronic Devices**

The Board is committed to providing a focused, safe, and academically rigorous learning environment. Research and classroom experience demonstrate that student use of Wireless Communication Devices ("WCD") during instructional time disrupts learning, reduces engagement, and negatively impacts academic performance and mental health. The purpose of this policy is to eliminate distractions during instructional time while maintaining appropriate access for safety, health, and educational needs.

The Superintendent is authorized to prepare administrative guidelines necessary to ensure effective implementation of this policy.

Definitions

A "wireless communication device" is defined by law as "an electronic device capable of, but not limited to, text messaging, voice communication, entertainment, navigation, accessing the internet, sending and receiving photos and videos, or producing email. Wireless communications device does not include a basic telephone."

A "basic telephone" is defined by law as "a device primarily used for voice calling that cannot support third-party applications, except those preinstalled, and does not support access to internet platforms via applications or web browsers."

"School grounds" is defined by law as "a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school. School grounds does not include a building used primarily for adult education or college extension courses."

"Instructional time" is defined by this policy as including the following:

- all scheduled class periods;
- study hall;
- intervention blocks;
- home room periods;
- flex time periods;
- assemblies or alternative instructional sessions/periods;
- library instructional periods;
- school-sponsored field trips; and

- any other time designed for academic instruction.

Before and after school, passing periods, assigned recess periods, and assigned lunch periods are designated as non-instructional times.
Students may use WCDs while riding to and from school on a school bus or other Board-provided vehicle at the driver's or chaperone's (i.e., coach or advisor's) discretion. Students are permitted to use WCDs during overnight trips provided that the use of WCDs do not interfere with instruction or the District's educational mission in conducting the overnight trip. School officials overseeing overnight trips maintain discretion in setting reasonable rules during overnight trips.

Uses of Wireless Communication Devices

Subject to the exemptions identified in this policy below, students are prohibited from using a WCD on school grounds during instructional time. WCDs must be turned off or silenced during instructional time and stored out of sight (e.g., in backpack, locker, or designated storage area). Students that use WCDs during non-instructional time must not otherwise create a distraction, disruption, or otherwise interfere with the educational environment.

Parents/guardians who need to contact a student during instructional time may call the school's main office. Students who need to contact a parent/guardian during instructional must receive permission to use a District phone, including classroom phones or the main office phone.

Other Personal Electronic Devices

Other non-District owned personal electronic devices ("PED"), such as computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers," e.g., Kindles and similar devices), telephone paging devices (e.g., beepers or pagers), and/or other web-enabled devices of any type, are subject to building expectations and protocol, including, but not limited to, the Student Code of Conduct. It is the expectation of the Board that personal electronic devices are not to be used during instructional time and are to be kept powered off and out of sight during instructional time. Students shall not use personal electronic devices during instructional time unless the use is approved by a classroom teacher or administration. Misuse of personal electronic devices may subject students to discipline.

Exemptions

Exemptions to this policy are permitted only under the following circumstances:

- Medically necessary devices for documented medical reasons (e.g., diabetes monitoring)
- District-owned devices that are issued to students for instructional purposes, such as tablets and laptops
- Individualized Education Programs (IEPs) and 504 Plans that include a device as an accommodation as part of the plan and the device is used in accordance with the plan
- Lesson-specific academic assignments as authorized by a classroom teacher for a limited duration and purpose

- District-designated devices that are not owned by the District but designated by the administration for acceptable use and only to the extent authorized
- Emergency situations as defined in the District's Emergency Operations Plan. Students must not interfere with school emergency protocols or the actions of first responders, and must not endanger students or faculty.

Enforcement of Policy

Staff members are authorized to enforce this policy and shall do so consistently and respectfully. Violations of this policy will be enforced in accordance with the Student Code of Conduct. Penalties may include device confiscation, documented warning, parent/guardian notification, and progressive discipline in accordance with the Student Code of Conduct. Refusal to surrender a device when directed by staff may result in additional disciplinary action.

Privacy and Liability

The District is not responsible for lost, stolen, or damages personal devices. School officials may investigate violations of this policy as deemed necessary and appropriate. Investigations must be conducted consistent with District policies and applicable law including, but not limited to, Michigan's Internet Privacy Protection Act (IPPA). The IPPA prohibits educational institutions from requesting access to or information allowing access to student personal internet accounts (such as a social media platform) and disciplining or otherwise penalizing students for failing to grant access or information allowing access to those accounts.

## ARTICLE V. PERSONNEL

### Section 1. Administrative, Instructional and Non-Instructional Staff.

The Board shall employ qualified administrators as necessary for the management and operation of the District. The Superintendent shall recommend qualified administrators to the Board for consideration. The Board shall review and approve all administrative positions and contracts on an annual basis.

Board policies apply to all District employees, including those employees covered by a collective bargaining agreement. If a Board policy conflicts with a provision of a current collective bargaining agreement, the collective bargaining agreement shall control that issue only.

### Section 2. Non-Discrimination.

The District shall not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity or gender expression, age, religion, height, weight, marital or family status, disability, military status, genetic information, or any other legally protected category in its programs and activities, including employment. Sexual harassment is a form of sex discrimination, and shall likewise not be permitted with respect to students or employees. The District shall not retaliate against a person who reports or opposes improper discrimination or retaliation. The District shall fully comply with all applicable federal and state civil rights statutes.

The Board shall designate not less than two compliance officers responsible for coordinating the District's compliance with applicable federal and state laws and regulations, and for investigating reports of discrimination or harassment. The Superintendent shall ensure that all required notices under the civil rights or other laws are provided to staff members.

The Superintendent shall develop and implement administrative guidelines to enforce this policy.

Sexual Harassment

"Sexual Harassment" is defined as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*i.e. quid pro quo* sexual harassment);

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the District's education programs or activities; or

3. Sexual assault (as defined in the Clery Act, 20 U.S.C. §1092(f)(6)(a)(v)), dating violence, domestic violence or stalking (as defined in the Violence Against Women Act, 34 §U.S.C.12291(a)).

The District shall not retaliate against a person who reports or opposes sexual harassment. The District shall fully comply with Title IX of the Civil Rights Act of 1964 and the accompanying regulations.

The Superintendent shall designate not less than two Title IX Coordinators responsible for coordinating the District's compliance with Title IX and its regulations, and for investigating reports of sexual harassment.

