

MEMO

TO: Board Members

FROM: Karen Hill 

DATE: March 14, 2011

RE: Policy Recommendations

Per NEOLA, the following recommendations are being made for 1st reading approval on Monday, March 14. If you have any questions, please feel free to give me a call Monday during the day at 321-1003. That will give me time to make any edits before Monday evening. Thanks!

Policy 1420 – School Administrator (New)

This policy has been added upon review of the “Race to the Top” legislation. Since administrators are included in the requirement for annual evaluations, this policy addresses that requirement. This addition is recommended to maintain accurate policies.

Policy 2112 – Parent Involvement in the School Program (Replacement)

This policy has been revised to reflect both federal and state requirements and is built around the Epstein framework utilized by the National PTA. Recent audit activity has focused on NEOLA client policies regarding parent and family involvement. Note that the requirement for the establishment of a district plan and for the annual review of the policy and plan is included in the policy. This replacement policy reflects the current state of the law and is recommended for adoption.

Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity (Revised)

Although nondiscrimination based on genetic information relates to employment, not program, the first sentence of the policy speaks to “...programs, activities, or employment...” As a result, genetic information is being added to the string of protected characteristics. This revision reflects the state of the law and should be adopted to have accurate policies.

Policy 2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability (Revised)

These revisions are a result of the enactment of the Americans with Disabilities Amendment Act of 2008, the issuance of rules, and a review of a client-district’s related policies and administrative guidelines by the Office of Civil Rights. Although a significant number of revisions were included in the last update, additional recommendations were made during a subsequent review. This revised policy reflects the current state of the law and should be adopted to have accurate policies.

Policies 3122/4122 – Nondiscrimination and Equal Employment Opportunity (Revised)

The addition of genetic information to the string of protected categories reflects the requirements of the Genetic Information Nondiscrimination Act (GINA). The policies reflect the current state of the law and should be adopted to have accurate policies.

Policies 3215/4215 – Use of Tobacco (Revised)

Public Act 188 – 2009, effective May 1, 2010, expanded prohibitions regarding the use of tobacco products in public places. Such prohibitions have been in place in schools, as reflected in these policies. Revisions reflect definitions contained in the Act. Revisions are recommended for adoption.

Policy 3220 – Professional Staff Evaluation (Revised)

Revisions to this policy are based on the current evaluation requirements of the “Race to the Top” legislation. These policies reflect the current state of the law and should be adopted to have accurate policies.

Policy 5111 – Eligibility of Resident/Nonresident Students (Revised)

This policy has been revised in response to recent legislation (Public Act 186 – 2009) that allows the court or child welfare agencies to designate a school district or school for attendance regardless of actual residence. These revisions reflect the current state of the law and should be adopted to have accurate policies.

Policy 5111.01 – Homeless Students (Revised)

Although there has been no legislative change in the Federal McKinney-Vento Homeless Assistance Act, there has been greater scrutiny of district policies and practices from individual State Education Agencies. This policy is strongly recommended.

Policy 5111.02 – Educational Opportunity for Military Children (New)

This new policy addressed the requirements of the Interstate Compact on Educational Opportunity for Military Children, which the Michigan legislature has adopted (Public Act 160 – 2008) along with approximately 38 other states. It is designed to ease the transition of children in military families between school districts as families are reposted to new military assignments. This policy reflects the current state of the law and should be adopted to have accurate policies.

Policy 5460 – Graduation Requirements (Revised)

The expanded list of educational options specified by statute is included in this revision. This policy reflects the current state of the law and should be adopted to have accurate policies.

Policy 5512 – Use of Tobacco by Students (New)

With the attention to the public smoking ban and the updates in other smoking policies, this policy is offered by NEOLA. Although there is a restriction on student smoking, the adoption of

a specific policy may send a stronger message to students. This new policy is recommended, but not required.

Policy 6850 – Public Disclosure and Reporting (New)

Public Act 121 of 2010 requires specific financial disclosure and reporting by school districts in a form and manner prescribed by the Department of Education. This policy reflects the current state of the law and should be adopted to have accurate policies.

Policy 7434 – Use of Tobacco on School Premises (Revised)

Public Act 188 – 2009, effective May 1, 2010, expanded prohibitions regarding the use of tobacco products in public places. Such prohibitions have been in place in schools, as reflected in these policies. Revisions reflect definitions contained in the Act. Revisions are recommended for adoption.

Policy 8330 – Student Records (Revised)

The options for directory information have been modified to allow more flexibility regarding what information is to be disclosed or not disclosed regarding student height and/or weight for student athletes. Also, an option is added to include photographs and videos of school events with directory information. While these revisions are only recommended, if we do not add the athletic changes, Mike Roy will need to get permission from athletes every time he prints a football or wrestling program. I have reviewed this change with him, and he agrees with this recommendation.

Policy 8450 – Control of Casual-Contact Communicable Diseases (Revised)

The revision proposed to this policy should be considered so that school personnel rely on direction from the local, county or state health department with regard to removing students from school who exhibit symptoms of casual contact communicable diseases. This revision reflects the best practice as it relates to determining whether or not a student should be removed from school due to an illness and should be adopted.

Policy 9160 – Public Attendance at School Events (Revised)

The proposed revision to this policy about making audio and/or video recordings of student performances is consistent with requirements of copyright law. If students are performing material that is in the public domain, i.e., material for which a copyright is not held, the audio and/or video recordings can be made without restriction. However, if students are performing copyrighted material, there are restrictions on audio and/or video recordings that will be re-broadcast or published in any way. An announcement, similar to those made prior to performances by professional actors or musicians that informs the audience of such restrictions should be made so that the school/district has a defense if a member of the audience makes a recording ostensibly for private, personal use and then publishes that recording on the internet thru such sites as Facebook, My Space, U-tube, or the like and is subsequently challenged by the holder of that copyright.

