



NEOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 1 of 10

Volume 32 Number 2 and Technology Phase IV
February 2018

OVERVIEW AND COMMENTS

All production related materials and questions should be directed to the Coshocton Office at 632 Main Street, Coshocton, Ohio 43812 (phone 800-407-5815, fax 740-622-2557). Billing questions should be directed to the Stow Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone 330-926-0514, fax 330-926-0525).

Please do not retype NEOLA materials before returning them for processing. We prefer to have the original materials returned after you have marked them indicating which changes and additions you choose to have/not have for your District.

If a District chooses not to adopt a policy or administrative guideline, the District is still obligated to follow applicable Federal and State laws relating to that topic.

The proposed new, revised, and replacement policies, administrative guidelines and forms included in this update have been thoughtfully prepared and reviewed by NEOLA'S legal counsel for statutory compliance. If you make changes, or substitute in its entirety policies or other materials of your own drafting, those materials should be reviewed by your legal counsel to verify compliance. NEOLA does not review district-specific edits to update materials or District-specific policies for statutory compliance.

If a policy or guideline is marked as a revision, the changes have been marked in bold (to add material) and crossed out (to delete material). As you review a revised policy or guideline, you may choose to accept one, many or all of the changes provided. If a policy or guideline is marked as a replacement, that means there have been enough changes made that justify a complete, clean replacement copy. As you review a replacement policy or guideline, you should also check the materials you have in your current policy or guideline to see if there is some specific wording you want included in the replacement policy. If so, a copy of any wording to be added and where it should be inserted should be forwarded with the replacement policy or guideline when it is returned to the Coshocton office for processing.



NEOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 2 of 10

If the District authors language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute District-specific edits.

Policies that are to be deleted from the policy manual require Board action to rescind the policy.

Your NEOLA Associate will contact you in the near future to schedule an appointment to review this update and ensure you are current on this and previous updates.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Processing Update Materials

If you will be making changes to these Update documents electronically, use Microsoft Word's "Track Changes" tool to mark the NEOLA materials indicating which of the proposed revisions and additions you choose to include or not include for your District, or to make additional edits, before returning them electronically for processing. Be sure to leave the "track changes" and marked up version as the one you submit to the production office in Coshocton, Ohio.

District-Specific Material

If the District chooses, during any step of the Update process, to incorporate District-specific material into a new policy or guideline that has been proposed or to insert District-specific material into a current policy or guideline for which revisions have been proposed in an update issued by NEOLA, then the District agrees to hold NEOLA harmless for those District-specific edits and acknowledges that NEOLA's warranty for legal challenges to that District-specific language in that policy or guideline will not be in effect. In addition, NEOLA retains ownership of the text from the original policy template that remains in a policy to which District-specific material has been added. District-specific materials include the following:

- A. Materials from the District's existing materials that the District requests be incorporated during the drafting process;
- B. New materials that the District develops in their entirety and exclusive of NEOLA; and
- C. Revisions or deletions that substantively depart from NEOLA's templates.



NEOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 3 of 10

Further, NEOLA does not recommend the use or incorporation of District-specific materials. NEOLA will, at the request of the District, incorporate District-specific materials into the licensed materials, with the implicit understanding that the District bears all risks associated with the District's decision to request that such District-specific materials be incorporated. NEOLA reserves the right to, but is not obligated to, advise the District to seek its own legal review of District-specific materials.

Notice Regarding Legal Accuracy

NEOLA is vigilant in providing policy language to clients that has been vetted for legal accuracy by Michigan legal counsel. Should any question arise as to the legal compliance or accuracy of NEOLA materials, it is our expectation that NEOLA's counsel will have the opportunity to assist in the resolution of such a claim. Please notify the NEOLA corporate office if an issue arises in which such a review or assistance is necessary.

Policies in this update have been reviewed by Varnum, LLP (Grand Rapids, MI) for consistency with Federal and State law.

Reminders

- The Internal Revenue Service (IRS) issued Notice 2017-204 which provides the 2018 mileage rate at 54.5 cents per mile for business travel.
- The U.S. Department of Labor maintains regulatory authority over State and local government employers, including public school districts. Note that the following federal laws have poster requirements which apply to school districts (no Federal or Federally-assisted contracts or subcontracts):
 - o The Employee Polygraph Protection Act (EPPA)
 - o The Fair Labor Standards Act (FLSA)
 - o The Family and Medical Leave Act (FMLA)
 - o Uniformed Services Employment and Reemployment Rights Act (USERRA)
 - o Occupational Safety and Health Act (Workplace Safety)
 - o Whistleblower Protections



NEOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 4 of 10

In addition, certain organizations may be required to display posters that can only be obtained from DOL's Office of Workers' Compensation Programs (OWCP). More information on these posters is available. Links to all federal employment posters are always available on the Poster Page as are answers to frequently asked questions. Note that school districts with federal or federally-assisted contracts or subcontracts may have additional requirements.