A person who believes he or she has been or is the victim of sexual harassment should immediately report the situation to the building principal or assistant principal, the Superintendent, or a Title IX Coordinator. A District employee who observes, has knowledge of, or learns that a person has been or is the victim of sexual harassment shall immediately report the situation to the building principal or assistant principal, Superintendent or Title IX Coordinator. Complaints against the building principal should be filed with the Superintendent or Title IX Coordinator. Complaints against the Superintendent should be filed with the Board President or Title IX Coordinator.

The Superintendent shall develop and implement as an administrative guideline a Title IX Grievance Procedure.

**Section 3. Reasonable Accommodation.**

The District will make reasonable accommodation(s) for applicants/employees with disabilities, to allow access to the District's facilities and employment opportunities as required by Michigan's Persons with Disabilities Civil Rights Act ("PWDCRA").

The ultimate decision regarding the "reasonable accommodation" to be implemented rests with the District.

**Section 4. Criminal Background Checks and Unprofessional Conduct Checks.**

The District shall comply with all applicable laws, rules and regulations regarding criminal history background checks and unprofessional conduct checks for all District employees and individuals who regularly and continuously work under contract with students, in a school building or on District premises.

**Section 5. Relationships with Students Prohibited.**

Sexual relationships, dating and deep emotional attachments between a staff member and a student are prohibited, regardless of the student's age or sex. Staff members are expected to recognize that adolescents may misinterpret comments of a personal nature and should ensure that their relationships with students are conducted at all times, including periods of school vacations or outside of school, in a professional and appropriate manner.

The extension of relationships between staff and students through social media should also be closely and carefully managed and should be limited to class/school specific sites intended to expand school learning opportunities, or provide classroom information to students.

District staff are prohibited from providing cell phones, computers, tablets, or other electronic devices to students for purposes of communicating with students outside of the classroom. Staff members should not be alone with a student on school premises or off school premises except in appropriate, school-related circumstances.

**Section 6. Family Medical Leave Act.**

The District shall comply with the requirements of the Family and Medical Leave Act (FMLA), and its corresponding rules and regulations. The District shall use the rolling calendar method of calculating FMLA eligibility. All FMLA leave will be without pay. If the employee has paid leave time available under Board Policy, a collective bargaining agreement or individual contract, the employee may be required to use that paid leave time concurrent with the employee's use of FMLA leave.

**Section 7. Earned Sick Time Act.**

The District shall comply with the requirements of the Michigan Earned Sick Time Act (ESTA) and its corresponding rules and regulations. The Superintendent shall develop and implement legally compliant rules and regulations to implement and enforce the ESTA.

**Section 8. Leaves of Absence.**

The Superintendent may grant an employee a leave of absence, with a right to return to a vacant position in the District, if a vacant position is available at the time of the expiration of the leave of absence and the employee is qualified for the position. The leave of absence and duration of the leave is at the Superintendent's sole discretion unless the leave of absence is provided for by law, Board policy, or a negotiated contract.

**Section 9. Medical Examinations.**

Subject to any applicable laws, rules, regulations, collective bargaining agreements or contracts of employment, the Superintendent has the sole discretion to require an employee to submit to a medical/mental health examination, at District expense, to protect the health, safety and welfare of the students, the employee, or the District staff; in the case of a decline in the employee's work performance that may be attributed to a medical/mental health condition; or where there is a need for a second medical/mental health opinion in the case of an FMLA or other leave of absence.

The employee to be examined shall sign a release authorizing the medical or mental health professional to submit a copy of the medical report to the Superintendent. A copy of the medical report will be maintained in a separate, confidential medical file of the employee as required by law.

If the employee refuses to submit to the District-mandated medical/health professional examination, the employee may be subject to disciplinary action, to and including termination.

**Section 10. Health Insurance Portability and Accountability Act.**

The District shall comply with all of the requirements of the Health Insurance Portability and Accountability Act of 1996, as amended (HIPAA). The Superintendent shall develop and implement administrative guidelines to ensure the District's continued compliance with the requirements of HIPAA.

**Section 11. Consolidated Omnibus Budget Reconciliation Act.**

The District shall comply with all of the requirements of the Consolidated Omnibus Budget Reconciliation Act (COBRA), as amended, and its corresponding rules and regulations.

**Section 12. Omnibus Transportation Employees.**

If applicable, the District shall comply with the Omnibus Transportation Employee Testing Act of 1991, as amended. The Superintendent shall develop and implement regulations to conduct alcohol and drug testing of all employees working in safety transportation positions as required by law.

**Section 13. Probationary Teachers.**

The terms and conditions of employment of a probationary teacher shall be in accordance with state law, rules and regulations. A probationary teacher shall be employed by the District as an at-

will employee such that his or her employment may be terminated at any time for any reason or no reason at all, or non-renewed in accordance with state law. A probationary teacher shall be evaluated in accordance with state law, rules and regulations.

**Section 14. Staffing, Assignment, Layoff and Recall of Tenured Teachers.**

Staffing, assignment, layoff and recall of teachers working for the District, as defined under Section 1249 of the Revised School Code, MCL 380.1249, shall be consistent with Section 1248 of the Revised School Code, MCL 380.1248, the Teacher Tenure Act, and other applicable state law. All personnel decisions regarding staffing, assignment, layoff and recall of such teachers, including filling a vacancy, placing a teacher in a classroom, or conducting a staffing or program reduction or any other personnel determination resulting in the elimination of a teaching position, shall be made based on the following factors:

a. Effectiveness as measured under the performance evaluation system prescribed by Section 1249 of the Revised School Code, MCL 380.1249;

b. The teacher's length of service in a grade level or subject area, and recency of such service;

c. The teacher's disciplinary record;

d. Significant, relevant accomplishments and contributions above normal expectations of the teacher's peer group and/or a demonstrated record of exceptional performance;

e. Relevant specialized training (beyond District or state requirements) and the demonstrated integration of that training into instruction in a meaningful way;

f. The teacher's attendance (excluding absences subject to the Family Medical Leave Act or as "reasonable accommodations" pursuant to the Americans with Disabilities Act);

g. The academic needs and interests of District students;

h. Considerations of maintaining consistency of instruction in, and/or not disrupting, a current class or program; and

i. The best interests of the District's educational program; for example, where the disadvantages, drawbacks and/or difficulties that would result from a teacher transferring from one class or program to another would outweigh the advantages or benefits to the overall educational program from such a transfer (e.g., where it would be difficult to fill the vacancy created by such transfer).