The school/district may purchase a “mechanical license” that will permit recordings that may be re-broadcast. The “mechanical license” is different than the standard license that is purchased to enable the students to simply perform the copyrighted material.

The practice of making a recording of such performances and then selling it as a fundraiser would most likely be a violation of the copyright law and should not be authorized by the district.

This policy reflects the current state of the law and should be adopted to have accurate policies.

NEW POLICY - VOLUME 25, NO. 1

SCHOOL ADMINISTRATOR EVALUATION

The Board of Education, through the powers derived from the School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, with the involvement of school administrators, it delegates to the Superintendent, the function of establishing and implementing a rigorous, transparent, and fair performance evaluation system that does all of the following:

- A. evaluates the school administrator's job performance at least annually while providing timely and constructive feedback
- B. establishes clear approaches to measuring student growth and provides school administrators with relevant data on student growth
- C. evaluates a school administrator's job performance, using multiple rating categories that take into account data on student growth as a significant factor

For these purposes, student growth shall be measured by national, State, or local assessments and other objective criteria.

- D. uses the evaluations, at a minimum, to inform decisions regarding all of the following:
 - 1. the effectiveness of school administrators, so that they are given ample opportunities for improvement
 - 2. promotion, retention, and development of school administrators, including providing relevant coaching, instruction support, or professional development
 - 3. whether to grant full certification, to school administrators using rigorous standards and streamlined, transparent, and fair procedures
 - 4. removing ineffective school administrators after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

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The evaluation program shall aim at the early identification of specific areas in which the individual administrator needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to an administrator shall not release that professional staff member from the responsibility to improve. If an administrator, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted of each administrator as stipulated in the revised School Code, the employment contract, the Superintendent's administrative guidelines and as directed by the Michigan Department of Education. An administrator shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

This policy shall not deprive an administrator of any rights provided by State law or any contractual rights consistent with State law.

M.C.L.A. 380.1249

REPLACEMENT POLICY - VOLUME 25, NO. 1

PARENT INVOLVEMENT IN THE SCHOOL PROGRAM

The Board of Education recognizes and values parents and families as children's first teachers and decision-makers in education. The Board believes that student learning is more likely to occur when there is an effective partnership between the school and the student's parents and family. Such a partnership between the home and school and greater involvement of parents in the education of their children generally result in higher academic achievement, improved student behavior, and reduced absenteeism.

The term "families" is used in order to include children's primary caregivers, who are not their biological parents, such as foster caregivers, grandparents, and other family members.

Through this policy, the Board directs the establishment of a Parental Involvement Plan by which a school-partnership can be established and provided to the parent of each child in the District. The plan must encompass parent participation, through meetings and other forms of communication. The Parental Involvement Plan shall reflect the Board's commitment to the following:

A. Relationships with Families

1. cultivating school environments that are welcoming, supportive, and student-centered;
2. providing professional development for school staff that helps build partnerships between families and schools; ^{1,2}
3. relate activities that relate to various cultures, languages, practices, and customs, and bridge economic and cultural barriers; ^{1,2}
4. assist in technical support and other support schools in planning and implementing family involvement activities. ²

B. Effective Communication

1. providing information to families to support the proper health, safety, and well-being of their children;
2. providing information to families about school policies, procedures, programs, and activities; ^{1,2}
3. promoting regular and open communication between school personnel and students' family members;
4. communicating with families in a format and language that is understandable, to the extent practicable; ^{1,2}
5. providing information and involving families in monitoring student progress; ²
6. providing families with timely and meaningful information regarding Michigan's academic standards, State and local assessments, and pertinent legal provisions; ^{1,2}
7. encourage families to be involved in meaningful discussions and meetings with school staff. ^{1,2}

C. Volunteer Opportunities

1. providing volunteer opportunities for families to support their children's school activities; ²
2. supporting other needs to enable families to participate in school-sponsored family involvement events. ²

D. **Learning at Home**

1. offering training and resources to help families learn strategies and skills to support at-home learning and success in school; ^{1,2}
2. working with families to establish learning goals and help their children accomplish these goals;
3. helping families to provide a school and home environment that encourages learning and extends learning at home. ¹

E. **Involving Families in Decision Making and Advocacy**

1. involving families as partners in the process of school review and continuous improvement planning; ²
2. involving families in the development of its District-wide parent involvement policy and plan, and distributing the policy and plan to families. ^{1,2}

F. **Collaborating with the Community**

1. building constructive partnerships and connecting families with community-based programs and other community resources; ^{1,2}
2. coordinating and integrating family involvement programs and activities with District initiatives and community-based programs that encourage and support families' participation in their children's education, growth, and development. ^{1,2}

Implementation

The Superintendent will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the District's continuous improvement, and individual school improvement plans. The plan will be distributed to all parents and students through publication in the Student Handbook or other suitable means. The plan will provide for annual evaluation, with the involvement of parents and families, of the plan's effectiveness and identification of barriers to participation by parents and families. Evaluation findings will be used in the annual review of the Parent and Family Involvement policy and to improve the effectiveness of the District plan.

¹Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

²Indicates Title I Section 1118 parent involvement requirements

[NOTE: Districts should select all footnoted () options included in this template in order to have a policy that meets the requirements of State and Federal law and program requirements of Title I.]

Sec. 1112, 1118 ESEA
M.C.L.A. 380.1294

Adopted 11/13/06

NONDISCRIMINATION AND
ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth. Therefore, the Board of Education will not discriminate nor tolerate harassment in its educational programs or activities for any reasons, including on the basis of religion, race, color, national origin, sex, disability, military status, ancestry, age, or genetic information. Additionally, it will not discriminate in its employment policies and practices.