Legal Alert

Included with this update is a legal alert printed on green paper. This legal alert includes:

1. Student Free Speech Rights

BYLAWS AND POLICIES

Bylaw 0140 Membership/0143.1 - Public Expression of Board Members (Revised)

This optional language is provided as a reminder that social media communications, whether on the District's network or on a private network, may be subject to the provisions of the Open Meeting Act and may be subject to discovery, depending on the content of the message.

This optional language should be considered.

Policy 1421/3121/4121- Criminal History Record Check (Revised)

These policies have been revised to include the accessibility and confidentiality provisions of Policy/AG 8321 - Criminal Justice Information Security (Non-Criminal Justice Agency).

These revisions reflect the current compliance requirements of MSP/FBI and should be adopted to maintain accurate policies.



EOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 5 of 10

Policy 4162 - Controlled Substance and Alcohol Policy for Commercial Motor Vehicle (CMV) Drivers and Other Employees Who Perform Safety Sensitive Functions (Revised)

Revisions to this policy are based on current Federal regulations (49 CFR Part 40), effective January 2018. Key change specifies which substances must be tested. The scope of the policy has been clarified to include those employees who perform safety-sensitive functions, as opposed to only “drivers”.

Revisions to this policy reflect current Federal regulations and should be adopted to maintain accurate policies.

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

Revisions to this policy reflects Federal regulations about enrollment procedures and requirements. Communication/notification requirements are detailed and alternate documents that can verify age and residency have been identified.

Revisions to these policies reflect current Federal and State regulations and should be adopted to maintain accurate policies.

Policy 7540.02 - Web Accessibility, Content, Apps and Services (Replacement)

Revisions to this policy reflect the growing compliance requirements needed to provide necessary access to district web content, services, and apps. In addition to compliance officer references, training and reporting requirements are included.

Revisions to this policy are strongly recommended in order to maintain accurate and compliant policies.

Policy 8321 - Criminal Justice Information Security (Non-Criminal Justice Agency) (Revised)

This policy has been revised to include the latest revisions to information security required of criminal history record information (CHRI) required by the Federal Bureau of Investigation (FBI) and the Michigan State Police (MSP).

These revisions reflect the current state of federal and state regulations and should be adopted to maintain accurate policies.



NEOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 6 of 10

ADMINISTRATIVE GUIDELINES

AG 1421/3121/4121 - Criminal History Record Check (Revised)

See note on Policy 1421/3121/4121.

AG 3421A/4421A - Important Notice of Employees' Right to Documentation of Health Coverage (DELETE)

These guidelines are no longer applicable, given the coverage of pre-existing conditions and other provisions of the Affordable Care Act (ACA)

AG 4162A Alcohol and Controlled Substance Testing (Revised)

See note on Policy 4162.

AG 4162B - Handling of Test Results, Record Retention, and Confidentiality (Revised)

See note on Policy 4162.

AG 5340.01 - Concussions and Athletic Activities (Revised)

The revision to this guideline includes the requirement for concussion training to be provided every 3 years (Public Act 137 - 2017).

AG 7540.02 - Web-Content and Functionality Specifications (Revised)

See note on Policy 7540.02. The revision to this ag is located on page 4.

AG 8321 - Criminal Justice Information Security (Non-Criminal Justice Agency) (Revised)

See note on Policy 8321.



NEOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 7 of 10

Technology IV

POLICIES

Policy 7530 – Lending of Board-Owned Equipment (Revised)

The changes in this policy include the following:

1. The 3rd option on page 2 has been revised to make it clearer that Technology Resources assigned to a staff member may be used off school property, but, if they are and if they have Personally Identifiable Information about students and/or staff saved/uploaded/stored on the Technology Resource, then it is the responsibility of the staff member to have the device locked down so that an unauthorized individual cannot access the device if it lost or misplaced.
2. The term Technology Resources is capitalized throughout to indicate that it is a term of art for which there is a specific definition applicable to the District's policies.
3. Minor grammatical corrections were made throughout that did not change the meaning or intent of any provisions.