Length of service or tenure status may be a consideration in any personnel decisions where the factors listed above are equal. The Superintendent may identify additional job-related tiebreakers related to effectiveness to be utilized before considering length of service or tenure status. The

Superintendent shall make personnel decisions based upon the factors above. The decision of the Superintendent shall be final, subject to applicable collective bargaining agreements.

A teacher who has received an end of the year performance review rating of "Ineffective/Needs Support" shall not be given preference that would result in that teacher being retained over another teacher who received an end of the year performance rating that is higher than "Ineffective/Needs Support."

A teacher on an individualized improvement plan (IDP) related to performance issues shall be taken into consideration in evaluating a teacher's effectiveness under the performance evaluation system prescribed by Section 1249 of the Revised School Code.

"Vacancy" shall mean and include any unoccupied position to be filled by the Board, after all other positions have been filled by District assignments, voluntary and involuntary transfers, job sharing, and/or recalls, in the manner and to the extent determined by the District as appropriate, and which vacancy is posted in a manner by the District seeking applicants; a "vacancy" shall not include a position which is unfilled due to the leave of absence of a teacher for less than a full school year and the teacher is expected to return to the position following the leave of absence.

The Board adopts the Administrative Guidelines and procedures therein in further support and implementation of this Policy, entitled "AG 5.14 Staffing, Assignment, Layoff and Recall of Classroom Teachers."

**Section 15. Staffing, Assignment, Placement, Layoff and Recall of All Non-Tenured Teaching Staff.**

Subject to any applicable collective bargaining agreements, individual employment contracts, or applicable laws, rules or regulations, the Superintendent has the sole discretion regarding the staffing, assignment, placement, layoff and recall of all administrators and staff other than teachers as defined under Section 1249 of the Revised School Code, MCL 380.1249.

**Section 16. Performance Evaluations.**

Teachers and administrators shall be evaluated in accordance with state law using one of the evaluation tools allowable by the Michigan Department of Education. The goal of the evaluation system is to improve teacher and administrator work performance and promote and support professional growth. Those teachers and administrators who are rated less than "effective" shall be addressed in the manner prescribed by law. Evaluations shall be used as a factor in staffing, placement, layoff and recall decisions as required and/or permitted by state law. Evaluators of teachers and administrators shall be provided training in accordance with state law.

Non-administrators and staff other than probationary and tenured teachers shall be evaluated in accordance with the evaluation process and procedures developed by the Human Resources Department and approved by the Superintendent, or where applicable, as negotiated in the collective bargaining agreements, or in an individual's employment contract with the District.

**Section 17. Performance Based Compensation.**

The Superintendent shall develop, for Board review and approval, a compensation system that includes a performance bonus as permitted or required by state law and as negotiated in the collective bargaining agreements, or in an individual's employment contract with the District.

**Section 18. Discipline, Demotion and Discharge.**

District employees whose employment is regulated by the provisions of the Michigan Teachers' Tenure Act, MCL §38.71, *et seq.,* may be disciplined, demoted or discharged for any reason that is not arbitrary or capricious.

All other District employees are considered at-will employees who may be disciplined or discharged based on the sole discretion of the District. To the extent that this Policy conflicts with an individual employment contract or collective bargaining agreement, the employment contract or collective bargaining agreement shall apply.

District employees whose conduct or work performance is inappropriate, unprofessional, involves unethical or immoral behavior, or fails to meet the District' performance expectations, are subject to disciplinary action, to and including termination from employment, in the District's sole discretion. Except as provided by law, an individual employment contract, or a collective bargaining agreement, all disciplinary decisions of the District are final and not subject to any grievance or arbitration procedure.

For purposes of this policy, discipline includes, but is not limited to: verbal and written warnings/reprimands, suspensions, and dismissal/discharge. Discipline does not include verbal discussions, verbal or written directives, placement on a voluntary or involuntary leave of absence, or periodic performance evaluations.

**Section 19. Resignations and Retirements.**

The Superintendent is authorized to accept resignations and retirements on behalf of the Board. A resignation must be in writing and is effective and irrevocable upon acceptance by the Superintendent.

The resignation or retirement of the Superintendent must be provided to the Board President in writing and is effective and irrevocable upon acceptance by the Board. The Board and the Superintendent may mutually agree upon a date of departure.

**Section 20. Professional Development.**

The District shall provide professional development to staff as required by applicable laws, rules and regulations and as determined to be in the best interest of the District. The Superintendent must approve all professional development costs and staff attendance at seminars, conferences and workshops.

**Section 21. Gifts to District Personnel.**

Parents, students and other third parties are discouraged from giving gifts to District employees. Gifts for staff appreciation, recognition and retirement may be appropriate. The value of the gift or contribution toward a group gift should be nominal and must be voluntary.

District staff may not accept gifts of any type or value that has the purpose or appearance of influencing a decision or judgment, or that may be considered a conflict of interest or creating an appearance of impropriety.

**Section 22. Professional Appearance by District Staff.**

District staff are role models for all students and reflect the educational environment of the District. All staff be physically clean, neat and well-groomed, and dressed professionally in accordance with their job duties and responsibilities.

**Section 23. Outside Activities.**

District employees are prohibited from engaging in activities that interfere with their District work and responsibilities or have an adverse impact on the District, students, other staff members or the school community. Staff members shall not use school property, District staff, resources, or information to solicit or accept customers for private business or personal gain.

District employees are prohibited from using work time to engage in an outside interest, activity, or association.

Staff members may not receive pay for tutoring or working with students currently assigned to them or their classroom. Staff members may only tutor or work with other students of the District with the permission of the Superintendent. Staff members may not engage in private tutoring during the regular school day, on District property at any time, or use District equipment or supplies.

Staff members shall not use their position with the District to influence parents, students, volunteers, subcontractors or vendors to expend or contribute monies for goods, services, programs, fundraisers or the like. Staff members shall also not solicit one another.

