

Series 3000: Operations, Finance, and Property

3100 General Operations

3104 *School Cameras and Monitoring*

The District may monitor any building, facility, property, bus, or vehicle with video recording equipment other than areas where a person has a legally recognized and reasonable expectation of privacy (e.g., restrooms and locker rooms). Except in those areas, a person has no expectation of privacy.

- A. The District will not use video recording equipment that also records audio, except in the following situations:
- an open session Board meeting;
 - a District or District-sponsored athletic event or performance;
 - a graduation ceremony;
 - assigned coursework requiring audio recording capability;
 - school busses; or
 - any other lawful circumstance, if approved by the Superintendent or designee.
- B. The District may use video recordings for any lawful purpose, including student or employee discipline, assisting law enforcement, or investigations.
- C. Audio and video recordings by students are addressed in Policy 5805, and audio or video recordings of parent/guardian and student meetings are addressed in Policy 5806.

Legal authority: 18 USC 2510 et seq.; MCL 750.539a, 750.539c, 750.539d

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3301A Purchasing and Procurement with Federal Funds

This Policy applies to purchases of property and services with federal funds and subject to the Uniform Grant Guidance. All terms in this Policy have the same respective meanings as defined by federal regulation (2 CFR 200.1-99).

A. State Law Requirements Still Apply

Bidding requirements under Policy 3301 and Policy 3306, as applicable, remain enforceable in addition to any requirements in this Policy.

B. Procurement Methods

The District must use 1 of the following procurement methods that includes information sufficient to inform all potential bidders about the District's technical, service, and bid procedure requirements:

1. Purchases up to \$10,000 (micro-purchases)

- a. To the extent District administration determines that the cost of the purchase is reasonable, micro-purchases may be made or awarded without bidding in accordance with this Policy. For purposes of this subsection, "reasonable" means the purchase is comparable to market prices for the geographic area.
- b. To the extent practicable, the District will distribute micro-purchases equitably among qualified suppliers.

2. Purchases between \$10,000 and \$250,000 (small purchase procedures)

The District will use a bidding procedure in Policy 3301 subsection C.1., except that the District may use the bidding procedure in subsection B.1.a, above, for purchases up to the then-current state bid threshold published annually by MDE if the District satisfies the annual certification requirements of 2 CFR 200.320(a)(1)(iv).

3. Purchases over \$250,000

- a. The District must either receive sealed bids through formal advertising or prepare a comprehensive request for proposals and submit it to at least 5 sources.
- b. With either method, the District will perform a price analysis, making an independent estimate of costs before receiving bids.

- C. The District will take affirmative steps to assure that minority-owned businesses, women's business enterprises, and labor surplus area firms are included in bidding opportunities.
 - D. A person may protest the veracity, conformity, or eligibility of a bid. The District will handle bid protests as follows:
 - 1. Within 48 hours of the time bid results are available, the protesting person will submit a written protest to the Superintendent describing in detail the nature of the protest;
 - 2. The Superintendent or designee will review the written protest, and the Superintendent may bring it to the Board's attention in the Superintendent's discretion; and
 - 3. A person's failure to file a protest as described above is an irrevocable waiver of the bid protest.
- Nothing in this Policy reduces or eliminates the District's rights or protections afforded under the law.
- E. The District will retain all bids and formal bid solicitation documents for a period of 6 years after the bid opening date, or longer if required by law.

Legal authority: 2 CFR 200.1 et seq.

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3306 Construction Bidding

The Board will comply with applicable laws and this Policy for the construction of a new school building or an addition to or repair or renovation of an existing school building (a "Construction Project").

A. When Competitive Bidding is Required

1. The District must competitively bid all labor and material for a Construction Project if the project cost exceeds the then-current state bid threshold published annually by MDE (the "Bid Threshold").
2. The District does not need to competitively bid a:
 - Construction Project costing less than the Bid Threshold;
 - contract for repair in emergency situations;
 - repair normally performed by District employees; or
 - professional consultant contract.

B. Bidding Procedure

1. If competitive bidding is required, the District must follow the bidding procedure prescribed by Revised School Code Section 1267 and award contracts to the lowest responsible bidder.
2. To determine whether a bidder is a responsible bidder, the District may consider the factors enumerated in Policy 3301 subsection C.3.b.
3. If competitive bidding is not required, the District may use any lawful means to procure contracts.
4. Each bidder must certify that it is not an Iran-linked business as defined by MCL 129.312.

C. Alternates

1. Bid specifications may require bidders to submit bids with mandatory alternates or allow bidders to submit voluntary alternates; provided, however, that no voluntary alternate may change the nature of the work.
2. The Board, in its discretion, may award bids based on allowable alternates.

D. Michigan Business Preference

For any Construction Project, the District may apply a preference to a Michigan-based business as described in Policy 3301 subsection C.4.

E. Construction Bidding Using State Aid Act Funds

The purchase of property and services made with state aid must comply with the requirements described in Policy 3301 subsection D.

F. Construction Bidding Using Federal Funds

The purchase of property and services made with federal funds subject to the Uniform Grant Guidance are also governed by Policy 3301A.

Legal authority: 2 CFR 200.1, et seq.; MCL 129.311 et seq.; MCL 380.1267; MCL 388.1764c

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3400 School Safety and Security

3406 *Integrated Pest Management*

The District will monitor, manage, and treat pests on District property.

A. Pest Application

1. The Board does not authorize the application of a pesticide on District property unless a written integrated pest management program is in place for that property. The Superintendent or designee will develop, evaluate, and modify site-specific integrated pest management programs in accordance with law.
2. The Board only authorizes the lawful application of a pesticide by a certified or registered applicator who has been properly trained. After the application of a pesticide, a person may only reenter District property in compliance with restrictions identified by the applicator and required by law.
3. A "pesticide" does not include sanitizers, germicides, disinfectants, or antimicrobial agents.

B. Notice

1. Within 30 days after the beginning of each school year, the Superintendent or designee will provide notice to students' parents/guardians that they will receive advance notice of the application of a pesticide.
2. Except in an emergency, the Superintendent or designee will provide at least 48 hours advance notice to students' parents/guardians of the application of a pesticide. In an emergency, the Superintendent or designee will provide notice to students' parents/guardians promptly after a pesticide has been applied.
3. Notices will comply with methods, time frames, and information requirements established by MCL 324.8316.
4. Notices are not required for the application of a pesticide that is a bait or gel formulation.

C. Records

Each building will maintain a copy of its integrated pest management program. Records of pesticide use and other non-pesticide pest management practices will be maintained on site.

Legal authority: MCL 324.8316; Mich Admin Code R 285.637.1 et seq.

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4106 Family and Medical Leave Act (FMLA)

This Policy will be interpreted and applied consistent with the FMLA, as amended, and its regulations. This Policy should not be interpreted to conflict with an applicable collective bargaining agreement where the collective bargaining agreement provides rights or obligations beyond those conferred by FMLA and that are not prohibited by FMLA.

A. Qualifying for FMLA Leave

1. Employee Eligibility

a. To be eligible for FMLA leave, an employee must:

- i. have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave (full-time instructional employees are presumed to meet the 1,250 hour requirement);
- ii. have completed 12 months (cumulative) of work for the District before the commencement of the leave. This includes non-consecutive intervals of employment with the District occurring up to 7 years before the commencement of the FMLA leave; and
- iii. make the request at a time when the District has 50 or more employees at, or within 75 miles of, the worksite.

b. The applicable 12-month period to determine an employee's entitlement to FMLA leave (i.e., the FMLA leave year) is the period from July 1 to June 30.

c. An eligible employee taking FMLA leave to care for a covered service member or veteran with a serious injury or illness is allowed to take up to 26 work weeks of leave in a single 12-month period measured forward from the date the employee first takes leave.

2. Qualifying Events

a. An eligible employee may take FMLA leave, up to a total of 12 work weeks, during any 12-month period for any one or more of the following:

- i. the birth or care of the employee's newborn child;
- ii. the employee's care for a newly adopted child or child placed in the employee's home for foster care;

- iii. to care for a spouse, child (who is younger than age 18, or over 18 but incapable of self-care), a parent (but not parent-in-law), or an individual for whom the employee stands *in loco parentis* who has a serious health condition;
 - iv. the employee's own serious health condition; or
 - v. a qualifying military exigency about an employee, the employee's spouse, child (regardless of age), or parent.
- b. An eligible employee may take up to 26 work weeks of leave during a single 12-month period to care for a covered service member who is receiving medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list for a serious injury or illness. The employee must be the spouse, child, parent (regardless of their child's age), or next of kin of the covered service member. This subsection applies to veterans of the Armed Services who suffered an injury or illness, or aggravated an injury or illness, in the line of duty on active duty if the veteran was a member of the Armed Forces at any time during the 5 years before receiving treatment.

3. Limitations on FMLA Leave

- a. The entitlement to leave for the birth of a child or placement of a child with an employee for the purposes of adoption or foster care expires at the end of the 12-month period beginning on the date of the birth or placement, and these circumstances do not qualify for intermittent or reduced schedule leave.
- b. Concerning spouses who are both employed by the District, and both eligible for FMLA leave, they are limited to a combined total of 12 work weeks of FMLA leave for the birth or placement, or related care, of a child for adoption or foster care with the employees or the care of a parent with a serious health condition. This limitation does not apply to the care of a spouse or child with a serious health condition or to an employee's own serious health condition.
- c. Concerning the entitlement to 26 work weeks of leave to care for a covered service member with a serious illness or injury, the 26 work week allotment may include other reasons for FMLA leave authorized by the Act. But in that allotment, an employee is not entitled to more than 12 work weeks of leave for reasons unrelated to the care for a covered service member with a serious illness or injury.
- d. Concerning spouses who are both employed by the District, and both eligible for FMLA leave to care for a covered service member, they are limited to a combined total of 26 work weeks of leave for all leaves authorized by the Act during the 12-month period commencing with FMLA leave to care for a covered service member. The spouses are subject to

the 12 work week limitation for leave related to the birth or placement, or related care, of a child for adoption or foster care with the employees or the care of a parent with a serious health condition.

B. FMLA Notice

1. An employee must give the District notice of FMLA leave as follows:
 - a. When the need for FMLA leave is foreseeable (e.g., for the birth of a child, placement for adoption or foster care, or planned medical treatment), 30 calendar days' notice is required. If the employee fails to give 30 calendar days' notice with no reasonable excuse, the District reserves the right to deny or to delay the employee's FMLA leave. If the FMLA leave is for planned medical treatment, the employee must make reasonable efforts to schedule treatment so as not to unduly disrupt the District's operations.
 - b. When the need for FMLA leave is unexpected, the employee must provide notice to the District as soon as practicable.
2. For both foreseeable and unexpected leave, employees must comply with District Policies, work rules, collective bargaining agreement provisions, and customary absence reporting procedures. Failure to comply with these requirements may be grounds to delay or deny the employee's FMLA leave request and may result in discipline.
3. Absent extenuating circumstances, within 5 work days after an employee requests FMLA leave or the District has reasonable information that an employee may qualify for FMLA leave, the District will provide to the employee a copy of this Policy and the U.S. Department of Labor's (DOL) "Notice of Eligibility and Rights & Responsibilities" DOL Form WH-381 (as updated).
4. Once the District receives sufficient notice, including any requested medical certification (see below), that an employee's leave qualifies as FMLA leave, the District will, absent extenuating circumstances, within 5 work days, notify the employee in writing whether the leave is designated as FMLA leave using DOL Form WH-382 (as updated).

C. Certification

1. If an employee requests FMLA leave due to the employee's serious health condition or to care for a parent, child, or spouse with a serious health condition, the employee must provide medical certification from a health care provider of the serious health condition involved and, if applicable, verification that the employee is needed to care for the family member and the expected duration of the leave. Employees requesting leave for a qualifying exigency or leave to care for a covered service member with a serious injury or illness must provide the appropriate certification. The District will provide the

employee with the appropriate DOL form applicable to the employee's requested leave.