Policy 7530.02 – Staff Use of Personal Communication Devices (Revised)

The changes in this policy include the following:

1. Reference to the definition of Personal Communication Devices in Bylaw 0100 was added in the first paragraph, and any references throughout the policy to Personal Communication Devices have been changed to "PCDs."
2. "GPS-navigation destinations set or modified" was added to the list smartphone uses that should be completed before driving.



NEOLA of MICHIGAN
INTERMEDIATE SCHOOL DISTRICTS
TEMPLATES

page 8 of 10

Policy 7542 – Access to District Technology Resources and/or Information Resources From Personal Communication Devices (Revised)

The changes in this policy include the following:

1. An optional opening paragraph is provided so that the Board can differentiate between use of its business network and its guest network if both of these have been established.
2. There is a reference to the definitions in Bylaw 0100 for Personal Communication Devices, Technology Resources, and Information Resources when these terms are first mentioned in either Option #1 or in Option #2. The reference to Bylaw 0100 will be a link so that the reader can toggle to the bylaw and read the definition if s/he desires to do so.
3. After the first reference to Personal Communication Device, the acronym PCDs is used to refer to Personal Communication Devices each time the term is referenced throughout the remainder of the policy.

Policy 7543 – Utilization of the District’s Website and Remote Access to the District’s Network (Revised)

The changes in this policy include the following:

1. Several additional resources have been added to the list of resources that could be accessed on the District’s network.
2. Revisions have been made to the list of possible standards and regulations to which each individual granted remote access privileges must comply.

ADMINISTRATIVE GUIDELINES

AG 7530 – Personal Use of District Equipment/Supplies/Facilities (Revised)

The changes in this policy include the following:

1. The section that was previously titled “Copy Machines” has been re-titled “Copiers/Printers” and appropriate edits have been made throughout.

AG 7530A - Security Procedures for Technology Resources (as defined in Bylaw 0100) (Revised)

The changes in this policy include the following:

1. Reference to the definition of Technology Resources in Bylaw 0100 was added in the title of this guideline.
2. The term Technology Resources is capitalized throughout to indicate that it is a term of art for which there is a specific definition applicable to the District's policies.
3. An option to assign the responsibility of maintaining up-to-date licenses and related records to a staff member has been modified under "A" so that the option addresses for "apps and web services" in addition to "software".
4. Minor edits were made throughout to update the content of this guideline without changing the intent of the provisions.

AG 7540B - Technology Director (New)

The substantive changes in this guideline include the following:

1. Referenced to the definition of Technology Resources in Bylaw 0100 is added in the first paragraph.
2. The terms "Technology Resources" and "Information Resources" are capitalized throughout to indicate that they are terms of art for which there are specific definitions applicable to the District's policies.
3. In the first paragraph, we designate the Technology Director to be responsible not only for the District's network, but also the web services and apps that are utilized to enhance the instructional program and the District's operations. The Technology Director is charged with verifying that such services and apps are appropriately protecting student privacy rights. As such, the Technology Director is responsible for carefully reviewing the Board's contracts/terms of service with the vendors that produce the web services/apps.

AG 7540C - Technology Governance Committee (New)

The substantive changes in this guideline include the following:

1. References to the definition of Technology Resources and Information Resources in Bylaw 0100 are added in the first paragraph.

2. The terms “Technology Resources” and “Information Resources” are capitalized throughout to indicate they are terms of art for which there are specific definitions applicable to the District’s policies.
3. On page 1, we specify the scope of responsibility assigned to the Technology Governance Committee, which includes oversight and guidance in the development and implementation of the District’s Technology Plan.
4. The Technology director is identified as the chairperson of the Technology Governance Committee.
5. The Committee is charged with evaluating new/emerging technologies and software to determine how they can play a role in student achievement and success, as well as the efficient and effective operation of the District. Staff members are required to obtain approval from the Committee before implementing any new/emerging technologies and software applications (this includes web services and apps that will be used with students).Policy 7530.02 – Staff Use of Personal Communication Devices

COMMENTS

Electronic Access to Management Documents

If you are interested in finding out more about NEOLA’s system for producing the District’s policies, guidelines, and forms as well as other documents such as handbooks and negotiated agreements on the Internet, ask your NEOLA representative for a demonstration in your office. All that is required is that you have a computer and access to the Internet.

Reviewing Board Minutes

A feature of your subscription to the Update Service is the review of your District’s Board minutes to identify action that results in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the District will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.