**Section 24. Political Campaigns and Ballot Proposals or Initiatives.**

Staff members may not campaign for a candidate or ballot proposal on District property, in District buildings or during work hours. Staff members may not use students outside of school hours to campaign for a specific candidate(s) or ballot proposal or initiative without written permission from the student's parent or guardian. Michigan law prohibits the use in any manner of District resources to advance political activities.

**Section 25. Proprietary Information.**

Staff members are encouraged to prepare scholarly articles, educational publications, manuals, and other written, audio, musical, theatrical, animated, artistic, or digital materials or the like to be

considered for publication or distribution. Any works which reference the District require the prior written approval of the Superintendent.

Staff members who seek a copyright or patent interest in their work are subject to the following rules:

A. Works developed within the scope of the staff member's specific job duties and responsibilities, or developed, created, prepared or finalized during the staff member's regular work hours or using District resources, data, facilities, technology, equipment, materials or supplies, are the exclusive property of the District. The District shall retain all rights and privileges pertaining to the ownership of those works.

B. Works developed, created, prepared, or finalized by a staff member outside of their specific job duties and responsibilities, the staff member's regular work hours and without the use of District resources, data, facilities, technology, equipment, materials or supplies, may belong to the staff member.

**Section 26. Confidentiality.**

Federal and state laws, rules and regulations protect the confidentiality of student educational records, medical records, social security numbers and other student and family information. Staff medical and personnel records and information, social security numbers, or financial and business records may also contain confidential information. District employees have a legal duty to keep information confidential as required by applicable laws, rules and regulations.

## ARTICLE VI. FINANCES

**Section 1. Fiscal Management.**

The Board holds a position of public trust and accountability requiring it to be a good steward of funds received by the District, and to manage and operate the District in an efficient and effective manner. The District shall comply with all applicable federal and state laws, rules and regulations relative to the fiscal management of the District, including, but not limited to, the Uniform Budgeting and Accounting Act, MCL §141.421, *et seq.*

The Superintendent shall oversee financial processes, procedures and internal controls to ensure the proper accounting of all District funds received and expended by the District in accordance with Generally Accepted Accounting Principles ("GAAP") and applicable law. The Superintendent shall ensure that the Board receives in a timely manner monthly financial statements and reports, quarterly reports, and any other financial reports necessary or requested by the Board.

**Section 2. Deposit of School Funds.**

At the first regular meeting of the fiscal year, the Board shall designate the bank(s) or trust companies in which the funds of the District shall be deposited. Within three (3) business days

after it receives funds, the treasurer shall deposit or cause to be deposited, funds of the District in a bank, credit union or other eligible financial institution authorized by the Board.

**Section 3. Annual Budget and Fund Equity.**

The Board is legally required to adopt an annual budget prior to July 1 of each year for the upcoming fiscal year. The budget is based on projected student enrollment and includes a statement of anticipated revenues from all sources and anticipated expenditures by the District. The annual budget shall be prepared and published in conformity with GASB 54. The Board may establish a minimum fund balance goal consistent with applicable law.

The Superintendent is responsible for preparation of the proposed annual budget and timely presentation to the Board. The Board shall hold a public hearing on the proposed budget in May/June of each year as required by law. The final adoption of the proposed annual budget shall be made by the Board after completion of the public hearing, but no later than June 30.

On a monthly [quarterly] basis, the Superintendent shall inform the Board of actual or anticipated budget variances and the reason(s) for the budget variances. The Superintendent shall prepare amended budgets for the Board's consideration and adoption based on the budget variances, as necessary.

The Board may establish priorities for the District on a short-term, intermediate and long-range basis. The Board encourages the Superintendent to develop a rolling, detailed three (3) year forecast of estimated revenues, expenditures and fund balance, to be reported annually to the Board during its June Board meeting.

Within 30 days after the Board adopts its annual operating budget for the upcoming fiscal year, or adopts a subsequent revision to or amended budget, the District shall make available to the public all of the information required under federal and state law, through a link on its website home page in a form and manner prescribed by the Michigan Department of Education. The Superintendent shall ensure that the District complies with all federal and state reporting requirements.

**Section 4. Grant Funds.**

The Board encourages the solicitation and use of grant funds to enhance the District's educational program, school environment and opportunities for students. The Superintendent, administrators and staff are encouraged to identify, evaluate and apply for grants that will support the District's programs, goals, projects, and priorities. The Superintendent must approve each grant proposal prior to its submission and the Board must approve and accept all grants offered to the District.

The Superintendent is responsible for the efficient and effective administration of grant funds. The financial management and administration of grants must adhere to all applicable federal, state and local laws, rules and regulations, any grantor rules, regulations and conditions of the grant award, and the District's policies and administrative guidelines.

**Section 5. General Purchasing.**

In order to maintain effective control over the purchase of supplies, materials and equipment for the District, the purchase of all supplies, materials and equipment shall comply with all applicable Board policies, as well as all applicable State and Federal laws, rules and regulations.

It is the general policy of the Board that the purchase of all supplies, materials and equipment be at the lowest possible cost in the best interest of the District and all purchases must be within budget allocations. All procurement processes should use good administrative practices and judgement and free of any real or apparent conflict of interest. All procurements are to be conducted in a manner which provides open competition as required by law. The lowest responsible bidder shall generally be awarded the contract; however, the Board reserves the right to accept any bid/proposal that it feels is in the best interest of the District.

If the reasonably anticipated purchase price for the supplies, materials or equipment exceeds the State of Michigan competitive bidding threshold, as adjusted annually, a procurement process with competitive bids/proposals is required. However, competitive bids/proposals are not required for the purchasing of food unless the food purchased in a single transaction costs $100,000 or more. Board approval is required for purchases over the State of Michigan competitive bidding threshold, as adjusted annually.

Purchases made using competitive bids provided through the State of Michigan programs, other consortiums, or cooperative bids shall satisfy the requirements of this Policy, unless applicable State or Federal law requires otherwise.

The Board reserves the right to: i) accept or reject any and all bids/proposals, in whole or in part; ii) waive any informalities or irregularities in the procurement process or a bid/proposal; iii) award the contract to other than the lowest bidder.