The Board is committed to providing an equal opportunity for all students, regardless of race, color, creed, disability, religion, gender, ancestry, age, national origin, place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District.

In order to achieve the aforesaid goal, the Board directs the Superintendent to:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based upon race, color, gender, disability, religion, national origin, ancestry, or culture; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of race, color, gender, religious, national origin, cultural, or other bias in all aspects of the program;

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C. Student Access

review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of race, color, creed, gender, disability, or national origin in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;

D. District Support

verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of race, color, creed, gender, or national origin.

The Superintendent shall appoint and publicize the name of the compliance officer whose responsibility it will be to coordinate the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The Compliance Officer shall also verify that proper notice of nondiscrimination for Title II, Title VI, and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Age Discrimination in Federal Assisted Programs Act is provided to students, their parents, staff members, and the general public.

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The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the District but do not receive public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (see AG 2260F).

The Superintendent shall prepare administrative guidelines as needed in furtherance of the proper implementation of this policy.

A.C. 3301-35-02(A)

R.C. 3301.0711, 3302.01, 3302.03, 3313.61, 3313.611, 3313.612, 3317.03

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

29 U.S.C. Section 794, Rehabilitation Act of 1973

42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964

42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 6101 et seq.

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990

29 C.F.R. Part 1635

34 C.F.R. Part 110 (7/27/93)

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979

Title III of the No Child Left Behind Act of 2001

Revised 4/8/03

Revised 11/12/03

Revised 5/11/05

Revised 12/20/06

Revised 10/22/08

Revised 11/10/10

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REVISED POLICY - VOL. 24, NO. 2
REVISED POLICY - VOL. 25, NO. 1

SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Education does not discriminate in admission or access to, or participation in, or treatment, or employment in, its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, will provide equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

As used in this policy and the implementing administrative guidelines, "an individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, **eating, sleeping, standing, lifting, bending**, speaking, breathing, learning, **reading, concentrating, thinking, communicating**, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially ~~interferes with~~ limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

With respect to employment, a qualified person with a disability means a disabled person who, with reasonable accommodation, can perform the essential functions of the job in question.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Michigan law to provide educational services to disabled persons; or
- C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

The Superintendent is the District's Section 504 Compliance Officer/ADA Coordinator ("**District** Compliance Officer(s)"). The **District** Compliance Officer is responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act ("ADA"). A copy of ~~the~~ Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, **as amended**, including copies of their implementing regulations, may be obtained from the **District** Compliance Officer(s). The **District** Compliance Officer(s) can be reached at:

301 S. Kalamazoo St.
Vicksburg, MI 49097
269-321-1000 (phone number)

The **District** Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted ~~grievance-internal complaint~~ procedure, and will attempt to resolve the ~~grievance~~**such complaints**.

The **District** Compliance Officer will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

Discrimination Prohibited

In accordance with Section 504/ADA, no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any of the District's programs or activities. Further, the Board will take positive steps to employ and advance in employment qualified individuals with disabilities. The Board will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

Reasonable Accommodation

The Board will ~~make~~ **provide** reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

~~The~~ **For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities. The District will meet its ~~obligation~~ **obligations** through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, alteration of existing facilities and/or construction of new facilities, or any other method that results in making its programs and activities accessible to persons with disabilities. In choosing among available methods for meeting its obligations, the District will give priority to those methods that serve persons with disabilities in the most integrated setting appropriate.**

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Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who are disabled within the definition of Section 504, regardless of the nature or severity of their disabilities. ~~The Board recognizes and acknowledges that students may be disabled and eligible for services under Section 504 even though they do not qualify for or require special education and/or related services pursuant the IDEIA. Students eligible for services under the IDEIA will be served under existing special education programs.~~

~~If a student has a physical or mental impairment that significantly limits his/her learning, but does not require specially designed instruction to benefit educationally, the student will be eligible for reasonable, but more than standard, accommodations and/or modifications of the regular classroom or curriculum in order to have the same access to an education as students without disabilities. Such accommodations and/or modifications will be provided pursuant to a Section 504 Accommodation Plan (Form 2260.01A F13)~~ **one or more major life activities, the Board will provide the student with a free appropriate public education. An appropriate education, may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under the IDEIA, the related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan.**

~~If a student has a physical or mental impairment, but it does not significantly limit his/her learning, the student will not be entitled to a Section 504 Accommodation Plan, but s/he may still be eligible for a "Classroom Accommodation/Checklist" (Form 2260.01A F14).~~

Parent(s)/guardian(s)/custodian(s) ("parents") are invited and encouraged to participate fully in the evaluation process. If the parents disagree with the determination made by the District's professional staff, they may **file an internal complaint**, request a hearing with an impartial hearing officer, **or file a complaint with the Office for Civil Rights.**

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The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate ~~to the needs of the person with disabilities~~. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, **even** with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

The District will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and nonacademic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such **services and** activities ~~and services to the maximum extent appropriate to the needs of the person with a disability in question.~~

Notice of the Board's policy on nondiscrimination in employment and education practices and the identity of the District's ~~Section 504/ADA~~ Compliance Officer(s) will be posted throughout the District, and published in the District's recruitment statements or general information publications.

The Board directs the Superintendent to prepare administrative guidelines for facilitating the prompt, fair and appropriate identification, referral, evaluation and placement of students with disabilities ~~who qualify for accommodations under in~~ **accordance with** Section 504.

The Board will provide in-service training and consultation to staff on the education of persons with disabilities, as necessary and appropriate.

