

THRUN LAW FIRM, P.C.

Thrun Policy Service Update Summary – July 2024

ISD Board Policy Manual

Policy	Revision(s) Made
Revision Applicable to All Series	
<p>Removed “guardian” from “parent/guardian” and capitalized “Parent” as “Parent” is defined as “a student’s natural or adoptive parent or legal guardian” in Policy 1401.B.5.</p> <p>The following policies were updated this change only: 3104, 3106-F, 3107, 3108, 3116, 3303, 3303-F, 3403, 3406, 4203-AG, 4204, 4214, 4216, 4217, 4221, 5104, 5201, 5206A, 5206E, 5209, 5210, 5302, 5307, 5308, all 5400s, 5507, 5602, 5603, 5702, 5703, 5704, 5705, 5712, 5805,</p>	
2000 Series	
2201 -Board Powers/General Powers	Added reference to board members in the provision regarding indemnification.
2501 Meetings	Revisions to add provisions re: recess of meetings and minor technical revisions.
2504 Public Participation at Board Meetings	Minor technical revisions.
3000 Series	
3102 Smoking, Tobacco Products, Drugs, and Alcohol	Updated “tobacco product” definition.
3105 Visitors and Volunteers	Modified optional language to clarify that the requirement for superintendent/designee approval of volunteer drivers only extends to events where the District oversees and coordinates transportation (e.g., a class field trip).
3106 Booster Clubs, PTOs, and Other Support Groups	Clarified “internal support group” definition.
Policies 3115-3115H	Policy 3115- formerly the general non-discrimination policy- is now titled Non-Discrimination, Anti-Harassment, and Retaliation (including Title IX and Elliott-Larsen Civil Rights Act). Several accompanying policies have been added to 3115, including 3115A (Definitions for 3115 Series), 3115B (Designation of Coordinators), 3115C (Supportive Measures), 3115D (Informal Resolution), 3115E (Grievance Procedure and Remedies), 3115F (Complaint Dismissal and Appeals), 3115G (Additional Requirements to Prevent and Address

	Pregnancy Discrimination), and 3115H (Training Requirements, Recordkeeping, and Policy Notice).
3115-F-1 Discrimination, Harassment, and Retaliation Complaint Form	Form previously titled 3118-F-1 Title IX Sexual Harassment Complaint Form re-designated as 3115-F-1
3115-F-2 Sample Notice of Nondiscrimination	New form.
3118 Nondiscrimination Covenant in Contracts with the District	Policy 3118- formerly the Title IX policy- is now a shorter policy addressing Nondiscrimination Covenant in Contracts with the District.
3119 Experimental or Pilot Programs	Updated legal citation.
3207 School Activities Fund	Updated legal citation.
3208 Surety Bonds of ISD Officials - ISD	<ul style="list-style-type: none"> • Updated legal citation. • Added a note regarding the removal of this optional policy for ISDs.
3211 Post-Issuance Tax Compliance	Clarified that, by default, debt compliance officer training is annual.
3301 Purchasing and Procurement	Clarified that purchases by District administration remain subject to Board approval under Policy 2202.
3306 Construction Bidding	Updated to reflect bid requirements related to the recently enacted Michigan prevailing wage law.
3307 Construction Administration	Updated to reference federal and state prevailing wage requirements and to clarify the responsibility for paying prevailing wages.
3402 Drills, Plans, and Reports	Added new requirements for cardiac emergency response plans and for CPR and AED certification for high school athletic coaches.
3408 Firearms and Weapons	Added reference to MCL 28.425o(5)
3410 Opioid Antagonist	Opioid Antagonist Policy, formerly 5706, was moved to the School Safety and Security subseries as it addresses more than just students.
3501-AG Freedom of Information Act Procedures and Guidelines	Attachments removed from AG and re-designated as separate forms for consistency.
3501-F-1 Sample FOIA Request Form	New designation for forms that were previously identified as Attachments A, B, and C in 3501-AG.
3501-F-2 Certificate of Non-Existence of Public Record	
3501-F-3 Standard Form for Detailed Itemization of Fee Amounts	
4000 Series	