A bidder who wishes to file a bid protest must file such notice and follow procedures prescribed by the Request For Proposals (RFP) of the individual bid specifications package, for resolution. Bid protests must be filed in writing with the Superintendent within seventy-two (72) hours of opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

**Section 6. Purchasing with Federal Funds**

In order to maintain effective control over the purchase of supplies, materials, equipment and services with Federal monies or under a Federal grant, the District shall follow all applicable

Federal laws, regulations and standards, as well as all applicable Board policies and applicable State laws, rules and regulations.

It is the general policy of the Board that the purchase of all federally funded supplies, materials, equipment and services be at the lowest possible cost in the best interest of the District and all purchases shall be within budget allocations. The District will avoid acquisition of unnecessary or duplicative items. All procurement processes shall use good administrative practices and judgment and be free of any real or apparent conflict of interest. All procurements are to be conducted in a manner which provides open competition. The lowest responsible bidder should generally be awarded the contract; however, consideration can be given to:

- the quality of the item(s) to be supplied;
- its conformity with specifications;
- suitability to the requirements of the District;
- delivery terms;
- past performance of the vendor.

The District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless an applicable Federal statute expressly mandates or encourages a geographic preference; or the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the District uses a pre-qualified list of persons, firms or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list periodically.

The District shall require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such a description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed products specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluation bids or proposals.

The Board will not approve any expenditure for unauthorized purchase or contract.

When purchasing supplies, materials or equipment with Federal monies or under a Federal grant, the procurement processes shall also be in accordance with and follow Section 5 – General Purchasing.

When procuring services with Federal monies or under a Federal grant, if the reasonably anticipated cost is less than $150,000, then the District shall contact a reasonable number of potential vendors and obtain informal written quotes for the services from at least three (3) vendors, to the extent possible. If the reasonably anticipated cost for services which will be funded by Federal monies or under a Federal grant is at or over $150,000, competitive bidding shall be used for the procurement of those federally funded services. If it is determined that a formal competitive process for the procurement of services costing less than $150,000 is in the best interests of the District, the District may use an appropriate competitive bidding process to obtain bids/proposals for the services.

Procurement of federally funded supplies, materials, equipment or services through solicitation of a proposal from only one source may be used only when one or more of the following circumstances apply:

- The item can be verified to be only available from a single source;
- The public necessity or emergency will not permit a delay resulting from the competitive bid process;
- A noncompetitive bid/proposal is expressly authorized by the awarding agency; or
- After solicitation of a number of sources, competition is determined inadequate.

The Board reserves the right to: i) accept or reject any and all bids/proposals, in whole or in part; ii) waive any informalities or irregularities in the procurement process or a bid/proposal; iii) award the contract to other than the lowest bidder.

**Section 7. Construction.**

A. General Guidelines

1. The Superintendent shall develop an efficient system for the construction of new school buildings, and additions to, repair or renovation of, or energy conservation improvements to existing school buildings, and shall develop and implement administrative rules and procedures for District personnel regarding the same, that are in compliance with all applicable laws and this policy. All procurement processes should use good administrative practices and judgement and free of any real or apparent conflict of interest. All procurements are to be conducted in a manner which provides open competition.

2. Before commencing construction of a new school building, or addition to or repair or renovation of an existing school building, the Board of Education shall obtain competitive bids on all the materials and labor required for the complete

construction of a proposed new building or addition to or repair or renovation of an existing school building.

3. Subsection A(2) of this section does not apply to the following:

a. Repair work normally performed by School District employees;

b. Construction of a new school building, addition to or repair or renovation of an existing school building if the total cost for the materials and labor costs less than the State of Michigan Competitive Bidding Threshold; and

c. Emergency Repairs to School District Buildings. However, such emergencies must arise as a result of circumstances which if not timely repaired could affect the health, safety or welfare of the School District's students, staff or property. All emergency repairs must be reported to the Board after repair and should be ratified by the Board at its next regularly scheduled Board meeting.

B. Bidding Procedures

1. Construction projects where the materials and labor cost less than the State of Michigan Competitive Bidding Threshold may be made without obtaining competitive bids, provided that such procurement shall be made in accordance with School District Administrative Guidelines and applicable law. Projects may not be divided into subunits or separate contracts for the sole purpose of avoiding the State of Michigan Competitive Bidding Threshold or the bidding requirements of this Paragraph.

2. Construction Projects where the materials and labor cost an amount equal to or greater than the State of Michigan Competitive Bidding Threshold

a. The Board shall advertise for bids by placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the website designated by the State of Michigan and maintained for this purpose.

b. The advertisement for bids shall do all of the following:

i. Specify the date, time and location by which all bids must be received by the Board;

ii. State that the Board will not consider or accept a bid received by the Board after the date and time specified for bid submission;

iii. Identify the time, date, and place of a public meeting at which the Board, or its designee, will open and read aloud each bid received by the Board by the date and time specified in advertisement; and

iv. State that the bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Board or the Superintendent of the School District. The Board shall not accept a bid that does not include this sworn and notarized disclosure statement.

c. The Board shall require each bidder for a contract under this Policy to file with the Board security in an amount not less than 1/20 of the amount of the bid conditioned to secure the School District from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance, if the bid is accepted by the Board.

d. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids as described in Subsection B(2)(b) of this section.

e. At a public meeting identified in the advertisement for bids described in Subsection B(2)(b) of this section, the Board, or its designee, shall open and read aloud each bid that the Board received at or before the time and date for bid submission specified in the advertisement for bids. The Board may reject any or all bids, and if all bids are rejected, shall re-advertise in the manner required by this Policy.

f. Any procurement which ensues from a competitive bid solicitation shall be awarded to the lowest responsible bidder, and the purchase shall be approved by the Board of Education.

g. Any construction projected funded in whole or in part by Federal monies or under a Federal grant, the School District must follow all applicable Federal laws, regulations and standards, as well as all applicable Board policies and applicable State laws, rules and regulations.

h. All solicitation documents issued by the School District shall reserve in favor of the School District:

a. The right to accept or reject any or all bids, in whole or in part;

b. The right to waive any irregularities or informalities contained in any response/proposal to a bid solicitation to the extent not prohibited by law; and

c. The right to accept a bid other than the lowest bid.

**Section 8. District Credit Cards.**

The Board of Education recognizes that bank credit cards offer a convenient, efficient method of purchasing goods and services for the District. The Superintendent shall designate District employees authorized to use District credit cards for official District related purposes only. The Board authorizes a limit of $5,000.00 for each credit card. The Superintendent shall develop administrative guidelines and internal controls regarding the use of District credit cards.