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~~The Board will adopt **utilize** a system of procedural safeguards that will provide for prompt and equitable resolution of complaints alleging violations of Section 504/ADA. Due process rights of students with disabilities and their parents under Section 504 will be enforced.~~

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. The Board will further establish and implement a system of procedural safeguards in accordance with Section 504 including the right to an impartial due process hearing.

29 C.F.R. Part 1630

34 C.F.R. Part 104

29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended,

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, **as amended**

Adopted 4/13/09

REVISED POLICY - VOLUME 25, NO. 1

NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY

The Board of Education does not discriminate on the basis of race, color, religion, national origin, sex, disability, age, height, weight, marital status, **genetic information**, or any other legally protected characteristic, in its programs and activities, including employment opportunities.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, and Section 504 of the Rehabilitation Act of 1973 is provided to students, their parents, staff members, and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

M.C.L.A. 37.2101 et seq., 37.1101 et seq.
42 U.S.C., 1981 etc.

| **42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act**
Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.
Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.
Civil Rights Act of 1964, 42 U.S.C. 2000 et seq.
Age Discrimination in Employment Act of 1967, 29 U.S.C. 623 et seq.
U.S. Constitution, XIV Amendment
| **29 C.F.R. Part 1635**

Revised 7/96
Revised 9/00
Revised 11/12/01
Revised 11/13/06

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REVISED POLICY - VOLUME 25, NO. 1

USE OF TOBACCO BY PROFESSIONAL STAFF

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

~~For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco.~~

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board cannot, even by indirection, condone the use of tobacco, the Board prohibits the use of tobacco **product** by professional staff members in District buildings, **on District property (owned or leased)** on District grounds, on District buses, and at any District-related event.

Tobacco may be used in designated outdoor areas on school property on Saturdays, Sundays, and after 6:00 p.m. on days during which there are regularly-scheduled school hours.

For purposes of this policy,

- A. **"tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.**
- B. **"use of a tobacco product" means any of the following:**
 - 1. **the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device**
 - 2. **the inhaling or chewing of a tobacco product**
 - 3. **the placing of a tobacco product within a person's mouth**

M.C.L.A. 333.12601 et seq.
M.C.L.A. 750.473

Revised 3/13/95

REVISED POLICY – VOLUME 25, NO. 1

PROFESSIONAL STAFF EVALUATION

The Board of Education, through the powers derived from the School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, **with involvement of professional staff**, it delegates to the Superintendent the function of establishing and implementing a ~~program of personnel assessment~~ **rigorous, transparent, and fair performance evaluation system that does all of the following:**

~~It is the purpose of the program of staff assessment to:~~

- ~~A. strive for the improvement of the total District program;~~
 - ~~B. stress the importance of personal improvement on the part of individual professional staff members so that each student may be provided a quality education;~~
 - ~~C. ensure the continuous improvement of administrative and supervisory services provided professional staff members;~~
 - ~~D. establish a process of continuous and systematic professional staff member evaluation.~~
- A. evaluates the employee's job performance at least annually while providing timely and constructive feedback**
 - B. establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth**
 - C. evaluates an employee's job performance, using multiple rating categories that take into account data on student growth as a significant factor**

For these purposes, student growth shall be measured by national, State, or local assessments and other objective criteria.

- D. uses the evaluations, at a minimum, to inform decisions regarding all of the following:
1. the effectiveness of employees, so that they are given ample opportunities for improvement
 2. promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development
 3. whether to grant tenure or full certification, or both, to employees, using rigorous standards and streamlined, transparent, and fair procedures
 4. removing ineffective tenured and untenured employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

Evaluations shall be conducted of each professional staff member as stipulated in the Teacher Tenure Act, **the revised School Code**, a negotiated agreement or contract, ~~and~~ the Superintendent's administrative guidelines **and as directed by the Michigan Department of Education**. A professional staff member shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

policy

**BOARD OF EDUCATION
VICKSBURG COMMUNITY SCHOOLS**

**PROFESSIONAL STAFF
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This policy shall not deprive a professional staff member of any rights provided by ~~contractual agreement or State law~~ **or contractual rights consistent with State law.**

M.C.L.A. 380.1249

REVISED POLICY - VOLUME 25, NO. 1

NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY

The Board of Education does not discriminate on the basis of race, color, religion, national origin, sex, disability, age, height, weight, marital status, **genetic information**, or any other legally protected characteristic, in its programs and activities, including employment opportunities.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, and Section 504 of the Rehabilitation Act of 1973 is provided to students, their parents, staff members, and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts.

M.C.L.A. 37.2101 et seq., 37.1101 et seq.
42 U.S.C., 1981 etc.

| **42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act**

Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.

Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.

Civil Rights Act of 1964, 42 U.S.C. 2000 et seq.

Age Discrimination in Employment Act of 1967, 29 U.S.C. 623 et seq.

U.S. Constitution, XIV Amendment

| **29 C.F.R. Part 1635**

Revised 7/96

Revised 11/12/01

Revised 11/13/06

policy

BOARD OF EDUCATION
VICKSBURG COMMUNITY SCHOOLS

SUPPORT STAFF
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REVISED POLICY - VOLUME 25, NO. 1

USE OF TOBACCO BY SUPPORT STAFF

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

~~For purposes of this policy, use of tobacco shall mean all uses of tobacco, including a cigar, pipe, cigarette, snuff, or any other matter or substance that contain tobacco.~~

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board cannot, even by indirection, condone the use of tobacco, the Board prohibits the use of tobacco **product** by support staff in school buildings, **on District property (owned or leased)**, on school grounds, on school buses, and in any classroom, hallway, or instructional area when school is in session and students are present, with the following exception: use of tobacco is permitted during the school day in any area so posted.

Use of tobacco by support staff is prohibited in school buildings when in use for public assemblies (parent-teacher conferences, PTO meetings, adult education classes, polling places, etc.), except in areas so posted.