2. Employees must return the requested certification within 15 calendar days after the request. The District may delay or deny FMLA leave if submission of the certification is not timely.
3. Failure or refusal to provide requested medical certification within 15 calendar days may result in denial of the leave being designated as FMLA leave.
4. If an employee provides an incomplete or insufficient certification, the District will advise the employee, in writing, of the deficiencies and what additional information is needed. An employee must return the requested additional information within 7 calendar days. The District, but not the employee's direct supervisor, may contact an employee's health care provider for clarification or authentication of a certification. The District may not contact the employee's health care provider if a complete and sufficient certification, signed by the health care provider, is submitted.
5. If the District has reason to doubt the medical certification an employee submits, the District may require, at its expense, that the employee obtain a second opinion from a health care provider of the District's choice. If the second opinion differs, the District may require, at its expense, that a third opinion be obtained from a health care provider who is mutually selected by the employee and the District. The third medical certification will be final and binding on both parties. If the employee refuses to be examined by the third health care provider, the employee will be bound by the second opinion. The District may not request a second opinion for leave to care for a covered service member or veteran with a serious injury or illness.

The District may request recertification consistent with FMLA regulations. Recertification will be at the employee's expense.

The District may request recertification in less than 30 calendar days if: an employee requests an extension of FMLA leave; circumstances stated in the prior certification have changed significantly; or the District receives information that casts doubt upon the employee's stated reason for the absence or the certification's validity.

D. Concurrent Leave and Substitution of Paid Leave

FMLA leave provided to employees is unpaid, unless the employee has applicable paid leave. Applicable paid leave (e.g., sick, personal, business, vacation, paid time off, leave under Michigan Paid Medical Leave Act (MPMLA), or workers' compensation) will run concurrently with FMLA leave at the election of either the District or the employee. The ability to use paid leave concurrently with FMLA leave is subject to compliance with the procedures and conditions normally associated with the paid leave. A medical leave of absence covered by workers' compensation runs concurrently with FMLA leave and consistent with

an applicable individual employment contract or collective bargaining agreement. FMLA leave beyond an employee's applicable accrued paid leave is unpaid.

E. Intermittent and Reduced Schedule Leave

1. Eligible employees may take FMLA leave intermittently or on a reduced schedule when leave is taken to care for a family member with a serious health condition, for an employee's own serious health condition, because of a qualifying exigency, or to care for a covered service member or veteran, an eligible employee may take leave intermittently or on a reduced schedule when medically necessary.
2. Intermittent or reduced schedule leave will not result in a reduction in the employee's total amount of leave beyond the amount of leave actually taken. Intermittent and reduced schedule FMLA leave will be accounted for in the shortest increment used to account for leave generally within the employee's classification.

Employees must follow the District's absence reporting procedures when using intermittent leave.

3. When an instructional employee seeks to take intermittent or reduced schedule leave to care for a family member with a serious health condition, to care for a covered service member or veteran, or for the employee's own serious health condition which is foreseeable based on planned medical treatment, and the employee would be on leave for more than 20% of the total number of work days over the leave period, the District may either require the employee to take leave on a full-time basis for the duration of the requested intermittent or reduced schedule leave or temporarily transfer the employee to an alternate position with equivalent pay and benefits.
4. If an eligible employee requests intermittent or reduced schedule leave for a foreseeable medical treatment, including during a period of recovery from a serious health condition, the District may require the employee to transfer temporarily to an available alternate position for which the employee is qualified and which better accommodates recurring periods of leave than the employee's regular position. The alternate position must have equivalent pay and benefits as the employee's regular position.

F. Group Health Plan Benefits

1. Eligible employees are generally entitled to the continuation of District-provided group health plan benefits while on FMLA leave. Group health plan benefits include medical, dental, and optical insurance coverages in which the employee is enrolled at the time that FMLA leave is taken.
2. The District will continue paying its portion, if any, of the employee's group health plan costs and insurance premiums or representative premiums while the employee is on FMLA leave and in accordance with any applicable

collective bargaining or individual employment contract. Any share or portion of the group health plan costs, insurance premiums, or representative premiums paid by the employee before FMLA leave must continue to be paid by the employee during FMLA leave. See DOL Form WH-381. An employee's failure to pay their portion of group health plan costs, insurance premiums, or representative premiums during FMLA leave may result in loss of coverage if the employee's contribution is more than 30 calendar days late. The District will provide the employee with written notice at least 15 calendar days before cancelling the employee's coverage because of a failure to make employee contributions.

3. As addressed in subsection I below, an employee who fails to voluntarily return to work after FMLA leave may be required to repay the District for his/her group health plan benefit costs.

G. Return to Work

1. At the expiration date of an employee's FMLA leave, the employee will be returned to that employee's former position or an equivalent position with the same pay, benefits, and working conditions. An employee taking FMLA leave has no greater right to reinstatement than if the employee had been continuously employed during the FMLA leave period.
2. If an employee was unable to renew a license or certification because of FMLA leave and is no longer qualified for the employee's former position, the District will provide the employee reasonable time, on unpaid status, to fulfill the necessary return to work conditions.
3. Instructional Employees
 - a. "Instructional" employees are those whose principal function is to teach and instruct students in a class, small group, or individual setting.
 - b. If an instructional employee begins FMLA leave more than 5 weeks before the end of a term or semester, the District may require the employee to take FMLA leave until the end of the term or semester if the FMLA leave is to last at least 3 weeks and the employee would return to work during the 3-week period before the end of the term or semester.
 - c. If an instructional employee begins FMLA leave during the 5-week period before the end of a term or semester because of the birth or placement for adoption or foster care of a child, to care for a spouse, child, or parent with a serious health condition, or to care for a covered service member or veteran, the District may require that FMLA leave be taken until the end of the term or semester if the instructional employee would return to work during the 2-week period immediately before the end of the term or semester and the leave is to last more than 2 weeks.

- d. If an instructional employee begins FMLA leave during the 3-week period before the end of a term or semester because of the birth or placement for adoption or foster care of a child, to care for a spouse, child, or parent with a serious health condition, or to care for a covered service member or veteran, the District may require the employee to take FMLA leave until the end of the term or semester, if the leave will last more than five (5) work days.
- e. Any additional FMLA leave required of an instructional employee by the District will not count against the employee's allotment of FMLA leave.

4. Fitness for Duty

The District may require that an employee returning from FMLA leave submit a fitness-for-duty certification from a health care provider which addresses the employee's ability to return to work and perform the essential functions of the employee's position. The District must provide the employee with notice of the requirement to provide a fitness-for-duty certification and the essential functions of the employee's position when the District provides the employee the designation of FMLA leave notice (DOL Form WH-382, as updated). If the employee fails to submit the fitness-for-duty certification in a timely manner, return from FMLA leave may be delayed by the District. The employee may be terminated if he/she fails to submit the fitness-for-duty certification.

- 5. Unless a collective bargaining agreement provides otherwise, an employee on unpaid FMLA leave is not entitled to accrue seniority, employment benefits (other than medical insurance), or any benefit conditioned on length of service or work performed.

H. Denial of Key Employee Restoration

- 1. The District reserves the right to deny restoration to the same or equivalent position to any eligible employee who is a key employee, meaning any employee who is paid a salary and is in the highest paid 10% of employees. The District may deny restoration if necessary to prevent substantial and grievous economic injury to the District's operations. If the District intends to deny restoration to a key employee, it will:
 - a. use DOL Form WH-381, as updated, to notify the employee of their status as a key employee in response to the employee's request for FMLA leave and provide the employee with an explanation of the consequences for the employee if the District determines that substantial and grievous injury will result to its operations if the employee is reinstated after FMLA leave;
 - b. notify the employee, in person or by certified mail, as soon as the District decides it will deny restoration and the reasons for the denial;
 - c. offer the employee a reasonable opportunity to return to work from FMLA leave after giving this notice;

- d. make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee then requests restoration; and
- e. the District must maintain its group health plan cost, contributions, premium, or representative premium contributions for the employee's group health plan benefits for the entire term of the employee's FMLA leave, even after giving the employee notice that restoration will be denied.

I. Failure to Return to Work

1. An employee's unexcused failure to return to work upon expiration of FMLA leave will subject the employee to discharge unless the District grants an extension of leave as required by law or under a collective bargaining agreement, employee handbook, or individual employment contract. An employee who requests an extension of leave due to the continuation, recurrence, or onset of the employee's serious health condition, or the serious health condition of the employee's spouse, child, parent, or covered service member or veteran, must submit to the employee's supervisor a written request for an extension. This written request must be made as soon as possible before the expiration of the employee's FMLA leave. Medical certification or recertification will be required to support any request for leave extension.
2. If an employee is unable to perform the essential functions of the position or an equivalent position at the end of FMLA leave, the District will comply with ADA requirements, as applicable.
3. If an employee fails to return to work after their FMLA leave expires, the employee must reimburse the District for any group health plan costs, contributions, premiums, and representative premiums that the District paid for continuation of the employee's group health benefits coverage during FMLA leave, unless the employee does not return due to: (a) the continuation, recurrence, or onset of the serious health condition which entitled the employee to FMLA leave and the employee provides the District with sufficient certification from the proper health care provider of the continuation, recurrence, or onset of the serious health condition; or (b) other circumstances beyond the employee's control. This provision does not apply to any group health plan cost, insurance premium, or representative premium contributions made by the District for periods during which the employee used paid leave concurrently with FMLA leave.

J. Recordkeeping

1. The District will maintain the following records related to FMLA requests and use:
 - a. basic payroll information;

- b. dates (or hours) during which eligible employees take FMLA leave;
 - c. copies of all notices, requests, and other documents related to FMLA leave;
 - d. copies of documents evidencing group health plan cost contributions, insurance premium, and representative premium payments made by the District on behalf of an eligible employee on FMLA leave; and
 - e. documents related to disputes about eligibility or designation of FMLA leave.
2. Medical certifications and other medical documentation related to FMLA leave will be maintained in a separate, confidential file from an employee's personnel file. See Policy 4224.

K. Notice to Employees

The District will post the appropriate notice of rights poster in a location easily seen by employees and include a general notice of employee FMLA rights in applicable employee handbooks or by providing employees notice at their time of hire.

Legal authority: 29 USC 2601 et seq.; 29 CFR 825.100 et seq.

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4110 Reimbursement

The District may reimburse an employee for actual, necessary, and reasonable expenses incurred in the performance of official or appropriately authorized duties. As a condition to reimbursement, the District may require pre-approval of an expense.

Subject to prior written approval of the Superintendent or designee, an employee may attend workshops, conferences, trainings, programs, official functions, hearings, and meetings that assist in work performance and are in the District's best interests.

Reimbursement may include expenses for registration, tuition, fees, charges, travel expenses, meals (except alcohol), lodging, or other related expenses as the Superintendent or designee deems appropriate and as permitted by law.

This Policy will not be construed in a manner that restricts reimbursement provisions in any applicable collective bargaining agreement, individual employment contract, or employee handbook.

Legal authority: MCL 380.11a(3), 380.1254(1), 380.1804

Date adopted:

Date revised:

Series 4000: District Employment

4100 Employee Rights and Responsibilities

4111 Professional Development

A. General

For purposes of this Policy, "day" is defined as at least 6 hours and "year" is defined as July 1 to June 30.

B. Teachers

The District provides professional development for teachers in compliance with state law. At the District's discretion and consistent with state law, professional development hours may be counted as student instructional hours, although the instructional calendar may be extended if necessary for the District to receive full state aid under federal or state law. To facilitate professional development, the District may provide a substitute, reimburse conference expenses or registration fees, or provide release time for attendance. Professional development may include working in professional learning communities or examining student data.

The District must document the following information:

- dates when professional development was provided;
- beginning and ending times; and
- topic(s) presented to participating teachers on each date.

The Superintendent or designee has the discretion to select topics for professional development. For each day that professional development is provided, the District must retain at least one of the following:

- sign-in/out sheet;
- attendance log;
- flyer/notices announcing the event;
- agenda/meeting minutes;
- travel voucher(s);
- food receipt(s); or
- District calendar (dates indicated).