All approved card holders must abide by the administrative guidelines and procedures for the use of credit cards. All purchases using a District card must be made by the individual to whom the card is issued, and a detailed report with the receipt(s) of the purchase must be submitted to the business office within five (5) business days of the purchase(s). The card may only be used for the purchase of goods or services for the official business of the District, and may not be used for purchases for personal purposes or cash advances. Under no circumstances shall the card be used to purchase alcohol, personal items or services, or personal entertainment. All invoices/statements must be approved by the Superintendent prior to payment. The balance, including any applicable interest, shall be paid within not more than sixty (60) days of the initial invoice/statement date. Card holders shall immediately surrender their card upon request of the Board or the Superintendent, or upon separation from employment with the District. A lost or stolen card must be immediately reported to the Superintendent.

Any unauthorized use or misuse of the credit card by a District employee may result in disciplinary action, to and including termination.

**Section 9. Investments.**

Prudent oversight of the District's funds by the Superintendent is required. The Superintendent is responsible for making prudent investment decisions of the District's funds that are not speculative, risky or subject to extreme volatility. The Superintendent shall develop and implement procedures and internal controls to protect the District's investments. The procedures must comply with the requirements of the Governmental Accounting Standards Board (GASB) and the Michigan Revised School Code.

The financial reports submitted to the Board on a monthly [quarterly] basis shall disclose the District's investments with a summary of allocation of assets, credit, investments and risks to the District's investments in accordance with generally accepted accounting principles.

Investment professionals or advisors utilized by the District shall be approved by the Board in advance of any professional advice or work done on the District's behalf, and must be advised of the School District's investment requirements and restrictions. All investment professionals utilized by the District must meet any required licensing, certification and bonding requirements under state and federal laws, rules and regulations and maintain insurance in the type and amount standard in the industry.

**Section 10. Risk Management.**

The Superintendent shall be responsible for developing and maintaining a risk management program for the District. The program shall contain methods and procedures for identifying, reducing and eliminating risk and, where prudent and feasible, providing for the purchase of insurance.

**Section 11. Audit.**

State law requires an annual audit of all accounts of the District by an independent, certified public accountant selected by the Board. The audit shall be conducted in accordance with generally accepted auditing and accounting standards. The audit shall be presented to the Board at a public meeting prior to being filed with the Michigan Department of Treasury and any other reporting entities required by state and federal law.

The auditor shall conduct single audits of grants as required by state and federal law, or the terms and conditions of the grant.

**Section 12. Fixed Assets/Inventory.**

The Superintendent shall develop and maintain a fixed asset/inventory procedure for equipment and supplies purchased for or on behalf of the District or donated to the District. Equipment is tangible personal property that has a useful life of more than one (1) year and an acquisition cost of $5,000.00 or more. A supply is defined as any tangible non-consumable good over $100. All equipment and non-consumable good should be inventoried. The inventory list should consist of the following:

- Description of the property
- Serial number, or other identification number
- Source of the funding for the property
- Who holds the title of the property, if applicable?
- Acquisition date
- Cost of the property
- Location
- Use and condition of the property
- Any information related to disposition data, including the date of disposal and sale price of the property
- Any other related information that the district may deem necessary to record

The fixed asset schedule shall be updated on an annual basis. Inventory lists should be monitored and updated throughout the fiscal year.

**Section 13. Surplus Property.**

The Superintendent shall identify to the Board at least annually District real and/or personal property that is no longer required for District purposes, and shall recommend procedures to be followed for the sale or disposition of such property. Board approval is required for the process to be used to sell or dispose of the property and the ultimate sale or disposition of the property.

**Section 14. Bonded Employees.**

The Board shall purchase a blanket or surety bond, in an amount proscribed by the Board, for District employees who routinely deal with funds or money of the District.

**Section 15. Electronic Transactions.**

The District may be a party to an Automated Clearing House (ACH) arrangement. The Superintendent shall be responsible for the District's ACH agreement, including payment approval, account and compliance. All ACH invoices shall be approved prior to payment.

**Section 16. Credit Card Holder Data Security.**

If the District accepts credit card payments, all cardholder data obtained by District employees will be protected while in possession, will not be stored or maintained in any format, and will be destroyed when no longer required.

**Section 17. Student Activity Fund Management.**

All revenues and expenditures of student activity funds shall be properly processed through the internal accounting system of the District. All student activity funds shall be audited annually at the same time as the general fund budget.

**Section 18. Fundraising.**

Any fundraising projects carried on by a school organization shall require the approval of the Superintendent or building principal. All school-wide fundraising projects shall require the approval of the Superintendent. All fundraising projects shall be compatible with the District's purpose, goals, and general community expectations. The use of the name of the District (either directly or through inference/affiliation) or the Board shall not be used in any fundraising efforts or on any materials, notices or advertising unless the Superintendent's approval is received prior to such use.

**Section 19. Vendor Relations.**

All contacts by vendors shall be through the Superintendent or the purchasing department. Vendors shall not contact other District employees, Board members or administrators directly unless such contact is approved or authorized by the purchasing department.

**Section 20. Travel Payment & Reimbursement.**

Travel expenses incurred for official business travel on behalf of the Board of Education shall be limited to those expenses reasonably and necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with administrative guidelines.
The Board shall establish mileage rates not exceeding the Federal IRS prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the District's travel policy.

To the extent that the District's policy does not establish the allow ability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or his/her designee), must apply to travel under Federal awards.

## ARTICLE VII. FACILITIES AND OPERATIONS

**Section 1. Toxic Hazard and Asbestos Hazard Emergency Response.**

The Superintendent shall appoint an administrator or staff person to serve as the Toxic Hazard Preparedness (THP) Officer. The THP Officer shall be responsible for identifying potential sources of toxic hazards, obtaining Material Safety Data Sheets (MSDSs), ensuring that all incoming materials are properly labeled with the identity of the chemical, hazard warning and the source of the chemical, and maintaining a current file of the MSDSs for all hazardous materials present on the District's property, among other duties as required by law. The Board will rely on MSDSs from material suppliers to meet hazard determination requirements.