4101 Non-Discrimination	<ul style="list-style-type: none"> • Pregnant Workers Fairness Act citation updated in legal authority section. • Updated cross-references to Non-Discrimination, Anti-Harassment, and Retaliation policies
4102 Anti-Harassment	Titles updated; Updated cross-references to Non-Discrimination, Anti-Harassment, and Retaliation policies
4104 Employment Complaint Procedure for Allegations Implicating Civil Rights	
4105 Disability Workplace Accommodations for Employees and Applicants	Title updated; Removed Pregnant Workers Fairness Act references. New Policy 4105A addresses Pregnant Workers Fairness Act accommodations based on recently issued regulations.
4105A Pregnancy Workplace Accommodations for Employees and Applicants	New policy to address accommodations under the Pregnant Workers Fairness Act and its regulations.
4105B Religious Workplace Accommodations for Employees and Applicants	New policy to address religious accommodations under Title VII.
4106 Family and Medical Leave Act (FMLA)	Added flexibility to permit the Superintendent or designee to permit intermittent or reduced leave for birth of a child or child adoption or foster care, even though intermittent leave for these situations is not required by law.
4107 Military Leave	Added Space Force to applicable uniformed services covered under military leave.
4109 Break Time for Nursing Mothers	Updated language to incorporate requirements under PUMP Act. Revisions include: (1) policy updated to apply to all employees, not just exempt employees, (2) provide for breaks each time an employee needs to express breast milk, (3) non-exempt employees will be unpaid unless not completely relieved from duty during the entirety of the break, (4) updated legal authority to 29 USC 218d.
4201 Employee Ethics and Standards	Added language requiring school employees to report suspected abuse or neglect of vulnerable adults to APS in compliance with Michigan’s Social Welfare Act.
4202 Children’s Protective Services (CPS) and Adult Protective Services (APS) Reporting and Student Safety and Welfare	Title Updated; Added language requiring school employees to report suspected abuse or neglect of vulnerable adults to APS in compliance with Michigan’s Social Welfare Act.
4205-AG-1 Criminal Justice Information Security (Non-Criminal Justice Agency)	Updated to reflect FBI’s Criminal Justice Information Services Security Policy, version 5.9.4.

4206 Employment Contracts	Added language requiring an evaluation appeal process pursuant to RSC Sections 1249 and 1249b.
4207 Third Party Contracting	Removed surplusage.
4209 Prohibition Against Abortion Referrals and Assistance	Updated to reflect repeal of law that prohibited certain District officials, Board members, and District employees from referring a student for an abortion or assisting a student with obtaining an abortion. The policy is now optional, and the discipline appeal procedure specified in the repealed law has been removed from the policy.
4213 Anti-Nepotism	Removed ability of superintendent's designee or Board to make exceptions to policy; revised to provide for two options: (1) superintendent may make exceptions with Board approval or (2) with prompt notice to the Board. Added that exceptions may be made when in the District's best interests.
4215 District Technology and Acceptable Use Policy	Added a restriction that only authorized employees may disclose District records to third parties.
4228 No Expectation of Privacy	Updated legal authority section with the Fourth Amendment to the United States Constitution.
4229 Acceptable Use of Generative Artificial Intelligence	New optional policy to address acceptable use of Artificial Intelligence.
4401 Definition	Removed reference to RSC Section 1233b.
4402 Assignment and Transfer	Policy removed, so that Policy 4402-R will become the new Policy 4402.
4402-R Placement	<ul style="list-style-type: none"> Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249. The "-R" was removed from this policy's title; it is now the standard version of Policy 4402.
4403 Performance Evaluation	Policy removed, so that Policy 4403-R will become the new Policy 4403.
4403-R Performance Evaluation	<ul style="list-style-type: none"> Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249. The "-R" was removed from this policy's title; it is now the standard version of Policy 4403.

4405 Reduction in Force and Recall	Policy removed, so that Policy 4405-R will become the new Policy 4405.
4405-R Reduction in Force and Recall	<ul style="list-style-type: none"> Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249. The "-R" was removed from this policy's title; it is now the standard version of Policy 4405.
4408 Termination	Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249.
4409 Non-Renewal	Policy removed, so that Policy 4409-R will become the new Policy 4409.
4409-R Non-Renewal	<ul style="list-style-type: none"> Added factors for the Board to consider when determining whether to reduce the 2-year probationary period under the Teachers' Tenure Act for a teacher who previously held tenure in another Michigan public school district. Added necessary language to distinguish teachers who are not subject to the Teachers' Tenure Act and Revised School Code Section 1249. The "-R" was removed from this policy's title; it is now the standard version of Policy 4409.
4503 Performance Evaluation	Policy removed, so that Policy 4503-R will become the new Policy 4503.
4503-R Performance Evaluation	<ul style="list-style-type: none"> The "-R" was removed from this policy's title; it is now the standard version of Policy 4503. Added reference to evaluation appeal process required by law.
4507 Termination	Added language providing that the procedure for terminating an administrator, supervisor, or director will be set forth in an applicable collective bargaining agreement or individual employment contract.
4603 Performance Evaluation	Update to reflect changes to RSC Sections 1249 and 1249b.
5000 Series	
Policies 5101, 5102, 5213, 5306, 5503, 5507, 5509, 5708, 5806	Minor language clarifications/technical revisions.