The District will record teacher attendance, including probationary teachers, at professional development on the prescribed form published by MDE or a modified form designed to assist teachers with tracking their professional development for teacher certification renewal.

In addition to the State-mandated professional development, the District is required by state law to provide 15 days of professional development to new teachers in their first 3 years of classroom teaching. Professional development should, where appropriate, align with the teacher's individual development plan.

C. Professional Staff

Professional staff are to participate in professional development as required under state law or the respective professional standards consistent with the professional's position. Professional development may be on a local, state, or national level. Superintendent or designee pre-approval is required before attending professional development.

D. Maintaining Certifications and Licenses

Teachers, Non-Teaching Professionals, Administrators, and the Superintendent must comply with professional development or continuing education obligations to maintain certifications or licenses, including the payment of any related fees. The District is not obligated to notify professionals that certifications or licenses are expiring.

E. Other Employees

The District may offer in-services or training on a mandatory or voluntary basis to other employees. If a training is mandated, employees will be paid and, if applicable, released for that time. If the District employs bus drivers, bus drivers will be paid for training time to keep a commercial driver's license (CDL) current.

Legal authority: MCL 257.312e, 257.1801 et seq.; MCL 380.1231, 380.1233, 380.1233a, 380.1233b, 380.1233c, 380.1246, 380.1526, 380.1527, 380.1531, 380.1536; MCL 388.1674, 388.1763

Date adopted:

Dated revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4201 Employee Ethics and Standards

Employees must act professionally and model high standards of behavior at all times. Employees shall perform their respective duties and responsibilities in a professional manner, using appropriate judgment. Employees must maintain a standard of behavior that reflects positively on their status as District representatives in the community and is consistent with the Michigan Code of Educational Ethics, which is incorporated herein by reference. See:

https://www.michigan.gov/documents/mde/Code_of_Ethics_653130_7.pdf

If an employee is uncertain as to a potential course of conduct, the employee should seek advice from a supervisor before proceeding.

A. Employee Ethical Conduct

Employees must exercise objectively sound and professional judgment when engaging with students, parents/guardians, colleagues, administrators, Board members, and community members. This standard extends to employee conduct on and off school property. Ethical behavior generally includes, but is not limited to:

1. supporting the physical and emotional welfare and safety of students, parents/guardians, colleagues, administrators, Board members, and community members;
2. complying with federal and state law;
3. competently and appropriately performing duties and responsibilities for which the employee is trained or assigned;
4. assigning tasks to District personnel who are qualified and hired to perform the assigned task;
5. refraining from unlawful discrimination, including unlawful harassment, and retaliation as defined by Policy;
6. immediately reporting suspected child abuse or neglect;
7. maintaining confidential information, including student, medical, personnel, financial, and security information, as protected by statute;
8. appropriately using District funds, resources, and technology;
9. maintaining consistent and reliable work attendance, unless excused by the employee's supervisor or the Superintendent or designee, as applicable;

10. engaging in activities or behaviors that enhance the operational and instructional environment;
11. professionally communicating with students, parents/guardians, colleagues, Board members, and community members, including through electronic means;
12. Completing time and effort reporting under 4201-AG.
13. abiding by professional, ethical, and licensing standards established by relevant governmental agencies, professional licensing boards, and professional associations, including the Michigan State Board of Education; and
14. self-reporting a criminal charge and plea or conviction, as required by law.

B. Conflict of Interest

Employees shall perform their duties and responsibilities free from a prohibited conflict of interest, unless authorized by the Board or designee. Prohibited conflicts of interest include, but are not limited to:

1. soliciting or accepting anything of value (such as a gift, loan, contribution, or reward), other than compensation received from the District in exchange for services provided to the District, that would influence the employee's judgment when performing the employee's duties;
2. using public funds to purchase alcoholic beverages, jewelry, gifts, fees for golf, or any item the purchase of which is illegal, except as consistent with and permitted by Policy 3205 and Revised School Code Section 1814;
3. using or authorizing the use of the employee's public employment or any confidential information received through public employment to obtain personal, professional, political, or financial gain other than compensation received from the District in exchange for services provided to the District for the employee or a member of the employee's immediate family, or a business with which the employee is associated;
4. using or authorizing the use of District personnel, resources, property, or funds under the employee's care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or using those items for personal, professional, political, or financial gain;
5. providing private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration, except as permitted by Policy 4214;
6. engaging in any activity of a sexual or romantic nature with another employee(s) or contractor(s) that the employee supervises, unless the individuals are engaged to be married, married, or cohabitating;

7. engaging in any activity of a sexual or romantic nature on school property or at school-sponsored events;
8. directly or indirectly supervising, making, or contributing to an employment decision pertaining to a relative or significant other, or relative of a relative or significant other (as defined by Policy 4213); and
9. engaging in any other activity that promotes an employee's financial and pecuniary interests over those of the District.

C. Student Fraternalization

Employees must establish and maintain professional boundaries with students, including while using personal or District technology. Employees are prohibited from direct or indirect interactions with students that do not reasonably relate to an educational purpose. Employees will behave at all times in a manner supportive of the best interests of students and the District.

Conduct identified below constitutes unprofessional conduct, subjecting the employee to discipline, including discharge, absent express Board or designee authorization. The following list illustrates prohibited behavior involving students but does not describe every kind of prohibited behavior:

1. communicating about alcohol use, drug use, or sexual activity when the discussion is not appropriately related to a specific aspect of the curriculum or the employee's duties;
2. providing drugs, alcohol, tobacco, e-cigarettes, or other items students cannot possess under the District's Student Code of Conduct;
3. commenting about matters involving sex, using double entendre, or making sexually suggestive remarks with no appropriate educational purpose;
4. displaying sexually inappropriate images, materials, or objects;
5. offering or soliciting sexual advice, whether written, verbal, or physical;
6. engaging in any activity of a sexual or romantic nature, including following graduation where the relationship arises out of an employee-student relationship;
7. inappropriate kissing;
8. inappropriately intruding on a student's personal space, such as by touching unnecessarily, moving too close, or staring at a portion of the student's body;
9. communicating directly or indirectly (e.g., by phone, email, text messaging, or social media) on a matter that does not pertain to school

unless the employee obtained prior parental consent. Electronic communications with students generally are to be sent simultaneously to multiple recipients and not just to one student except when the communication is clearly school related and inappropriate for persons other than the individual student to receive (e.g., grades);

10. permitting a specific student to engage in conduct that is not permitted or tolerated from other students;
11. inappropriately discussing with a student the student's personal issues or problems that should normally be discussed with a parent/guardian or counselor unless the employee is the student's family member;
12. inappropriately giving a student a personal gift;
13. allowing a student to live in the employee's residence-unless the student is the employee's family member, a foreign exchange student placed with the employee, or if the employee serves as the student's foster parent or legal guardian;
14. giving a student a ride in the employee's vehicle without appropriate authorization by superintendent or designee; authorization must include an additional employee to accompany the driver in the front seat and student in second row or back seat.
15. taking a student on an activity outside of school without first obtaining the express permission of the student's parent/guardian and a District administrator;
16. inviting a student to the employee's home or residence without first obtaining the express permission of the student's parent/guardian;
17. going to a student's home when the student's parent/guardian or an adult chaperone is not present unless the employee is the student's family member; or
18. engaging in any other conduct which undermines the special position of trust and authority between a District employee and a student.

Employees suspecting child abuse or neglect must: (a) immediately contact Children's Protective Services (CPS), (b) file an appropriate report with that agency as required by the Child Protection Law and Policy 4202, and (c) notify the Superintendent or designee and the building principal or supervisor that the report has been filed.

Legal authority: MCL 380.11a, 380.601a, 380.634, 380.1308a, 380.1814; MCL 722.621 et seq.

Date adopted:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4203 Corporal Punishment and Limited Use of Reasonable Force

A. Definition

“Corporal punishment” is defined as the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline. Corporal punishment does not include physical pain caused by reasonable physical activity associated with athletic training.

B. Prohibition

Employees will not inflict, or cause to be inflicted, corporal punishment upon any student under any circumstances. Any employee who engages in corporal punishment against a student will be subject to discipline, including discharge. An administrator or supervisor will report the employee to CPS consistent with Policy 4202.

C. Alternatives to Corporal Punishment

The Board has reviewed and approved the administration’s list of alternatives to the use of corporal punishment. District administrators will distribute the list of alternatives to employees, volunteers, and contractors. See 4203-AG.

District employees must implement alternatives to corporal punishment. An employee may request assistance from other employees or administration when addressing student conduct.

D. Limited Use of Reasonable Force

Employees may use reasonable physical force upon a student as necessary to maintain order and control in a school or school-related setting for the purpose of providing an environment conducive to safety and learning. Use of reasonable force is permitted under any of the following circumstances:

1. to remove a student whose behavior is interfering with the orderly exercise and performance of school functions within a school or at a school-related activity, if that student has refused to comply with a request to refrain from further disruptive acts;
2. for self-defense or the defense of another;
3. to prevent a student from inflicting self-harm;
4. to quell a disturbance that threatens physical injury to any person;
5. to obtain possession of a weapon or other dangerous object upon, or within the control of, a student; or

6. to protect property.

Use of reasonable force upon a student must not, in light of all known factors, be excessive, unnecessary, or take place for a longer duration than is necessary to address the circumstance justifying the use of reasonable force.

E. Training

The District may provide training to employees on the use of reasonable force and physical intervention techniques. If the District has provided that training to an employee, the employee must comply with that training.

F. Seclusion and Restraint

Employees must comply with Policy 5211 on Seclusion and Restraint of students and federal and state law. An employee's illegal use of seclusion or restraint may result in discipline, including discharge.

Legal authority: MCL 380.1307, 380.1307a-h, 380.1312

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4204 Confidentiality of Student Information

Employees must maintain and protect the confidentiality of student information and student education records (as defined in Policy 5309) and recognize parent/guardian rights to student information about their minor child(ren).

Employees must not disclose to third parties confidential student information or records, medical information, performance records, or behavior records unless appropriately authorized. This Policy prohibits disclosure to employees who do not have a legitimate educational interest in the student record.

Disclosure is appropriately authorized with a written release from the parent/guardian or student 18 years or older in accordance with the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), implementing regulations, and state law.

Employees who receive a subpoena seeking disclosure of student records or other confidential information must immediately notify the Superintendent or designee. Employees must not speak with an attorney who does not represent the District about a student without approval from the Superintendent or designee.

Legal authority: 20 USC 1232g, 1415(b); 34 CFR 99; MCL 380.1136; MCL 600.2165

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4205 *Hiring and Background Checks*

The District is committed to prohibiting unlawful discrimination in its hiring practices consistent with Policy 4101. Hiring decisions are based on qualifications, skills, knowledge, abilities, education, certifications/licenses, experience, demeanor, and other criteria the Board may deem relevant. In making hiring decisions, the Board or designee will consider enrollment, operational requirements, financial needs, and the District's best interests.

A. Advertising and Posting

Vacancies may be posted on a designated website or other location and distributed to appropriate employee groups or relevant professional associations. The posting may outline general duties, qualifications, pay range, work experience, and hours. Vacancies may be posted for at least 10 calendar days unless a different time period is specified in a collective bargaining agreement. Applications must be submitted to the central office unless otherwise designated. The District may establish an online application process. Postings will comply with applicable collective bargaining agreements.

B. Hiring

The Board will determine the hiring process for the Superintendent. For all other positions, the Superintendent or designee will determine the process to consider and interview qualified applicants. The Superintendent or designee is authorized to hire non-exempt staff, temporary, and substitute employees. Teachers and administrators that the Superintendent or designee recommends for hire are subject to Board approval.

The District will not consider an applicant for employment unless the applicant provides the District with the following:

1. written consent for the criminal records division of the Michigan State Police to conduct the criminal history check required by Revised School Code Section 1230 and the criminal records check required by Revised School Code Section 1230a;
2. a signed statement that complies with Revised School Code Section 1230b(1); and
3. other required application materials.