In accordance with state and federal law, the District shall have an asbestos management plan for each school building; maintain and update the plan to ensure that it is current with ongoing operations and maintenance; engage in periodic surveillance, inspection, re-inspection, and response action activities; and comply with the EPA regulations governing the transportation and disposal of asbestos and asbestos-containing materials. The Superintendent shall be responsible for creating and implementing the asbestos management plan. At least once each school year, the District will notify the parents, teachers and other staff of the availability of the asbestos management plan. The Superintendent shall be responsible to ensure proper compliance with federal and state laws and the appropriate training and instruction of staff and students.

**Section 2. Pest Management.**

Each school building shall have an integrated pest management program. The pest management program shall be designed to minimize the use of pesticides in the school buildings and on school property and use the least caustic pesticides available. Annual notices to the parents of children attending the school shall be given within 30 days after the start of school and contain the information required by Michigan law. Advance notice of the application of the pesticide shall be given at least 48 hours before the application of the pesticide by posting the notice at the school entrance and using one other method permitted by state law, except in cases of emergency. The integrated pest management program shall be available for review by the parents. The Superintendent shall develop rules and regulations for school buildings to comply with Michigan law.

**Section 3. Tobacco Free Environment.**

Under state law, the District must be tobacco free. Students, employees, volunteers, third party contractors, visitors and the public shall not smoke, chew or otherwise use tobacco in any form in school buildings, on school grounds, whether school is in or out of session, or during District-sponsored events either on or off District premises. Likewise, the use of e-cigarettes and/or vaporizers are prohibited in school buildings, on school grounds, whether school is in or out of session, or during District-sponsored events whether on or off District premises.

**Section 4. Alcohol and Drug Free Workplace.**

All property of the District shall be free of alcohol, illegal drugs and abuse of prescription drugs. Any student, employee, volunteer, third party contractor, visitor or member of the public who possesses, manufactures, sells, distributes, dispenses, uses or is under the influence of alcohol, illegal drugs, or is abusing prescription drugs, even with a current, valid prescription, in a school building, on District property, attending a District-related event, or driving a vehicle either owned or under contract with the District, shall be disciplined to and including termination, or removed/barred from the District premises.

**Section 5. Weapons.**

No person shall possess, store, make, or use a weapon in any setting that is under the control and supervision of the District, including, but not limited to, property leased, owned, or contracted for by the District, at a school-sponsored event, or in a District-owned vehicle.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons may include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

The Superintendent shall refer a person who knowingly violates this policy to law enforcement officials, as required by law, and may take any necessary steps to exclude the person from District property and District-sponsored events.

This policy does not prohibit:

A. weapons under the control of law enforcement personnel;

B. items approved by a principal as part of a class or individual project or presentation under adult supervision, if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);

C. theatrical props used in appropriate settings;

D. starter pistols used in appropriate sporting events; or

E. instruments or equipment as required by the curriculum or District operations.

Staff members shall report possession of dangerous weapons and or/threats of violence by students, staff members, or visitors to a building administrator. Failure to report such information may subject the staff member to disciplinary action, to and including termination.

**Section 6. Bloodborne Pathogens.**

All District employees must follow the Universal Precautions for Bloodborne Pathogens where there has been an exposure to blood or other potentially infectious disease. Under Universal Precautions for Bloodborne Pathogens all human blood and certain human bodily fluids are treated as if known to be infectious for HIV, HBV, Hepatitis B, and other Bloodborne pathogens.

The Superintendent shall develop and implement an exposure control plan as required by law. A copy of the exposure control plan shall be maintained in each principal's office and in each school health office. Training for employees who are at daily or occasional risk of exposure shall be provided by the District.

**Section 7. Communicable Diseases.**

The District shall work cooperatively with the Ionia County Health Department to enforce and comply with the Michigan Public Health Code relative to the prevention, control and containment of communicable diseases.

**Section 8. Cardiac Emergency Response Plan.**

Cardiac emergencies may result from sudden cardiac arrest, heart attack, or other causes, and require immediate action. The Superintendent shall develop and implement a written cardiac emergency response plan to provide an appropriate response in the event of a cardiac emergency in school buildings and on the District's premises.

The Superintendent shall conduct an annual review and evaluation of the District's Cardiac Emergency Response Plan, focus on ways to improve the school's response process, and report the evaluation results and Plan improvements to the Board on an annual basis.

**Section 9. Health, Safety and Welfare.**

The Superintendent shall develop and implement a custodial and maintenance program for the cleanliness, safety and efficient operation of the District buildings and premises that is legally compliant with all safety, health and environmental requirements.

The Superintendent shall develop a school crisis response plan to be implemented in case of an emergency. The Superintendent is authorized to close schools in case of inclement weather or other emergencies, in the Superintendent's discretion, when it is unsafe for students to attend school or engage in school activities.

**Section 10. Fire and Emergency Safety.**

The Superintendent shall develop a fire and emergency safety operations plan that complies with state and federal law, rules and regulations. In developing that plan, the Superintendent shall consult with local public safety agencies with which the District would work in the case of an emergency.

**Section 11. Food Service Programs.**

The District may provide food service programs, including free and reduced lunch programs, to eligible students in accordance with applicable state and federal laws, rules and regulations. The Superintendent shall develop administrative guidelines to ensure the District's compliance with food service program requirements.

**Section 12. Transportation of Students.**

If bus transportation is provided by the District, the Superintendent shall develop rules and regulations necessary and appropriate for the transportation of students. The District may provide transportation services for field trips, co-curricular and extra-curricular activities, and a fee may be charged for such transportation. Violation of the District transportation rules and regulations may result in the student's removal from District-provided transportation services.

The District will determine the geographic parameters for student eligibility for bus transportation in accordance with state law, rules and regulations. The District will not provide transportation for open enrollment students, or students admitted to the District through any school of choice program, unless expressly authorized by the Board.

**Section 13. Web-Site Accessibility.**

The District will adhere to the applicable and existing standards for website accessibility so as to render the online content accessible. In the event that current standards, laws and/or regulations change, the District will conform its policies and procedures to meets these changes. The District will perform periodic accessibility audits of its web site.