<p>5103 Search and Seizure</p>	<p>Clarified law enforcement notification requirements.</p>
<p>5105 Collaboration with Outside Entities</p>	<p>Language clarification regarding Policy application.</p>
<p>5106 Transgender Students</p>	<ul style="list-style-type: none"> • Modified optional provisions. • Updated language to comply with legislative changes. • Removed definition section. • Minor language clarifications throughout Policy. • Revised Gender Support Plan optional language for readability and consistency of terms. • Clarified student privacy requirements. • Included citations to Elliott-Larsen Civil Rights Act.
<p>5202 Unlawful Discrimination, Harassment, and Retaliation Against Students</p>	<ul style="list-style-type: none"> • Clarified which policy applies for student-to-staff misconduct. • Revised definition of unlawful harassment to comply with Elliott-Larsen Civil Rights Act. • Revised race-based harassment to comply with the CROWN Act. • Revised sex-based discrimination to comply with Elliott-Larsen Civil Rights Act • Clarified reporting obligations of other forms of unlawful discrimination. • Included language that permits a Coordinator to discontinue the investigation if the allegations do not rise to unlawful discrimination. • Included language permitting informal resolution. • Investigation Timeline section revised to ensure consistency with Policy 5206. • Investigation Procedures section revised to streamline process and provide clarity. • Removed Investigation Report to streamline this process for clients
<p>5203 Hazing</p>	<p>Clarified prohibited conduct.</p>

5204 Student Appearance and Dress Code	<ul style="list-style-type: none"> • Minor language clarification to avoid redundancy. • Include citations to Elliott-Larsen Civil Rights Act.
5206 Student Discipline	Incorporated new language regarding sexual assault allegations.
5206B Student Discipline - Students with Disabilities	Replaced “suspend” with “remove” for legal consistency.
5206C Student Discipline - Reinstatement Following Expulsion	<ul style="list-style-type: none"> • Revised section A to clarify Board’s authority to modify reinstatement procedures consistent with Revised School Code Section 1310d. • Revised Section B to clarify that petition does not result in a hearing.
5206D Student Discipline - Enrollment Following Misconduct at Another Public or Nonpublic School	Clarified when a hearing may be held.
5208 Student Acceptable Use and Internet Safety	Added cross-reference to District Technology and Acceptable Use policy.
5212 Registered Sex Offenders – Students	Clarified Title. Minor language clarification.
5301 Compulsory Attendance, Absenteeism, and Truancy	Minor language clarification. Included language specifying that physician, physician assistant, or nurse practitioner may provide absence verification.
5303 Student Enrollment and Withdrawal	Minor language clarification. Included language addressing pursuing legal options for false or misleading enrollment information.
5304 Nonpublic School Students Part-Time Attendance	<ul style="list-style-type: none"> • Language revised to clarify that comparability is one requirement; however, shared time programs must comply with all state law and constitutional requirements. • Formatting change for readability.
5309 Student Records and Directory Information	Minor language clarification. Clarified sample directory information.
5407 Instructional Program and Curriculum Development	Revised language to clarify the challenge process for instructional materials.

5409 Academic Credits and Graduation	Revised Section B to clarify that a parent of an IDEA eligible student may request a personal curriculum before the student has completed grade 9. Revised Section C to clarify expectations to receive credit.
5414 Completion Certificates	Included language to clarify a student’s rights under the IDEA.
5415 Summer School	Removed requirement to include procedures in student handbooks. Include language clarifying student expectations for summer schools.
5416 Homebound and Hospitalized Instruction	Clarified timelines and expectations for students with disabilities.
5420 Sex Education	Removed Section C in Option 1 and Section H in Section 2 to comply with repealed law.
5421 Work-Based Learning Experience	Added legal authority citation.
5506 Field Trips	Removed language regarding age restrictions.
5510 Student-Initiated, Non-Curricular Clubs	Clarified when a club may be formed. Streamlined appeal process.
5601 Special Education	Clarified applicable legal protections.
5701 Abuse and Neglect	Changed Title. Included new section addressing vulnerable adult reporting.
5706 Intentionally Left Blank	Opioid Antagonist policy was moved to the School Safety and Security subseries as Policy 3410 as it addresses more than just students.
5707 School Wellness Policy	Included new section addressing meal charge policy.
5709 Lice, Nits, and Bed Bugs	Revised explanatory notes.
5710 Student Suicide and Prevention	Provided new options for District to consider; Option 1 – Basic Policy; Option 2 – Comprehensive option.
5711 Toilet Training	Revised for readability.

5713 Immunizations and Communicable Diseases	Clarified when certificates are required.
5715 Student Oral Health Assessment	New Policy.
5804 Work Permits	Added legal authority.
5807 Flag Display and Pledge of Allegiance	Changed title, removed flag display language.