Falsification or misrepresentation of credentials, qualifications, references, or application materials will be grounds for disqualification or discipline, including discharge.

C. Background Checks for Employees, Contractors, and Volunteers

1. The District will conduct a background check on a selected applicant before an offer of employment or before a person is assigned to regularly and continuously work under contract in any of its schools. The Superintendent or designee will receive and review the results of the background check before the District employs or allows the person to regularly and continuously work under contract in any of its schools, unless otherwise permitted by law.
2. "Regularly and continuously work under contract" means any of the following:
 - a. to work at school on a more than intermittent or sporadic basis as an owner or employee of an entity that has a contract with the District to provide food, custodial, transportation, counseling, or administrative services or to provide instructional services to pupils or related and auxiliary services to special education pupils;
 - b. to work at school on a more than intermittent or sporadic basis as a person under a contract with the District to provide food, custodial, transportation, counseling, or administrative services, or to provide instructional services to pupils or related and auxiliary services to special education pupils.
3. "School" means in a classroom, elsewhere on District property, or on a school bus or other school-related vehicle.
4. The background check will include:
 - a. a criminal history check pursuant to Revised School Code Section 1230;
 - b. a criminal records check pursuant to Revised School Code Section 1230a;
 - c. an unprofessional conduct check pursuant to Revised School Code Section 1230b; and
 - d. if a certification is required for the position, such as a teaching certificate or administrator certificate, District verification that the person's certification is valid.

The background check may include any other matters the District deems relevant, such as verifying references, school transcripts, and prior employment, as may be permitted by law.

If the criminal history check report, criminal records check report, or any other report discloses that the person has been convicted of a listed offense as defined in MCL 28.722, and the District verifies the conviction using public records, the District must not employ the person or allow the person to regularly and continuously work under contract in any of its schools. If any of the reports disclose that the person was convicted of a felony as defined in MCL 761.1, and the felony is not a listed offense, and the District verifies the

conviction using public records, the District must not employ the person or allow the person to regularly and continuously work under contract in any of its schools unless the Superintendent and the Board each specifically approve the employment or assignment in writing.

Employment offers are contingent on the Superintendent's or designee's review of the background check results.

All the information the District obtains via the criminal history check report, criminal records check report, or any other report that discloses that the person has been convicted of a listed offense will be maintained pursuant to 4205-AG-1.

5. Confidentiality

All the information the District obtains via the criminal history check report, criminal records check report, or any other report that discloses that the person has been convicted of a listed offense are to be considered confidential and will not be released except pursuant to 4205-AG-1(C)(5). Violation of confidentiality is a misdemeanor punishable by a fine up to \$10,000.

Notification from the Michigan Department of Education or Michigan State Police about a District employee's criminal conviction is exempt from FOIA for the first fifteen (15) days until the information is verified. Once verified, only information regarding physical or sexual abuse may be released. The employee may release the information with written authorization.

D. Other Post-Offer Considerations

The District will not make disability-related medical inquiries or inquire about an applicant's disability-related requested accommodation(s) until after a conditional job offer is made, consistent with Policy 4105. Based on the physical and mental demands of a position, an examination and/or drug test may be required following a conditional offer of employment. The examination will be performed by a health care provider identified by the Superintendent or designee at the District's expense.

Legal authority: MCL 28.722; MCL 380.1230, 380.1230a, 380.1230b; MCL 761.1

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4206 Employment Contracts

Professional Staff, Administrators/Supervisors, and the Superintendent, as defined in Policies 4401, 4501, and 4601, will be employed pursuant to an individual employment contract and any applicable collective bargaining agreement. Non-Exempt Staff, as defined in Policy 4301, will be employed at-will unless an applicable collective bargaining agreement or individual employment contract specifies another standard of employment security.

Employment contracts will comply with applicable laws and regulations. The Board President, Superintendent or designee, as applicable, should consult with Board legal counsel about contract terms and requirements to ensure compliance with state and federal law.

A. Authority

The Board President is authorized to execute the Superintendent's contract on behalf of the Board upon Board approval of the contract. Teacher contracts must be approved by the Board and signed on behalf of the District by a majority of the Board, the Board President and Secretary, or the Superintendent or designee. The Superintendent is authorized to execute employment contracts for Non-Exempt Staff and temporary and substitute employees on the Board's behalf or upon Board approval, where necessary.

B. General Requirements

Individual employment contracts required or permitted under this Policy may contain at least the following, as applicable to the category of employment:

1. employee name;
2. term of employment;
3. annual salary or hourly rate;
4. merit pay and annual evaluation for teachers and required administrator;
5. job title;
6. number of work days and general hours of work;
7. certification and licensing requirements;
8. benefits (health insurance, leave time, etc.);
9. reduction in force and recall;

10. discipline, discharge, and transfer during the contract term;
11. a provision prohibiting an Administrator from engaging in conduct involving moral turpitude and a provision allowing the Board to void the contract if the Administrator violates the moral turpitude provision;
12. date and employee signature;
13. date and signature of authorized District representative; and
14. other terms as necessary to serve the District's interests or that are legally required.

C. Specific Requirements

Professional Staff, Administrator, and Superintendent contracts must comply with the following, as applicable:

1. Superintendent

The contract term will not exceed 5 years, as required by Revised School Code Section 1229.

2. Administrators

For Administrators subject to Revised School Code Section 1229, the contract term will not exceed 3 years and the contract will automatically terminate if the Administrator does not hold the required certification. The Administrator will not have tenure in the administrative position.

The Superintendent or designee will ensure that Administrator contracts are consistent with any applicable collective bargaining agreement. The term "Administrator" includes instructional Supervisors and Directors.

3. Non-Instructional Supervisors or Directors or exempt staff

Unless otherwise required by law, Non-Instructional Supervisors or Directors or exempt staff are not required to hold an Administrator certificate and will be employed at will.

4. Professional Staff

The Superintendent or designee will ensure that all Professional Staff contracts are consistent with any applicable collective bargaining agreement. Individual teacher contracts will comply with Revised School Code Section 1231. If a teacher seeks appointment to an extracurricular position, the District may enter into a separate written contract for the extracurricular position.

D. Collective Bargaining Agreements

The Board, with the Superintendent or designee, will determine who will represent the Board in labor negotiations. The designated negotiator(s) may sign tentative agreements during bargaining; however, the final agreement is subject to ratification by the Board. Collective bargaining agreements may be reviewed by legal counsel before bargaining begins.

Legal authority: MCL 380.11a(3), 380.601a(1), 380.623(1)(b), 380.634, 380.1229, 380.1231, 380.1246

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4208 *Applicant and Employee Criminal Arrest, Charge, Conviction*

A. Criminal Charge

If an applicant or employee is charged with any felony or crime listed in Revised School Code Section 1535a(1) or 1539b(1), or a substantially similar crime in another jurisdiction, the person must report to MDE and to the Superintendent that the person has been charged with that crime. The person will abide by all reporting requirements in Revised School Code Section 1230d. The reports to MDE and the Superintendent must be made within 3 business days after being charged with the crime. Failure to appropriately report will result in a referral to law enforcement and possible discipline, including discharge.

B. Tenured Teacher Salary Pending Criminal Charge

If criminal charges are pending against a tenured teacher, the Board may act to: (a) suspend the teacher from active performance of duty; (b) proceed on tenure charges filed against the teacher; and (c) place the teacher's salary in an escrow account. Health or life insurance benefits, or both, may be discontinued during the suspension at the Board's option.

Before placing a tenured teacher's salary in an escrow account, the Board must provide the teacher with: (a) notice of tenure charges; (b) an explanation of the District's evidence; and (c) an opportunity to respond to the charges, either in writing or in person.

If an administrative law judge issues a preliminary decision and order to reinstate the teacher or for payment of salary lost by the teacher during the suspension, the Board will release the money in the escrow account to the teacher.

C. Employee Criminal Convictions

An employee convicted of a "listed offense," as defined in MCL 28.722, whether a felony or misdemeanor, will be discharged after appropriate due process. An employee convicted of a felony that is not a listed offense may only continue employment with the written approval of the Superintendent and the Board. An employee convicted of a misdemeanor that is not a listed offense may be discharged, in the Board's discretion, consistent with law and the applicable collective bargaining agreement or individual employment contract.

D. Tenured Teacher Salary Upon Criminal Conviction

If a teacher is convicted of a felony that is not a listed offense or a misdemeanor that is a listed offense, the Board may discontinue the teacher's salary effective on the conviction date. If the teacher is convicted of a felony that is a listed

offense, the Board will discontinue the teacher's salary effective on the conviction date.

- E. This Policy does not limit the Board's or designee's discretion to proceed with employee discipline, including discharge, before completion of any criminal proceedings.

Legal authority: MCL 38.103; MCL 380.1230, 380.1230a, 380.1230d, 380.1230g, 380.1535a(1), 380.1539b(1)

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4211 Alcohol and Controlled Substances for Transportation Employees Subject to the Omnibus Transportation Employee Testing Act

A. General

Employees subject to the Omnibus Transportation Employee Testing Act, as amended (OTETA), must be mentally and physically alert at all times while on duty. This Policy establishes an alcohol and controlled substances testing program for such District employees (both regular and substitute) who perform safety-sensitive functions as mandated by OTETA.

The Superintendent or designee will comply with OTETA and implement an alcohol and controlled substances testing program consistent with OTETA.

B. Definitions

1. "Controlled Substance" means any drug or substance, the possession or use of which is prohibited under federal or state law, or any drug that is being used illegally (e.g., a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity). For purposes of this Policy, marijuana is a Controlled Substance.
2. "Covered Employee" means an employee (including a substitute) who operates or maintains a commercial motor vehicle in interstate or intrastate commerce and is subject to the commercial driver's license requirements.
3. "Illegal Drug" means any drug or substance, including marijuana, the possession or use of which is unlawful pursuant to federal or state law or local ordinance.
4. "Safety-Sensitive Function" means all tasks associated with the operation or maintenance of District vehicles.
5. "While on Duty" means the time from which the Covered Employee begins to work or is required to be in readiness for work until the time the Covered Employee is relieved from work and all responsibility for performing work.

C. Standards of Conduct

Compliance with conduct standards set forth in Policy 4210, as well as with this Policy's testing procedures, is mandatory. Disciplinary sanctions, including discharge, may be imposed on a Covered Employee for violating this Policy.

Failure to comply with testing procedures by a Covered Employee includes:

1. refusing to take a test, failing to appear to take a test, failing to provide a specimen or a sufficient specimen (absent adequate medical justification),

failure to remain at the testing site until completion of the testing process, or failure to sign a test consent form;

2. failure to cooperate in the testing process;
3. in the case of direct observation or monitored collection of a Controlled Substances test, failure to permit observation or monitoring of the Covered Employee's provision of a specimen; or
4. engaging in evasive testing actions intended to compromise the validity of the test results, including switching, substituting, adulterating, or otherwise compromising test samples.

D. Authorized Use of Prescription and Over-the-Counter Medication

A Covered Employee using a prescription that has been prescribed for the Covered Employee by a health care provider or an over-the-counter medication is responsible for being aware of any potential effects the medication may have on their ability to safely perform their duties.

E. Consequences for Violating Standards of Conduct

After determining that a Covered Employee violated 1 or more of the conduct standards for alcohol or Controlled Substances, the Covered Employee will be:

1. immediately removed from any duty which involves the performance of a Safety-Sensitive Function; and
2. subject to discipline, including discharge.

F. Voluntary Requests for Alcohol or Substance Abuse Evaluation, Counseling, or Treatment

A Covered Employee who voluntarily requests to participate in alcohol or substance abuse evaluation, counseling, or treatment through the District before being tested or being requested to be tested will be referred to a substance abuse professional to determine what assistance, if any, the Covered Employee needs in resolving problems associated with alcohol misuse or Controlled Substance use.

A request for evaluation, counseling, or treatment following the performance of a Safety-Sensitive Function will not preclude discipline for substantiated misconduct or other inappropriate behavior. The District will not impose a disciplinary sanction under this Policy solely because a Covered Employee has made a voluntary admission of alcohol or Controlled Substance abuse, consistent with the Policy.