Use of tobacco by support staff is prohibited in auditoriums, gymnasiums, or other rooms in use for student presentations, athletics, etc.

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
- B. "use of a tobacco product" means any of the following:
 - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
 - 2. the inhaling or chewing of a tobacco product
 - 3. the placing of a tobacco product within a person's mouth

M.C.L.A. 333.12601 et seq.

M.C.L.A. 750.473

REVISED POLICY – VOLUME 25, NO. 1

ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The Board of Education establishes the following residency policy for the determining eligibility to attend the schools of this District.

- A. The Board will educate only those students who are legal residents of the District. Proof of residency will be required for registration in the District. A student may attend school in this District tuition free if a parent or legal guardian is a legal resident of the District, regardless of whether the parent or legal guardian has actual custody of the student. Legal residency, when living with a relative, must be based on the need for a suitable home and not for educational purposes.

If the student temporarily resides in another school district but attends school in this District (where one (1) parent resides), it is the obligation of the parents to provide transportation for the student from the home of the nonresident, custodial parent.

- B. The District shall provide a free education to those students who are considered by Federal law to be illegal aliens or considered to be homeless by State established criteria.
- C. Students whose parents do not reside within the District but who obtain a release from their district of residence may be accepted in the schools of this District on a tuition basis.
- D. A student who is a resident within the District by order of a juvenile or probate court or placed in the District as a ward of the State by an authorized agency shall be admitted tuition free.
- E. Any student who enrolls in the District under the District's schools of choice program may be admitted in accordance with the provisions of applicable law.
- F. **A child who is placed in foster care by a court of competent jurisdiction shall be admitted tuition free, without regard to residency, to a school within the District, as selected by the State Department of Human Services or the child placing agency responsible for placement of that child.**

- G. Foreign students, participating in a bona-fide, foreign-exchange and living with a resident host family, will be admitted tuition-free.
- H. Students whose parents do not reside within the District but who present evidence that they will move into the District within a short period of time may enroll in the schools of this District as tuition students for the time not in residence.
- I. Twelfth grade students who have begun their work toward graduation from the District's high school and whose parents no longer reside within the District, may be permitted to complete their high school education as tuition students.
- J. A resident student, otherwise eligible to attend school in the District, may be denied admission if s/he has a record of behavior that the Superintendent believes would constitute a threat to the safety and well-being of staff and other students.
- K. A nonresident student placed with the District for educational reasons by a juvenile or probate court order shall be admitted tuition free.
- L. Students enrolled in the Special Education Program of this District whose parents do not reside within the District may attend as tuition students.
- M. Nonresidents may be accepted into the District's Adult Education classes upon payment of the appropriate fees.
- N. Nonresident students may be accepted into the District's Summer School or Community Education Program(s). Differentiated enrollment fees may be charged to nonresident students.
- O. A student who is the child of a Michigan resident who is employed by the District, including an adopted child or legal ward, shall be admitted tuition free.

Students residing in the District, not living with a parent or legal guardian, but residing with a relative or another adult legal resident who qualifies in place of the parent, may attend school on a tuition basis, provided the following documents are completed and filed in the Superintendent's office:

- A. Student Resident Agreement
- B. Power of Parental Consent

M.C.L.A. 380.1148, 1401 et seq., 388.1606
Emancipation of Minors Act, Section 4, Subsection 6
Public Law 100-77, Section 721, 42 U.S.C. 11431
Stewart McKinney Homeless Assistance Amendment Act of 1990
PA 203 of 1994, Sec. 163a (1) & (2)

Revised 8/14/95
Revised 12/11/00
Revised 12/11/06

REVISED POLICY – VOLUME 25, NO. 1

HOMELESS STUDENTS

Children who meet the Federal definition of "homeless" will be provided a free and appropriate public education in the same manner as all other students of the District. ~~To that end, homeless students and will not be stigmatized or segregated on the basis of their status as homeless and will be assigned to the school serving those non-homeless students residing in the area in which the homeless child is actually living. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. No homeless student will be denied enrollment based on a lack of proof of residency. No Board policy, administrative guideline, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.~~

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include those who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. are awaiting foster care placement
- F. have a primary night time residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, or
- G. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting

Additionally, pursuant to Federal and State law, migratory children who are living in circumstances described in A-G above are also considered homeless.

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs administered by the School District.

The District shall remove barriers to the enrollment and retention of homeless students in schools in the District. Homeless students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship

Homeless students will be provided services comparable to other students in the District including:

- A. transportation services;
- B. educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students; and
- E. school nutrition programs; and
- F. before- and after- school programs.

Homeless students have the right to remain in their school of origin or the local attendance area school, according to the child's best interest. The school of origin is the school that the student attended when permanently housed or last enrolled. The local attendance area school is any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

Homeless students have the right to dispute their school assignment, if their assignment is other than their school of origin. In determining the best interest of the student, the District shall, to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the homeless student's parent or guardian or the unaccompanied youth. If the student is sent to a school other than the school of origin or a school requested by the parent or guardian, a written explanation, including a statement regarding the right to appeal, will be provided to the homeless student's parent or guardian or the unaccompanied youth.

The Board of Education requires that these rights and the dispute process be communicated to the parent or guardian of the homeless student or unaccompanied youth.

In addition to notifying the parent or guardian of the homeless student or unaccompanied youth of the rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school.