The District's website shall be compliant with Section 504 of the Rehabilitation Act of 1974 and Title II of the Americans with Disabilities Act so that students, prospective students, employees, contracted staff, parents, visitors, District's guests and members of the public with disabilities are able to acquire the same information, engage in the same interactions and enjoy the same benefits and services within the same timeframe as their nondisabled peers with substantially equivalent ease of use, and are not excluded from participation in, denied the benefits of, or are otherwise subjected to discrimination in any of the District's programs, services and activities that are delivered online, as required by Section 504 and Title II of the ADA.

The District will designate a Website Accessibility Coordinator and a Section 504/ADA Compliance Officer as required by law.

The Superintendent shall develop administrative regulations consistent with applicable law and sufficient to permit the District to comply with its legal obligations.

**Section 14. Acceptable Use Policy: Technology and Internet Safety.**

The District's technology resources may only be used for learning, teaching, and administrative purposes consistent with the District's mission and goals. The use of the District's computer system and access to the use of the Internet is a privilege, not a right. Users of the District's computer system and the Internet while using District technology have no legitimate expectation of privacy. The District reserves the right to monitor all technology resource activity.

The Superintendent shall develop and implement administrative guidelines, regulations and user agreements that are consistent with the purposes of the District and its mission and that comply with applicable law, including the Children's Internet Protection Act (CIPA). The District shall use technological measures to block or filter access to portions of the Internet containing visual depictions of materials deemed obscene or pornographic, including child pornography, and other material that may be harmful to minors, and to comply with CIPA.

The District will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with District policies, administrative guidelines, regulations, procedures and user agreements using District provided technology and Internet.

**Section 15. Copyrighted Works.**

The District shall comply with the federal Copyright Act. The Superintendent will develop and implement administrative guidelines and regulations to implement this policy.

**Section 16. Privacy of Social Security Numbers.**

The District maintains social security numbers of its students, employees and others in the ordinary course of business. The Superintendent, shall implement necessary administrative guidelines, rules and regulations to protect the confidentiality of the social security numbers and the privacy rights of the individuals as required by applicable laws, rules, and regulations.

# ARTICLE VIII. COMMUNITY RELATIONS

## Section 1. Information Generally.

The Board recognizes and affirms the right of citizens to be regularly informed and to be able to obtain information about the objectives, conditions and achievements of the District.

## Section 2. Freedom of Information Act.

In accordance with Michigan's Freedom of Information Act ("FOIA"), MCL §15.231, *et seq.,* the District will make public records, as defined in FOIA, available for inspection or copying. The Ionia County Intermediate School District Superintendent or their Designee is designated as the District's FOIA Coordinator. The Coordinator may designate another individual to act on his or her behalf when the Coordinator is unable to do so. The Superintendent will issue procedures and guidelines necessary to implement the Act, including a schedule of costs to be charged in responding to FOIA requests, and shall publish those procedures and guidelines as required by FOIA.

## Section 3. Community Input.

The Board welcomes input from community members at Board meetings or at other appropriate times. The Board believes that community involvement in the affairs of the District is essential and valuable, and will endeavor to provide reliable and efficient ways to permit public input into the decision-making process.

## Section 4. Complaints.

The Superintendent shall issue administrative guidelines identifying procedures for investigating and responding to complaints by members of the public against the District or specific District staff members. A complaint concerning the Superintendent may be made to the Board President.

## Section 5. Gifts, Grants, Bequests and Donations.

The District appreciates receiving gifts, grants, bequests or donations from members of the public, decedents' estates, or corporate entities, as a reflection of public interest in and good will toward the District. The Superintendent is authorized to accept gifts that 1) are appropriate for District use; 2) are free of any restrictions that are contrary to law or inconsistent with Board policy; 3) contain no commercial advertising; and 4) do not require excessive costs to install, maintain or utilize, or a large commitment of District resources. Income derived from gifts and bequests will be credited, if possible, to the fund designated or requested by the donor. If the request of the donor cannot be fulfilled, the gift or bequest will be deposited in any other fund specified by the Board.

**Section 6. Use of District Facilities.**

The Board may permit the reasonable use of its buildings and grounds by responsible community groups, provided that such use does not interfere with the daily school routine or any school-sponsored activity, or unduly jeopardize the condition of District facilities. Rental or use of District facilities may take place only if approved in advance by the Superintendent or designee. The Superintendent shall issue administrative guidelines governing the use or rental of District facilities.

**Section 7. School Visitors.**

The District encourages visits to school by parents, other adult community residents, or other educators, so long as those visits do not disrupt or otherwise interfere with the educational process. Any such visit shall be arranged in advance with the building administration. The Superintendent and the building principal or designee have the authority to prohibit entry to a school building of any person, or to expel any person, if there is reason to believe that such person's presence would be detrimental to the educational process or the good order of the school. The Superintendent shall develop administrative guidelines specifying the procedures that permit reasonable attendance by visitors but that protect the educational environment.

**Section 8. District Support Organizations.**

A District Support Organization is a non-profit entity formed and operating for the purpose of supporting District programs. The District's name shall not be used by a District Support Organization without the approval of the Superintendent.

**Section 9. Advertising; Distribution or Posting of Information.**

Advertising for or against a political candidate or campaign is not permitted on District property. Advertising of religious services or religious-related activities is not permitted on District property. Commercial advertising is not permitted on District property without the written consent of the Superintendent. Distribution or posting of information by outside organizations is permitted only with the prior review and authorization of the Superintendent. The Superintendent shall issue and enforce regulations governing commercial advertising and distribution or posting of information on District property.

**Section 10. Volunteers.**

The Board recognizes and appreciates the value of volunteers. The Superintendent or designees, including building administrators, are responsible for recruiting volunteers, reviewing their capabilities, and placing volunteers. Any volunteer who will work with or have access to students on a regular basis shall be pre-screened using the Internet Criminal History Access Tool (ICHAT) or similar database. District administrators shall not be required to accept a volunteer whose history or skills are not in accord with District standards and needs. The Superintendent shall issue and enforce guidelines governing use of volunteers.

**Section 11. High School Diplomas to Qualified Military Veterans.**

If applicable, the Board honors the service provided to our country by veterans of World War II, the Korean Conflict and the Vietnam Era. The Board is honored to issue high school diplomas to veterans who began their service without completing high school, and who comply with the provisions of MCL §35.341. The Superintendent is authorized to accept applications and documentation from such veterans, and shall make recommendations to the Board as to whether the veterans should be awarded their diplomas.