The District will allow a Covered Employee who has self-identified as an abuser of alcohol or another substance sufficient opportunity to seek evaluation and treatment.

Where a Covered Employee has self-identified, the District will require that employee to undergo return-to-duty testing for alcohol and Controlled Substances and may also require follow-up testing.

The District is not required to pay for voluntary evaluation, counseling, or treatment; or to pay an employee for time spent in a voluntary evaluation, counseling, or treatment program.

G. Testing for Alcohol or Controlled Substances

Alcohol or Controlled Substances testing will be administered as follows:

1. Pre-Employment/Pre-Duty Testing

Before employment or the first time a Covered Employee performs a Safety-Sensitive Function, he/she must receive from a medical review officer a test result verified as negative. If a pre-employment test is positive or the pre-employment alcohol test result indicates a blood alcohol concentration of 0.02 or greater, the applicant will not be hired.

2. Post-Accident Testing

As soon as practicable following an accident, but no later than 8 hours (alcohol test) or 32 hours (controlled substances test), testing will be conducted on each Covered Employee involved in the accident if the accident resulted in loss of human life or a citation was issued for a moving traffic violation arising from the accident. A Covered Employee who is subject to post-accident testing must remain readily available for testing or, if not available, will be deemed to have refused to submit to testing.

3. Return-to-Duty Testing

A Covered Employee may be required to undergo testing with a verified negative result before returning to duty in compliance with OTETA.

4. Follow-Up Testing

A Covered Employee identified by a substance abuse professional as needing assistance associated with alcohol misuse or use of a controlled substance, and who has returned to duty involving the performance of a safety-sensitive function, is subject to unannounced testing (consisting of at least 6 tests) over the first 12 months after the Covered Employee's return to duty as directed by a substance abuse professional.

5. Reasonable Suspicion Testing

A Covered Employee will undergo testing as a result of reasonable suspicion that the Covered Employee has violated the conduct standards for alcohol or Controlled Substances based on specific, contemporaneous, articulable observations about the appearance, behavior, speech, or body odors of the

Covered Employee while, just before, or just after performing a Safety-Sensitive Function.

The supervisor or person who made the reasonable suspicion determination shall not conduct the test on the Covered Employee.

A written record of the observations leading to a reasonable suspicion test must be made and signed by the supervisor or person who made the observations. This record must be made within 24 hours after the observed behavior or before the results of the test are released, whichever is earlier.

6. Random Testing

Each year, random testing will be used at the rate of 20% (alcohol) and 50% (controlled substances) of the average number of active Covered Employees subject to testing.

H. Recordkeeping

The District will maintain a Covered Employee's alcohol or controlled substance testing records and results separate from the employee's personnel file in a secure location with restricted access. Record retention will be for periods and in a manner required by applicable federal regulation.

I. Confidentiality

Except as expressly authorized by law or regulation, neither the District nor any person or agency contracting with the District for alcohol or controlled substance testing services will release information about a Covered Employee's test results without the Covered Employee's written consent.

J. Dissemination

The Superintendent or designee is responsible for distributing this Policy and other educational materials pertinent to federal regulations to all Covered Employees. These materials will include:

1. the categories and classifications of District employees who are Covered Employees subject to this Policy;
2. the identity of those persons designated by the District to answer questions about this Policy and applicable regulations;
3. information about the Safety-Sensitive Functions performed by Covered Employees to make clear what period of the work day the employee must be in compliance with this Policy and applicable regulations;
4. specific information about conduct prohibited by the Policy and applicable regulations;

5. identification of the circumstances under which a Covered Employee will be tested for alcohol and/or Controlled Substances;
6. identification of the procedures that will be used to test for alcohol and Controlled Substances, to protect a Covered Employee, to safeguard the validity of test results, and to ensure that those results are attributed to the correct employee, including post-accident information and procedures;
7. a requirement that Covered Employees submit to alcohol and Controlled Substances testing, together with an explanation of what constitutes a refusal to submit to alcohol or Controlled Substances testing and the attendant consequences to the Covered Employee;
8. identification of the consequences for a Covered Employee's violation of this Policy, including removal from performing safety sensitive functions;
9. identification of the consequences for a Covered Employee found to have an alcohol concentration of .02 or greater but less than .04;
10. information about the effects of alcohol and Controlled Substances use on a person's health, including signs and symptoms of alcohol or Controlled Substances abuse and available methods of intervention;
11. the requirement that identified personal information collected and maintained by the District to implement this Policy and applicable regulations will be reported as required by law; and
12. information about additional District Policies (including Policy 4210) on the possession and use of alcohol and Controlled Substances, including the consequences for violation of those Policies. The information will indicate that additional Policies are based upon the District's authority independent of federal regulations requiring alcohol and Controlled Substances testing of Covered Employees.

The Superintendent or designee shall ensure that each Covered Employee signs a statement certifying receipt of this Policy and the above materials.

Legal Authority: 49 USC 31301 et seq., and its promulgated regulations; MCL 257.1849; MCL 380.11a, 380.601a

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4212 Employee Assistance Program

The District may require an employee with performance difficulties due to substance abuse, as a condition of continued employment, to receive confidential assistance for a wide range of personal and work-related concerns. Assistance may include participation in a substance abuse assistance or rehabilitation program (Program) consistent with approved leave time, an individual employment contract, Policy, and applicable collective bargaining agreements.

The employee's health benefits plan may cover the cost of enrolling the employee in the Program. If the employee's health benefits plan does not cover the cost, the District will not be responsible for the cost to the extent permitted by law.

Seeking assistance or rehabilitation does not affect the District's authority to implement discipline, including discharge, for inappropriate conduct.

Legal authority: MCL 380.11a(3), 380.601a

Date adopted:

Date revised:

Series 4000: District Employment

4200 Employee Conduct and Ethics

4213 *Anti-Nepotism*

A. General

Employment decisions motivated by nepotism, as defined below, are prohibited to avoid conflicts of interest, favoritism, and lost productivity. Employment decisions will be based on qualifications, experience, and other legitimate business reasons. This Policy applies to all categories of employment including regular, temporary, and part-time classifications.

B. Definitions

1. "Nepotism" means favoritism in the workplace based on a relationship with a relative or significant other.
2. "Relative" means a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, niece, nephew, or corresponding in-law, step, or adopted relative.
3. "Significant others" means (1) persons engaged to be married, (2) persons involved in a romantic or personal relationship, or (3) persons who are cohabitating.

C. Employment Decisions

The District may employ relatives and significant others in the absence of nepotism. In making employment decisions, including hiring, placement, supervision, directing work, promoting, compensating, evaluating, and disciplining employees who are a relative or significant other, an employee should:

1. disclose the existence of any relationships subject to this Policy to the Superintendent or designee;
2. avoid conflicts of interest, as defined in Policy 4201, and any appearance of a conflict of interest; and
3. avoid favoritism and any appearance of favoritism.

An employee's relative or significant other should not be hired to work in any position in which the Board or designee concludes a conflict of interest or the appearance of a conflict of interest may exist. Relatives and significant others are permitted to work at the District provided one does not report directly to, supervise, evaluate, or manage the other. The Superintendent or designee, or the Board, as applicable, may make exceptions to this Policy.

Supervisors and subordinates who become relatives or significant others while employed may be subject to transfer, reassignment, or other action based on the need for compliance with this Policy.

Legal authority: MCL 380.11a, 380.601a

Date adopted:

Date revised:

Series 4000: District Employment

4300 Non-Exempt Staff

4306 Assignment and Transfer

The Board authorizes the Superintendent or designee to assign and transfer Non-Exempt Staff to meet identified District needs, including curricular, fiscal, personnel management, or other operating reasons. The Superintendent's or designee's authority includes assignment, transfer, and the addition or removal of Non-Exempt Staff member's duties and responsibilities. In exercising authority pursuant to this Policy, the Superintendent or designee will comply with the applicable collective bargaining agreement or individual employment contract.

Legal authority: MCL 380.11a(3), 380.601a

Date adopted:

Date revised:

Series 4000: District Employment

4300 Non-Exempt Staff

4309 *Discipline and Termination*

A. Discipline

The Superintendent or designee may discipline non-exempt staff for behavior warranting discipline, as determined by the Superintendent or designee, provided the discipline is not for an unlawful reason. Off-duty conduct may result in discipline if it adversely affects the District and is not a legally protected activity. Before discipline is imposed, the Non-Exempt Staff member will be provided notice of the alleged inappropriate behavior and an opportunity to respond to the allegations.

A Non-Exempt Staff member governed by a collective bargaining agreement or individual employment contract will be disciplined consistent with the procedures and standards specified within that agreement.

A Non-Exempt Staff member who reasonably believes an investigatory interview may result in discipline may bring a representative consistent with Policy 4108.

The Superintendent or designee will record discipline in writing, if warranted. Written discipline will be placed in the Non-Exempt Staff member's personnel file. The Non-Exempt Staff member may submit a written rebuttal letter consistent with Policy 4224.

Consistent with Revised School Code Section 1230b, unprofessional conduct will not be suppressed or removed from a personnel file.

B. Termination

A Non-Exempt Staff member is employed at-will and subject to discharge by the Superintendent or designee, with or without cause, provided the discharge is not for an unlawful purpose, unless a collective bargaining agreement, individual employment contract, law, policy, or handbook provides otherwise.

Legal authority: MCL 380.1230b(6); MCL 423.501 et seq.; *NLRB v J. Weingarten, Inc.*, 420 US 251 (1975)

Date adopted:

Date revised:

Series 4000: District Employment

4600 The Superintendent

4603 Performance Evaluation

Performance evaluations for the Superintendent are an essential element of providing quality educational services and measuring job performance and effectiveness. This Policy does not diminish the Board's authority or ability to either terminate the Superintendent's employment during the term of the Superintendent's employment contract or to non-renew the Superintendent's contract at its expiration.

The Board will ensure that the Superintendent is evaluated based on a performance evaluation system described in Revised School Code Sections 1249 and 1249b and the individual employment contract. The evaluation may include, where appropriate or required by law, the following components:

- A. an annual evaluation by the Board, unless the Superintendent qualifies for a biennial evaluation, provided that this does not limit the Board's right to conduct more frequent evaluations where deemed appropriate by the Board;
- B. an improvement plan if the Superintendent is evaluated as minimally effective or ineffective, or at the Board's discretion;
- C. student growth and other considerations as required by law;
- D. an overall effectiveness rating of highly effective, effective, minimally effective, or ineffective;
- E. dismissal of a Superintendent rated ineffective on 3 consecutive year-end evaluations;
- F. a tool approved by the MDE, a modified tool (if posting requirements are met), or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;
- G. website posting of required information pertaining to the evaluation tool;
- H. providing appropriate training for Board members; and
- I. other components that the Board deems relevant, important, or in the District's best interests.

The Board, in its discretion, may provide periodic scheduled feedback about the Superintendent's performance.

Legal authority: MCL 380.11a, 380.601a, 380.1249, 380.1249b

Date adopted:

Date revised:

Series 4000: District Employment

4600 The Superintendent

4606 *Discipline and Termination*

The Board may discipline or discharge the Superintendent in conformance with the procedures and standards set forth in the Superintendent's individual employment contract with the Board. Where there is reason to believe that the Superintendent has engaged in conduct, performance, or behavior that warrants discipline, the Board President has the authority to place the Superintendent on paid administrative leave after consultation with legal counsel and pending investigation and further Board action.

If the Board President receives a complaint against the Superintendent that warrants review at a Board meeting, the Board may convene in open session or closed session at the Superintendent's request, to consider the complaint.

When considering whether discharge or a long-term unpaid disciplinary suspension is appropriate, the Board will provide the Superintendent with advance written notice of disciplinary charges and an opportunity for a hearing at a Board meeting. The Superintendent may request closed session consideration of the complaint or charges. If the Board is considering discharge or a long-term unpaid disciplinary suspension of the Superintendent, and the Superintendent requests a hearing, the Superintendent has the right to bring legal counsel (at the Superintendent's expense) to hear and contest the evidence supporting the discharge or long-term suspension and to submit evidence opposing the discipline.