At the request of the parent or guardian, or in the case of an unaccompanied youth, the local homeless liaison, transportation shall be provided for a homeless student to and from the school or origin as follows:

- A. If the homeless student continues to live in the School District in which the school of origin is located, transportation will be provided in accordance with District policy/administrative guidelines.
- B. If the homeless student moves to an area served by another district, though continuing his/her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

| 42 U.S.C. 11431 et seq. (**McKinney - Vento Homeless Assistance Act**)

Adopted 2/9/04

NEW POLICY - VOLUME 25, NO. 1

EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

Children of an active duty member of the United States armed services shall be entitled to all of the rights and protections afforded under the Interstate Compact on Educational Opportunity for Military Children (Compact).

The intent of this policy is to minimize the potential challenges to educational success for children of military families because of frequent moves and deployment of their parents by:

- A. facilitating the timely enrollment and placement of children of military families in educational and other school programs and activities;
- B. facilitating the on-time graduation of children of military families; and
- C. providing for the uniform collection and sharing of information between and among schools and military families.

The Superintendent shall maintain guidelines for implementation of this policy which are consistent with the Compact and State law.

The guidelines shall apply to children of military families within the state as well as between member states.

Interstate Compact on Educational Opportunity for Military Children
M.C.L.A. 3.1041

REVISED POLICY – VOLUME 25, NO. 1

GRADUATION REQUIREMENTS

It shall be the policy of the Board of Education to acknowledge each student's successful completion of the instructional program or a personal curriculum appropriate to the achievement of District goals and objectives as well as personal proficiency, by the awarding of a diploma at graduation ceremonies.

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board, the Michigan Department of Education (MDE), and as provided by State law.

Credit with administrative approval may be earned by:

- A. traditional course work;**
- B. demonstrating mastery of subject area content expectations or guidelines for the credit;**
- C. related course work in which content standards are embedded;**
- D. non-traditional course work;**
- E. independent teacher-guided study;**
- F. testing out;**
- G. dual enrollment;**
- H. advanced placement courses;**
- I. international baccalaureate or other "early college" programs; or**
- J. on-line class.**

Special Education students who properly complete the programs specified in their I.E.P. and have received the recommendation of the I.E.P.C. may participate in graduation activities as recommended by the student's I.E.P.C. Reasonable accommodation shall be made for the students with disabilities as defined under State or Federal law, to assist them in taking any required tests or assessments for graduation.

For State-mandated curriculum requirements, a student shall be granted credit toward graduation if s/he successfully completes the subject area content expectations or guidelines developed by the department that apply to the credit. A student may also receive credit if s/he earns a qualifying score, as determined by the State on the assessments developed or selected for the subject area by the State or the student earns a qualifying score, as determined by the District on one or more assessments developed or selected by the School District that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit. For subject areas and courses in which a final examination is used as the assessment for successful attainment of the subject area content, a grade of seventy-seven percent (77%) or better is required.

The Board shall grant credit toward high school graduation for any student who successfully completes, prior to entering high school, a State-mandated curriculum requirement, provided s/he completes the same content requirements as the high school subject area, and the student has demonstrated the same level of proficiency on the material as required of the high school students.

There shall be only one (1) diploma awarded by this District and no distinctions shall be made between various programs of instruction.

~~June commencement exercises will include only those students who have successfully completed requirements for graduation as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation when personal conduct so warrants.~~

For elective courses, which are not State-mandated curriculum requirements, the Board shall grant credit to any high school student who is not enrolled in the course, but has exhibited a reasonable level of knowledge of the subject matter of the course has exhibited a reasonable level of mastery of the subject matter of the course, regardless of enrollment in the course. Mastery includes by achieving seventy-seven percent (77%) or better in the final exam for the course, or, if there is no final exam, through the basic assessment used for the course, which may consist of a portfolio, paper, project, presentation or other established means.

Such credit shall be counted toward the required number of credits needed for graduation. Credits earned through demonstration of mastery shall be counted toward any subject area requirement and any course sequence requirement. Once credit is earned in a subject area, a student may not receive further credit for a lower sequence course in the same subject area.

A high school student shall be granted credit in any foreign language not offered by the District providing the student meets the competency criteria established by the Superintendent.

GRADUATION CEREMONIES

~~Commencement exercises~~ will include only those students who have successfully completed requirements as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation, however, when personal conduct so warrants.

M.C.L.A. 380.1166, 380.1278a(1), 380.1278a(2), 380.1278a(4)(c), 380.1278b

M.C.L.A. 380.1279

20 U.S.C. 1400 et seq.

20 U.S.C. 1401 et seq.

29 U.S.C. 794

42 U.S.C. 12131 et seq.

Revised 3/13/95

Revised 9/8/08

Revised 12/14/09

policy

BOARD OF EDUCATION
VICKSBURG COMMUNITY SCHOOLS

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REPLACEMENT POLICY - VOLUME 25, NO. 1

USE OF TOBACCO

~~The Board of Education does not approve of the use of tobacco by K-12 students.~~

~~In order to protect students who choose not to use tobacco from an environment that might be harmful to them, the Board prohibits the use and/or possession of tobacco by students in school buildings, on school grounds, and on school buses during the school day.~~

~~For purposes of this policy, use of tobacco shall mean all uses of tobacco, including cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco.~~

~~The administration of each school building will take appropriate action in cases involving students who use tobacco in their building or on school grounds.~~

The Board of Education recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the user and the nonuser and is, therefore, of concern to the Board.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco on District premises, in District vehicles, and in all school buildings owned and/or operated by the District.

The Board prohibits the use or possession of tobacco product by students in District buildings, on District property (owned or leased), on District buses, and at any District-related event.

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.

- B. "use of a tobacco product" means any of the following:
1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
 2. the inhaling or chewing of a tobacco product
 3. the placing of a tobacco product within a person's mouth

M.C.L.A. 380.1300, 722.641 et seq.
A.C. Rule 388.271 et seq.