If the Board concludes, by a preponderance of the evidence, that discharge or a long-term unpaid disciplinary suspension is warranted, the Board may discharge or suspend the Superintendent so long as the basis follows the standards identified in the Superintendent's employment contract. If the Superintendent's individual employment contract does not include a discipline provision, the Board may implement discipline for any lawful reason. Written discipline will be placed in the Superintendent's personnel file.

A suspension without pay may be imposed as a disciplinary consequence, consistent with the Fair Labor Standards Act, for infractions of safety rules of major significance or infractions of workplace conduct rules, such as rules prohibiting unlawful harassment, workplace violence, drug or alcohol use, or for infractions of state or federal laws. Disciplinary deductions may only be made in full-day increments and must be imposed pursuant to a written Policy applicable to all employees.

The Superintendent's discharge will not negate residual rights that the Superintendent may have acquired under the Teachers' Tenure Act. Tenure charges seeking the Superintendent's discharge may be issued if appropriate.

Evidence of substantiated unprofessional conduct cannot be suppressed or removed from a personnel file consistent with Revised School Code Section 1230b.

If the Superintendent fails to comply with certification, permit, or continuing education standards as required by law, the Superintendent's contract terminates immediately.

Legal authority: 29 CFR 541.602(b)(5); MCL 15.268(a); MCL 380.11a(3)(d), 380.601a, 380.1230b

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5205 *Student Handbooks*

The Superintendent or designee will ensure that each school develops, publishes, and regularly updates a student handbook, the content of which must be consistent with these Policies. Each student handbook must contain a student code of conduct. A student handbook has the force and effect of Board Policy.

Legal authority: MCL 380.1309, 380.1312(8)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206A Student Discipline - Due Process

The District will provide students due process to the extent required by state and federal law before a student is suspended or expelled. All District administrators must respect student due process rights.

If a District administrator determines that an emergency exists that requires the immediate removal of a student from school, the administrator may contact the student's parent/guardian or local law enforcement or take other measures to have the student safely removed from school. The administrator must, as soon as practicable thereafter, follow the procedures outlined in this Policy.

A. Building Administrator – 10 or Fewer School Days

Before suspending a student for 10 or fewer school days, an administrator must: (1) provide the student verbal notice of the offense the student is suspected to have committed, and (2) provide the student an informal opportunity to explain what happened. Except in emergency circumstances, an administrator will not suspend the student unless, after providing the student notice and an opportunity to explain, the administrator is reasonably certain that the student committed a violation of the student code of conduct and that suspension is the appropriate consequence.

B. Superintendent or Designee – 59 or Fewer School Days

Before suspending a student for more than 10 school days but less than 60 school days, the Superintendent or designee must provide the parent/guardian or student with: (1) written notice of the offense the student is suspected to have committed; (2) an explanation of the evidence relied upon by the District in arriving at the conclusion that disciplinary action may be warranted; and (3) an opportunity for a hearing at which the student may present evidence and witnesses to show that the student did not commit the alleged offense or that suspension is not an appropriate consequence. The Superintendent or designee will provide the parent/guardian or student at least 3 calendar days' notice before the hearing. The parent/guardian and student may be represented, at their cost, by an attorney or another adult advocate at the hearing. The Superintendent or designee will not suspend the student unless, following the hearing, he or she is convinced by a preponderance of the evidence that the student committed a violation of the student code of conduct and that suspension is the appropriate consequence. A parent/guardian or student may appeal the Superintendent's or designee's decision to the Board. The appeal must be submitted to the Board within 3 calendar days of the decision. The Board will hear the appeal within ten school days. The Board's decision is final. The student's suspension will run while the appeal is pending.

C. Board Suspension or Expulsion

Before the Board suspends or expels a student, the Superintendent or designee must provide the parent/guardian or student with: (1) written notice of the offense the student is suspected to have committed; (2) an explanation of the evidence relied upon by the District in arriving at the conclusion that disciplinary action may be warranted; and (3) an opportunity for a Board hearing at which the student may present evidence and witnesses to show that the student did not commit the suspected offense or that suspension or expulsion is not an appropriate consequence. The Superintendent or designee will provide the parent/guardian or student at least 3 calendar days' notice before the hearing. The parent/guardian and student may be represented, at their cost, by an attorney or another adult advocate at the hearing. The Board will not suspend or expel the student unless, following the hearing, a majority of the Board finds by a preponderance of the evidence that the student committed misconduct that should result in suspension or expulsion under either the student code of conduct or this Policy and that suspension or expulsion is the appropriate consequence. The Board's decision is final.

Legal authority: *Goss v Lopez*, 419 US 565 (1975)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206B Student Discipline - Students with Disabilities

The District will follow all applicable state and federal laws related to disciplining students with disabilities. Students with disabilities are entitled to all due process protections afforded to other students pursuant to Policy 5206A. For students with disabilities, the additional procedures and protections in this Policy also apply.

A. Change of Placement

On the date on which the District decides to: (1) expel a student with a disability; (2) suspend a student with a disability for more than 10 consecutive school days; (3) suspend a student with a disability for more than 10 cumulative school days in the same school year if a pattern of removals exists; or (4) place a student with a disability in an interim alternative educational setting (explained below), the District will notify the student's parent/guardian of that decision, will provide the parent/guardian a copy of applicable procedural safeguards, and will conduct a manifestation determination review (MDR) within 10 school days.

B. Manifestation Determination Review (MDR)

The MDR team, which includes the parent/guardian and relevant members of the student's Individualized Education Plan (IEP) or Section 504 Team, will determine whether the student's conduct was a manifestation of the student's disability.

1. Conduct Was a Manifestation

If the conduct was a manifestation of the student's disability, the District must immediately return the student to the placement from which the student was removed unless the parent/guardian and the District agree to change the placement or the student is placed in an interim alternative educational setting for up to 45 school days (see section C).

For a student with an IEP, if the conduct was a manifestation of the student's disability, the District must either: (1) conduct a functional behavioral assessment (unless one was previously conducted) and implement a behavior intervention plan for the student; or (2) if a behavior intervention plan was already developed, review and modify the behavior intervention plan to address the conduct at issue.

2. Conduct Was Not a Manifestation

If the conduct was not a manifestation of the student's disability, the District may proceed with the suspension or expulsion by adhering to the due process requirements in Policy 5206A.

If the student has an IEP, the District must, as appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan or other behavioral modifications for the student to prevent the behavior from recurring.

C. Interim Alternative Educational Setting ("IAES")

The District may remove a student with a disability who engages in any of the following conduct to an IAES for not more than 45 school days, even if the conduct is a manifestation of the student's disability:

1. carrying a weapon to or possessing a weapon at school, on school premises, or to or at a school function;
2. knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance, while at school, on school premises, or at a school function; or
3. inflicting serious bodily injury upon another person while at school, on school premises, or at a school function.

For purposes of this section only, a "weapon" means a device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury. A "weapon" does not include a pocket knife with a blade of less than 2½ inches in length.

No student with a disability may be removed to an IAES without first receiving the due process rights afforded under Policy 5206A.

If the student has an IEP, the District must, as appropriate, conduct a functional behavioral assessment and develop a behavior intervention plan or other behavioral modifications for the student to prevent the behavior from continuing.

D. Dangerous Students

The District may remove a dangerous student from school as permitted by law. District administrators must follow all state and federal laws governing the removal of dangerous students with disabilities.

E. Services During Disciplinary Removal or IAES

A student who is eligible for services under the Individuals with Disabilities Education Act (IDEA) who is expelled or suspended for more than 10 school days during a school year or placed in a 45-school day IAES is entitled to receive programs and services, although in a setting other than the regular school setting, that are sufficient to enable the student to participate in the general education curriculum and to progress toward meeting the goals contained in the student's IEP.

F. Students Not Yet IDEA Eligible

A student who is not currently identified as a student with a disability under the IDEA is entitled to the rights and procedures provided to students with disabilities if the District had knowledge that the student was a student with a disability before the misconduct occurred. The District is deemed to have knowledge that a student was a student with a disability only if: (1) the student's parent/guardian expressed concern in writing to a school administrator that the student needed special education or related services; (2) the student's parent/guardian requested a special education evaluation; or (3) the student's teacher or other District personnel expressed specific concerns about a pattern of behavior demonstrated by the student to the District's special education director or to other supervisory personnel. The District will not be deemed to have knowledge that the student was a student with a disability if: (1) the student's parent/guardian refused to allow the District to evaluate the student; (2) the student's parent/guardian refused special education for the student; or (3) the student was previously evaluated and determined to not be a student with a disability.

This Policy does not provide a comprehensive description of the disciplinary rights and procedures due to students with disabilities. District administrators must ensure that the rights of students with disabilities are protected and all procedures applicable to students with disabilities are followed as required by the IDEA, Section 504 of the Rehabilitation Act, state law, and Board Policy.

Legal authority: 20 USC 1401 et seq., 7151; 29 USC 705, 794-794b; MCL 380.1308-.1310, 380.1310a, 380.1310c, 380.1310d, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5206D Student Discipline - Enrollment Following Misconduct at Another Public or Nonpublic School

To the extent permitted by law, the District may deny enrollment to a student who engaged in misconduct in another public or nonpublic school and who seeks to enroll in the District either: (1) before the previous school imposes disciplinary consequences for the misconduct; or (2) while the student is suspended or expelled from the previous public or nonpublic school. The Superintendent or designee must refer the student to the Board if, under the student code of conduct, the student's misconduct in the previous public or nonpublic school would result in a long-term suspension or expulsion from that institution and, in the Superintendent's or designee's opinion, the student's enrollment in the District would jeopardize the safety or welfare of the District or substantially disrupt District operations. The Board will hold a pre-enrollment hearing following the Superintendent's or designee's referral to consider whether the student may enroll and, if so, any conditions on enrollment. The Board will consider any information submitted by the parent/guardian or student and the Superintendent in either support of or opposition to the student's enrollment.

This Policy does not apply to students seeking to enroll who have been expelled for any of the following offenses:

- A. possession of a firearm or other dangerous weapon;
- B. arson;
- C. criminal sexual conduct pursuant to Policy 5206 H.3;
- D. physical assault on an employee, contractor, or volunteer if student is in grade 6 or above;
- E. physical assault of another student if student is in grade 6 or above; and
- F. a bomb threat or similar threat if student is in grade 6 or above.

Legal authority: MCL 380.11a, 380.1308-1310, 380.1310a, 380.1310c, 380.1310d, 380.1311, 380.1311a, 380.1312, 380.1313

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5208 Student Acceptable Use and Internet Safety Policy

Student use of District technology is a privilege, not a right, and is governed by Policy 3116 and the applicable acceptable use agreement. A student's failure to comply with Policy 3116 and the applicable acceptable use agreement may result in discipline or loss of technology privileges.

Students have no expectation of privacy in or right to continued use of District technology resources.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5211 Emergency Use of Seclusion and Restraint

The Board adopts MDE's Policy for the Emergency Use of Seclusion and Restraint, as approved and amended by the Michigan State Board of Education and MDE. Consistent with MDE policy, the Board directs all District personnel to use positive behavior interventions and supports to enhance the academic and social behavior outcomes of all students.

In accordance with state law and MDE policy, the use of emergency seclusion and emergency physical restraint is a last resort intervention that may be used only when a student's behavior poses an imminent risk to the safety of the student or others and an immediate intervention is required. Any use of emergency seclusion or emergency physical restraint must be consistent with state law, MDE policy, and MDE guidelines.

The Board directs the Superintendent to ensure that all District personnel receive training pursuant to MDE policy.

Legal authority: MCL 380.1307 et seq.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5200 Student Conduct and Discipline

5212 Registered Sex Offenders

Inclusion on the state's sex offender registry alone is not a sufficient basis to exclude a student from school. The District reserves the right, consistent with Policy 5411, to determine the educational placement of a student who is listed on the state's sex offender registry.

For a student who is listed on the state's sex offender registry, the building principal may establish a safety plan, which may include excluding the student from extracurricular activities.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5303 Student Enrollment and Withdrawal

A. Student Enrollment

The District will enroll a student who is:

- a legal resident of the District or otherwise entitled by Michigan law to enroll in the District;
- under court jurisdiction and is placed in foster care if the Department of Health and Human Services or a child placing agency determines that the child should be enrolled in the District, regardless of residency;
- eligible to enroll as a schools-of-choice student under these Policies and Michigan law;
- the resident of another district with the consent of the resident district if, in the Superintendent's discretion, the student should be enrolled;
- the resident of another district as permitted and authorized by law if, in the Superintendent's discretion, the student should be enrolled;
- homeless, if the student has a right to enroll in the District pursuant to applicable law and Policy 5307;
- the child of a custodial parent/guardian assigned to active duty military service if the child's noncustodial parent/guardian or person serving *in loco parentis* for the child resides in the District and the child's custodial parent/guardian has provided a legally valid power of attorney;
- approved as an international exchange student pursuant to Policy 5306;
- a legal resident of a district that has contracted with the District for the student's educational services; or
- legally entitled to attend the District on a part-time basis.

The District may independently verify a student's residency status or eligibility for enrollment.

A person enrolling a student must provide the following within 30 calendar days after enrollment:

- a copy of the student's birth certificate; or
- other reliable proof of the student's identity and age and an affidavit explaining the inability to produce a copy of the student's birth certificate.

If the required documentation is not timely provided, the District will, after providing 30 calendar days' notice to the person enrolling the student, refer the matter to local law enforcement. The District will immediately report to law enforcement any affidavit that appears inaccurate or suspicious.

As a condition of enrollment, a person enrolling a student must provide documentation of the student's required immunizations or a valid immunization waiver pursuant to Policy 5713. Failure to submit the required documentation will result in the student's exclusion from school.

Within 14 calendar days after a transfer student enrolls, the building principal or designee must send a written request to the student's previous school requesting a copy of the student's school record.

A student who is or will be 20 years old on September 1 of the school year, or who has earned a high school diploma or GED, may not enroll in or continue to attend school in the District, except for a student with a disability, a student enrolling in an approved adult education or dropout recovery program, or when otherwise required by law.

Except for a student with a disability or a student enrolling in an approved early childhood program, a student who will not be 5 years old on December 1 of the school year may not enroll in or attend school in the District without the Superintendent's express written permission.

A student's placement, including building assignment and grade level, will be determined pursuant to Policy 5411.

B. Student Withdrawal

The District will disenroll a student upon receipt of either written notice from a parent/guardian of intent to withdraw or a records request from another school. If at the time of receipt of a notice of disenrollment there are pending disciplinary proceedings against the student involving potential suspension or expulsion, the District may elect to complete those proceedings.

Legal authority: MCL 380.1135, 380.1147, 380.1148, 380.1148a

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/Guardian Involvement

5402 Communication with Parents/Guardians

The District will inform parents/guardians of student progress, grades, and attendance through report cards, progress reports, parent/guardian-teacher conferences and parent/guardian access to the District's student information system. The District will notify a parent/guardian if a student is failing or close to failing a course, either through direct communication or through parent/guardian access to the District's student information system.

Other pertinent information will be communicated to parents/guardians by mail, electronic communication, telephone calls, personal contact, or other method deemed appropriate by the school staff member.

By providing the District with their telephone number(s), parents/guardians agree to receive notifications from the District's automated notification system.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/Guardian Involvement

5403 Rights of Non-Custodial Parents/Guardians

Absent production of a court order that provides otherwise, District personnel will treat each parent/guardian, regardless of custody or visitation rights, the same as to accessing student records, meeting and conferring with District personnel, visiting a child at school, and transporting a child to or from school. District personnel are not responsible for enforcing visitation or parenting time orders to which the District is not a party.

Legal authority: 34 CFR 99.3; MCL 722.30; OAG, No. 5027 (June 30, 1976)

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/Guardian Involvement

5406 Title I Funds

The District will use Title I funds to supplement, not supplant, state and local funds that would, in the absence of Title I funds, be spent on Title I programs. The District will ensure that Title I funds will not be used to provide services that otherwise take the place of public education services that are to be provided to all students. A student's eligibility for Title I services may not disqualify the student from any service for which the student is otherwise eligible.

The District will maintain records of Title I-funded professional development. The Superintendent or designee will ensure that professional development is aligned with the needs of the District's Title I programs. Title I-funded professional development will not duplicate that which is funded from other sources and which, in the absence of Title I funds, would be provided to all staff.

Legal Authority: 20 USC 6301 et seq.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/Guardian Involvement

5415 Summer School

The District may offer a summer school program to provide additional educational opportunities for students who need remedial instruction, credit recovery, or enrichment experiences.

The Superintendent or designee will establish and implement procedures for the District's summer school program, if offered, which will be included in the applicable student handbook(s).

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5400 Curriculum, Instruction, and Parent/Guardian Involvement

5416 Homebound and Hospitalized Instruction

The District will provide an enrolled student with instruction in the student's home, hospital, or licensed treatment facility if both of the following requirements are met:

- A. the student's parent/guardian submits a homebound/hospitalized instruction form which includes verification by a legally authorized healthcare provider of a medical condition that requires the student to be hospitalized or confined to the home during regular school hours for a period longer than 5 consecutive school days. A student who is able to attend school for part of the day is not eligible for homebound instruction; and
- B. the student is physically able to participate in instruction while hospitalized or confined to the home.

Homebound instruction is not intended to replicate the classroom experience. For most students, the District will provide a minimum of 2 45-minute sessions per week with a certificated teacher. For students with disabilities under the Individuals with Disabilities Education Act (IDEA), the District will provide a minimum of 2 nonconsecutive hours per week with a certificated teacher. Homebound instruction may be supplemented with a variety of in-person and distance learning services, as determined appropriate by the Superintendent or relevant educational team.

For students with disabilities under IDEA, the District will consider whether the student's homebound instruction constitutes a change in placement and whether an IEP Team meeting should be convened.

The District will provide homebound and hospitalized instruction consistent with state law and MDE guidance.

Legal authority: MCL 388.1709; Mich Admin Code R 340.2(11), 340.2(12), 340.1746; *Providing Homebound and Hospitalized Educational Services for Michigan Public School Pupils*, as amended; Michigan Pupil Accounting Manual

Date Adopted:

Date Revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5501 Fundraising Activities

Student fundraising activities are subject to review and approval by the Superintendent or designee.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5503 *Bulletin Boards and Other Student Postings*

Space may be provided within school buildings or on school electronic media for students and student organizations to post notices related to student groups. The following general limitations apply:

- A. All postings will be subject to the review and approval of the appropriate building administrator or designee. Students may not post any material containing any statement or expression that is libelous, obscene, or vulgar; violates Board policy, including the student code of conduct; promotes illegal substances (including, but not limited to, substances that are illegal for minors to possess or consume); or is otherwise unsuitable for or disruptive to the school environment.
- B. All postings must identify the student or the student organization responsible for posting the notice.
- C. The building principal or designee may remove any posted material after a reasonable time, as determined in the building principal's or designee's discretion.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5504 School-Sponsored Publications and Productions

School-sponsored student publications and productions are part of the District's instructional program. The Board supports the development of student communication skills through school-sponsored student publications and productions, which may include newspapers, yearbooks, theatrical performances, and electronic media.

All school-sponsored student publications and productions are nonpublic forums and must conform to high scholastic and professional journalistic standards. The Superintendent or designee may regulate the style and content of student publications and productions for legitimate pedagogical reasons. The Superintendent or designee may review and prohibit any school-sponsored student publication or production that does not conform to these standards or that contains material considered vulgar, profane, or unsuitable for or disruptive to the school environment.

Any advertisements contained in a school-sponsored publication or production must comply with Policy 3308.

Legal authority: U.S. CONST. amend. I

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5506 Field Trips

Field trips should generally be conducted during the school day. Field trips requiring District vehicles shall not interfere with the regularly scheduled transportation of students to and from school.

A. General Conditions

All field trips must be pre-approved by the building principal or designee. International and out-of-state trips require pre-approval from the Board. Overnight trips shall be planned for non-school days whenever possible with the exception of 7th grade camp. (Field trips that occur over the span of many days shall be scheduled for school breaks such as weekends, spring break, or summer vacation.) The Superintendent or building principal(s) will develop procedures for pre-approval of trips and communicate those procedures to instructional staff.

Field trips that occur on a religious holiday shall allow for religious observances.

B. Parent/guardian Permission

Each student must submit a completed permission form or blanket field trip form signed by the student's parent/guardian before being allowed to attend a field trip.

C. Supervision

Teachers must ensure that students are adequately supervised and chaperoned by a responsible adult during field trips. All adult chaperones must be at least age 21. A chaperone is prohibited from activity that in excess would impair their judgment at any time during the field trip. A chaperone must adhere to all District and building volunteer requirements, including Policy 3105. The District may deny or terminate a chaperone assignment for any reason that is not unlawful.

The District will not prohibit an eligible student from participating in a field trip solely because the student's parent/guardian does not chaperone.

D. Cost and Financial Assistance

The Board recognizes the value in immersive field trips for Okemos students that enhances the education experience, however, cost to students, families, staff, and the District shall be carefully considered when planning any field trip. When planning international or out-of-state overnight field trips, multiple bids shall be obtained from tour operators. These bids shall include a detailed breakdown of the costs and include all fees assessed by the company such as late fees or processing fees. Field trips shall include a mechanism to ensure opportunities

exist for students to participate regardless of financial means in alignment with Policy 5501: Fundraising.

Student Conduct

A student's failure to comply with Board Policy, the student code of conduct, and any other applicable rules or behavioral expectations while on a field trip may result in disciplinary action and removal or exclusion from the trip without refund.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5509 Public Appearances of School Groups

The Board permits student groups to appear/perform at public events, subject to the following requirements:

- A. activity advisors must secure the permission of the building principal or designee before booking a student group at a public event;
- B. activity advisors are discouraged from booking student groups to perform on more than 1 school night (Sunday-Thursday) per week;
- C. student groups may not perform at a political rally or event;
- D. student groups may not be required to perform at religious ceremonies; and
- E. a student's failure to comply with Board Policy, the student code of conduct, and any other applicable rules or behavioral expectations during public appearances may result in disciplinary action and exclusion from future appearances at public events.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5500 School Sponsored and Extracurricular Activities

5510 *Student-Initiated, Non-Curricular Clubs*

Students may voluntarily form clubs that are not directly related to the curriculum to promote activities unrelated to the regular classroom environment. Membership in a student-initiated, non-curricular club must be open to all interested and eligible District students, and the club may not refuse membership to a student based on any protected classification under state or federal law.

Students seeking to create a student-initiated, non-curricular club must first obtain approval from the building principal. If the building principal denies approval, the students seeking to create the club may submit a written appeal to the Superintendent or designee within 5 school days after the denial. The Superintendent or designee must make a decision on the appeal within 15 school days after receiving the appeal. If the Superintendent denies the club approval, the students may submit a written appeal to the Board within 5 school days after the denial. The Board will be deemed to have received the appeal at its next regularly scheduled meeting and will consider and make its final decision on the appeal at its next regularly scheduled meeting following the meeting when it receives the appeal (i.e., the Board's final decision will be made by the second regularly scheduled meeting after the appeal is filed). The Board's decision is final.

Student-initiated, non-curricular clubs may not conduct activities on school property without prior permission from the building principal. Student initiated, non-curricular clubs are permitted to meet on school property only before or after the school day, or during lunch periods; they are not permitted to meet during instructional time. Meetings may not materially and substantially interfere with the orderly conduct of the school's educational activities or violate any Policy or state or federal law.

The District may assign a staff member to be present in a supervisory, but not participatory, capacity at meetings or activities of student-initiated, non-curricular clubs. Persons not affiliated with the District may not direct, conduct, control, or regularly attend meetings or activities of student-initiated, non-curricular clubs.