NEW POLICY – VOLUME 25, NO. 1

PUBLIC DISCLOSURE AND REPORTING

Within thirty (30) days after the Board of Education adopts its annual operating budget for the following school fiscal year, or adopts a subsequent revision to that budget, the District shall make all of the following available through a link on its website home page in a form and manner prescribed by the State Department of Education:

- A. the annual operating budget and subsequent budget revisions
- B. using data that have already been collected and submitted to the department, a summary of District expenditures for the most recent fiscal year for which they are available, expressed in the following two (2) pie charts:
 1. a chart of personnel expenditures, broken into the following subcategories:
 - a. salaries and wages
 - b. employee benefit costs, including, but not limited to, medical, dental, vision, life, disability, and long-term care benefits
 - c. retirement benefit costs
 - d. all other personnel costs
 2. a chart of all District expenditures, broken into the following subcategories:
 - a. instruction
 - b. support services
 - c. business and administration
 - d. operations and maintenance

3. links to all of the following:
 - a. the current collective bargaining agreement for each bargaining unit within the District
 - b. each health care benefits plan, including, but not limited to, medical, dental, vision, disability, long-term care, or any other type of benefits that would constitute health care services, offered to any bargaining unit or employee in the District
 - c. the audit report of the audit for the most recent fiscal year for which it is available
 - d. the total salary and a description and cost of each fringe benefit included in the compensation package for the Superintendent of the District and for each employee of the District whose salary exceeds \$100,000.00
 - e. the annual amount spent on dues paid to associations
 - f. the annual amount spent on lobbying or lobbying services

As used in this subdivision, "lobbying" means that term as defined in Section 5 of 1978 PA 472, M.C.L.A. 4.415.

The Board shall have an audit of the District's financial and pupil accounting records conducted at least annually at the expense of the District by a certified public accountant or by the Intermediate District Superintendent, as may be required by the State Department of Education.

The District's annual financial audit shall include an analysis of the financial and student accounting data used as the basis for distribution of State school aid. The student accounting records and reports, audits, and management letters are subject to requirements established in the auditing and accounting manuals approved and published by the State Department of Education.

Not later than 120 days after the end of each school fiscal year, the District shall file its annual financial audit report with the Intermediate District.

The annual financial audit reports and student accounting procedures reports shall be available to the public in compliance with the Freedom of Information Act.

By November 15th of each year, the District shall submit to the Center for Educational Performance Information (CEPI), in a manner prescribed by the CEPI, annual comprehensive financial data consistent with accounting manuals and charts of accounts approved and published by the Department. This submission shall contain the District's web address where the required financial data is posted. The District shall also include a link on its websites to the website where the State Department of Education posts this financial information.

By September 30th of each year, the District shall file with the State Department of Education the special education actual cost report on a form and in a manner as prescribed by the State Department of Education.

The District shall provide to the State Department of Education an annual progress report on the implementation of school improvement plans, curriculum, and accreditation as required by "Public Act 25 of 1990."

The District shall comply with ^{ALL LEGALLY MANDATED} ~~the~~ reporting requirements under State and Federal law, including reports to the center for educational performance and information (CEPI), as set forth by State law and as directed by CEPI. ~~This shall include by:-~~

- A. ~~June 30th of each year, providing CEPI with information related to safety practices and criminal incidents;~~
- B. ~~the first business day in December and June 30th of each year, providing CEPI with requested information related to educational personnel;~~
- C. ~~not later than five (5) weeks after the student membership count day, providing CEPI in a manner prescribed by the CEPI, the information necessary for the preparation of the District and high school graduation report;~~
- D. ~~October 7th of each year, providing CEPI with the transportation expenditure report.~~

M.C.L.A. 4.415, 388.1618, 388.1619, 388.1651a, 15.231 to 15.246, 380.1204a(1)
20 U.S.C. 6311

policy

BOARD OF EDUCATION
VICKSBURG COMMUNITY SCHOOLS

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REVISED POLICY - VOLUME 25, NO. 1

USE OF TOBACCO ON SCHOOL PREMISES

The Board of Education believes that the right of persons to use tobacco must be balanced against the right of those who do not use tobacco to breathe air untainted by tobacco.

In order to protect students and employees who choose not to use tobacco from an environment noxious to them and potentially damaging to their health, the Board prohibits the use of tobacco **products** on school premises (**owned or leased**), in **District vehicles, at all school sponsored events and in** ~~including~~ all the buildings and grounds owned and operated by this Board at all times, except as specifically provided in this policy.

~~For purposes of this policy, "use of tobacco" means a cigar, cigarette, or pipe, or any other matter or substance that contains tobacco.~~

For purposes of this policy,

- A. "tobacco product" means a preparation of tobacco to be inhaled, chewed, or placed in a person's mouth.
- B. "use of a tobacco product" means any of the following:
 - 1. the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device
 - 2. the inhaling or chewing of a tobacco product
 - 3. the placing of a tobacco product within a person's mouth

Use of tobacco is permitted in posted areas only.

~~M.C.L.A. 380.1170, 380.1275~~

M.C.L.A. 333.12601 et seq.

M.C.L.A. 380.1170

M.C.L.A. 750.473

20 U.S.C. 6081 et seq.

U.S.D.O.E. Memorandum, 1995

MDE Board Policy on 24/7 Tobacco-Free Schools

REVISED POLICY - VOLUME 25, NO. 1

STUDENT RECORDS

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

Student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board of Education is responsible for maintaining records of all students attending schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. samples of student work
- C. information obtained from professionally acceptable standard instruments of measurement such as:
 1. interest inventories and aptitude tests
 2. vocational preference inventories

3. achievement tests
 4. standardized intelligence tests
 5. District assessments
- D. authenticated information provided by a parent or adult student concerning achievements and other school activities which the parent or student wants to make a part of the record
 - E. verified reports of serious or recurrent behavior patterns
 - F. rank in class and academic honors earned
 - G. psychological tests
 - H. attendance records
 - I. health records
 - J. custodial arrangements

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, and designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Board employees (e.g. a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers).

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this District seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- C. report a crime committed by a child with or without a disability to appropriate authorities and to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and school officials for their consideration;

- D. release de-identified records and information in accordance with Federal regulations;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

- F. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

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Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

DIRECTORY INFORMATION

Each year the Superintendent shall provide public notice to students and their parents of its intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. address;
- C. date and place of birth;
- D. major field of study;
- E. participation in officially recognized activities and sports; height and weight, if a member of an athletic team;
- ~~F. height and weight, if member of an athletic team;~~
- G. height if member of an athletic team;
- H. weight, if member of an athletic team which requires disclosure to participate;
- FI. dates of attendance;
- GJ. date of graduation;
- HK. awards received;

- HL. honor rolls;
- JM. scholarships;
- KN. telephone numbers only for inclusion in school or PTO directories;
- LO. or any other information which would not generally be considered harmful or an invasion of privacy, if disclosed;
- P. **school photographs or videos of students participating in school activities, events or program.**

Parents and eligible students may refuse to allow the District to disclose any or all of such "directory information" upon written notification to the District within ten (10) days after receipt of the District's public notice.

Armed Forces Recruiting

The Board shall, in accordance with State and Federal law, provide at least the same access to the high school campus and to student directory information (names, addresses, and telephone listings of secondary students) of the students enrolled in the high school as is provided to other entities offering educational or employment opportunities to official recruiting representatives of all of the following for the purpose of informing students of educational and career opportunities available in the armed forces of the United States and the service academies of the armed forces of the United States. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to official recruiting representatives, then the officials of the school shall not allow that access to the student's directory information. The Board shall ensure that students and parents and guardians are notified of the provisions of the opportunity to deny release of directory information.

Public notice shall be given regarding the right to refuse disclosure of any or all "directory information" including to the armed forces of the United States and the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the high school, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to the District records officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a time for the access. Requests should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose.)

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the District nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Superintendent shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

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No liability shall attach to any member, officer, or employee of this District specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

M.C.L.A. 380.1135

Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education
34 C.F.R. Part 99, 2002

Section 444 of subpart of part C of the General Education Provisions Act

Title IV of Public Law 90-247

20 U.S.C., Section 1232f through 1232i (FERPA)

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act

20 U.S.C. 7165(b)

26 U.S.C. 152

20 U.S.C. 7908

Revised 9/14/92

Revised 2/9/04

Revised 12/11/06

Revised 1/11/10

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REVISED POLICY - VOLUME 25, NO. 1

CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

The Board of Education recognizes that control of the spread of communicable disease spread through casual contact is essential to the well-being of the school community and to the efficient District operation.

For purposes of this policy, "casual-contact communicable disease" shall include:

- A. diphtheria;
- B. scarlet fever and other strep infections;
- C. whooping cough;
- D. mumps;
- E. measles;
- F. rubella;
- G. others designated by the Michigan Department of Public Health.

In order to protect the health and safety of the students, District personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling **casual-contact** communicable disease spread through normal interaction in the school setting.

If a student exhibits symptoms of a communicable disease, the principal will isolate the student in the building and contact the parents/guardians. Protocols established by the County Health Department shall be followed.

~~On the recommendation of the Superintendent, the teacher may remove from the classroom and the building administrator may exclude from the building or isolate in the school any student who appears to be ill or has been exposed to a communicable disease, except that the teacher or principal may act independently if the Superintendent is not present in the building when the decision needs to be made.~~

The Superintendent shall develop administrative guidelines for the control of communicable disease which shall include:

- A. instruction of professional staff members in the detection of these common diseases and measures for their prevention and control;
- B. removal of students from District property to the care of a responsible adult;
- C. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. filing of reports as required by statute and the State Department of Health.

M.C.L.A. 380.1169

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REVISED POLICY - VOL. 24, NO. 2

PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes the attendance of members of the community at athletic and other public events held by the schools in the District, but the Board also acknowledges its duty to maintain order and preserve the facilities of the District during the conduct of such events.

The Board holds the legal authority to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event.

The Board directs that no alcoholic beverage or other controlled substances be possessed, consumed, or distributed, nor any betting occur, at any function sponsored by the District or at any function occurring on District premises.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Service animals used by persons requiring this type of assistance shall be permitted in all District facilities and at all school events. The person may be asked to provide evidence of the animal's certification for that purpose. **Certain restrictions may be applied when necessary due to allergies, health, safety, disability other issues of those attending the event. The goal shall be to provide all attendees with the same access and participation provided to other members of the public. Confirmation of disability, need for a service animal to access/participate in the school event, and current certification/training of the service animal may be required.**

The Board is aware of the increasing desire of many parents and other members of an audience to use "camcorders" and other audio/visual devices at **make audion and/or video recordings** of school events. ~~The Board authorizes the use of such devices providing their use does not interfere with the conduct of the particular activity, impinge on the enjoyment of the event by other members of the audience, or violate copyright or contract provisions related to a performance. The Superintendent shall establish rules and procedures governing the use of nondistrict audio/visual devices and equipment at any District sponsored event or activity, particularly athletic events, dramatic presentations, and graduation ceremonies. Such rules are to be posted and/or distributed in such a manner that will best ensure cooperation and compliance in obtaining recordings that do not delay or disrupt the activity.~~

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, recording can be made if the appropriate license authorizing such recordings has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event shall obtain prior permission from the Superintendent.

Revised 9/13/93
Revised 11/11/99