No public funds may be expended on behalf of the student-initiated, non-curricular clubs covered by this Policy except for the incidental cost of meeting space.

The District will comply with all applicable laws related to student-initiated, non-curricular clubs, including but not limited to the provisions of the Equal Access Act, and will not discriminate against or deny access to clubs or other groups protected by the Act.

Legal authority: 20 USC 4071; MCL 380.1299

Date adopted:

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5602 *Independent Educational Evaluation*

- A. An independent educational evaluation (IEE) is an evaluation conducted by a qualified examiner(s) not employed by the District.

As permitted by state and federal law, a parent/guardian may be entitled to an IEE at District expense if the parent/guardian disagrees with an evaluation conducted by or for the District.

- B. The District will respond to an IEE request within 7 calendar days. The Superintendent or designee will establish criteria to obtain an IEE at District expense consistent with state and federal law. An IEE that fails to meet the criteria may not be eligible for payment by the District.
- C. A list of suggested sources from which an IEE may be obtained will be provided to the parent/guardian upon receipt of an IEE request. The parent/guardian is not restricted to choosing an independent evaluator from that list.

An IEE will be considered by the District at an Individualized Education Program Team meeting for the student.

Legal authority: 20 USC 1415(b)(1); 34 CFR 300.502; MARSE R 340.1723c

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5600 Student Support Services

5603 Section 504

The District does not discriminate against any student with a disability, as that term is defined in Section 504 of the Rehabilitation Act (Section 504), in any District program or activity. Any claim of disability-based discrimination will be addressed pursuant to Policy 5202.

Eligible students are entitled to a free appropriate public education through a Section 504 plan. Students with disabilities who are also eligible for services under Policy 5601 will receive a free appropriate public education through an IEP.

The District will follow federal law and applicable regulations and guidance in identifying, locating, evaluating, and educating students with disabilities under Section 504. The Superintendent or designee will develop and implement procedures for identifying and serving eligible students under Section 504 that are consistent with federal law.

For purposes of this Policy, a free appropriate public education means the provision of regular or special education and related services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, and that are provided without cost (except for District fees imposed on students without disabilities and their parents/guardians).

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5701 Child Abuse and Neglect

Mandated reporters must immediately report all instances of suspected child abuse or neglect pursuant to Michigan's Child Protection Law and Policy 4202. All other employees, volunteers, and contractors who are not mandated reporters are also expected to immediately report all instances of suspected child abuse or neglect.

The District will cooperate with Children's Protective Services (CPS) during an investigation of suspected child abuse or neglect. Cooperation may include allowing CPS access to a student without parent/guardian consent if CPS determines access is necessary to complete the investigation or prevent abuse or neglect. The District will not impose conditions on the investigator or investigation beyond what is permitted by law.

Before a CPS investigator is given access to a student, the building principal or designee will verify the investigator's credentials.

The building principal or designee may be present for the student's interview, at the discretion of CPS. If CPS seeks to remove a student from school, the building principal or designee will: (1) provide CPS with the student's parent/guardian phone number and address; and (2) request that the CPS official sign a statement certifying that the student is being removed because of safety-related concerns. If the CPS official refuses to or is unable to sign the requested certification, the building principal or designee will document the removal, including the name(s) of the CPS official(s) removing the student, the stated reason(s) given for the removal, the identity of the person(s) witnessing the removal, and the date and time of the removal.

The District may share student records with CPS only as permitted by Policy 5309 and the Family Educational Rights and Privacy Act.

If the District makes a report to CPS, the District will maintain a copy of the written report with the reporter's identity redacted. The reporter's identity will remain confidential unless disclosure is authorized by the reporter's consent or by court order.

"Mandated reporter" means a physician, dentist, physician's assistant, registered dental hygienist, medical examiner, nurse, person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, social worker, licensed master's social worker, licensed bachelor's social worker, registered social service technician, social service technician, a person employed in a professional capacity in any office of the friend of the court, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or regulated child care provider who has reasonable cause to suspect child abuse or child neglect.

Legal authority: 20 USC 1232g; MCL 722.621 et seq.

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5702 Student Illness and Injury

- A. Parents/guardians are expected to report student absences due to illness or injury to the building principal or designee. Students and parents/guardians should communicate with school staff to minimize the impact of illness or injury-related absences on the student's educational progress. Students who will be absent for an extended period of time may be eligible for homebound or hospitalized services in accordance with Policy 5416.
- B. School employees who suspect that a student's absences may be disability-related must immediately refer the student for an evaluation under Section 504 of the Rehabilitation Act or the Individuals with Disabilities Education Act.
- C. When the building principal or designee determines that a student is too ill or injured to remain at school, school staff will contact the student's parent/guardian or other designated responsible adult to pick up the student from school. If the student requires immediate medical attention, the District will first attempt to contact a parent/guardian or other designated responsible adult when reasonably possible. If contact cannot be made, the building principal or designee will take any reasonable action necessary on the student's behalf, consistent with state law.

Students showing symptoms of a communicable disease may be sent home. The District may require a statement from a licensed physician or local health official before allowing the student to return to school. The District must report the occurrence or suspected occurrence of any disease, condition, or infection identified in the Michigan Department of Health and Human Services Communicable Disease Rules to the local health department within 24 hours.

- D. Parents/guardians must submit an emergency information form for each of their students. The form must list the contact information for each parent/guardian and designated responsible adult, any necessary emergency instructions, and any known medical conditions.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5703 Medications

A. General Standards

Whenever possible, parents/guardians should arrange student medication schedules to eliminate the need for administration of medication at school. When a student requires prescription or over-the-counter medication at school, the following procedures apply:

1. The student's parent/guardian must annually submit a written request and consent form as required by the District.
2. A building principal or designee must request that the parent/guardian supply medications in the exact dosage required whenever feasible.
3. The building principal or designee will notify the student's parent/guardian of any observed adverse reaction to medication.
4. All medications must be in the original container.

B. District-Administered Medication

1. If the student requires District-administered medication, the student's parent/guardian must annually submit a healthcare professional's written instructions that include student name, medication name, medication dosage, and specific information about method and time of administration. A parent/guardian must promptly communicate any changes to the healthcare professional's written instructions to the building principal or designee. A "healthcare professional" means a licensed physician, certified nurse practitioner, or physician assistant.
2. Medication must be administered by a school administrator, teacher, or other appropriately designated school employee in the presence of a second adult, unless the medication is administered by a licensed registered professional nurse employed by the District or there is an emergency that threatens the student's life or health.
3. District employees may only administer medication to a student according to the written instructions from a healthcare professional. If the written instructions are unclear, the District may require written clarification from the healthcare professional before administering the medication.
4. Medication must be stored in a container that identifies the student's name, medication name, dosage, and frequency of administration. The District will take reasonable steps to ensure all medication is properly secured.

5. Incorrectly administered medication must be reported to the building principal and the student's parent/guardian. A written report identifying the error must be documented in the student's file.
6. The District will administer medication to students as necessary on school-sponsored field trips or school-related activities consistent with this Policy. The building administrator will designate the person responsible for administering the medication. The designee will transport the medication in its original container and record its administration on the medication administration log pursuant to this Policy.
7. Each school must maintain a medication administration log. The log must include the student's name, the name and dosage of each medication, and the date and time each dose is administered. The person administering the medication and the witness (if required) will complete and sign the log. The medication administration log must be placed in the student's file and kept until at least 1 year after the student's expected graduation date.
8. A parent/guardian will retrieve unused medication after its expiration date, after the District is notified that the medication has been discontinued, or at the end of the school year, whichever is earliest. The District will provide the parent/guardian notice to retrieve the medication. If the parent/guardian does not promptly retrieve the medication, the District will appropriately dispose of the medication. The building principal or designee must check the expiration dates on prescription medications, epinephrine auto-injectors, and inhalers at least twice each school year.
9. The Superintendent or designee will ensure that all staff responsible for administering medication are appropriately trained.

C. Student-Administered Medication

1. General Standards

Subject to this Policy's provisions specifically applicable to self-management of asthma inhalers and epinephrine auto-injectors/inhalers, a student may be permitted to self-possess and self-administer medication if the building principal has received written parent/guardian consent to do so and the practice is authorized in writing by a healthcare professional or is otherwise permitted by this Policy.

A building administrator may deny a request for a student to self-possess or self-administer medication at school to the extent consistent with law.

A building administrator may discontinue a student's right to self-administer and self-possess following consultation with the parent/guardian if the student misuses the medication.

A student may possess and use an FDA-approved topical substance at school or any school-related activity, provided that the parent/guardian first provides the building principal with written approval.

2. Asthma Inhalers and Epinephrine Auto-Injectors/Inhalers

A student may possess and use an asthma inhaler or epinephrine auto-injector or inhaler with written approval from the student's healthcare provider. A minor student must also have written permission from the student's parent/guardian. The required documentation must be submitted to the building principal.

If a student is authorized to self-possess or self-administer an asthma inhaler or epinephrine auto-injector or inhaler, the building principal or designee will notify the student's teachers and other staff as appropriate.

Additionally, the school must maintain a written emergency care plan drafted by a physician in collaboration with the student's parent/guardian. The emergency care plan will contain specific instructions related to the student's needs. The physician and parent/guardian should update the emergency care plan as necessary to meet the student's changing medical circumstances.

Legal authority: MCL 380.1178, 380.1178a, 380.1179, 380.1179a

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5708 *Do Not Resuscitate Orders*

School personnel will honor a Do-Not-Resuscitate Order or POST (physician orders for scope of treatment) form executed pursuant to the Michigan Do-Not-Resuscitate Procedure Act or Public Health Code if they have actual notice of the Do-Not-Resuscitate Order or POST form.

Within five school days of receiving a request that life-sustaining care be withheld from a student, the Superintendent, applicable building administrator, or Superintendent's designee will convene a group of people knowledgeable about the student's medical and health needs to develop an emergency response plan, including an individualized resuscitation plan, for the student. The Superintendent, building administrator, or Superintendent's designee will ensure that all personnel responsible for delivering instructional or noninstructional services to a student with an individualized resuscitation plan receive, if applicable, actual notice of the Do-Not-Resuscitate Order or POST form and timely and appropriate training.

Upon actual notice that a Do-Not-Resuscitate Order or POST form has been revoked, the Superintendent, building administrator, or Superintendent's designee will provide actual notice to school personnel responsible for providing instructional or noninstructional services to the student of the revocation, at which time personnel will no longer honor the Do-Not-Resuscitate Order or POST form.

The Superintendent or designee is authorized to consult legal counsel any time the District receives a request that life-sustaining care be withheld from a student.

For purposes of this Policy, "actual notice" includes the physical presentation of an order, revocation of an order, or another written document authorized under the Michigan Do-Not-Resuscitate Procedure Act.

The Superintendent or designee will develop administrative guidelines for responding to Do-Not-Resuscitate Orders and POST forms that comply with the Michigan Do-Not-Resuscitate Procedure Act and the Revised School Code.

Legal Authority: MCL 333.1051 et seq.; MCL 380.1180, 380.1181

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5709 *Lice, Nits, and Bed Bugs*

A. Lice and Nits

A student with nits within ¼ inch of the scalp or live lice may remain at school until the end of the school day. The student will be restricted from activities that involve close head-to-head contact or sharing of personal items. The District will notify the student's parent/guardian and provide educational materials on head lice prevention and treatment.

The student will be readmitted to school after treatment so long as the parent/guardian consents to a head examination and the examining District official does not find live lice on the student. If the District official finds nits within ¼ inch of the student's scalp, the student may return to class, but the District must inform the student's parent/guardian about the need to remove the nits.

District personnel will not ostracize or embarrass a student with lice or nits and will maintain student confidentiality.

If a student has a persistent infestation after 6 weeks or 3 separate cases within 1 school year, the District will form a team that may include the student's parents/guardians, teacher, social workers, or administrators to determine the best approach to resolve the issue.]

B. Bed Bugs

If a District official suspects that a student's clothing or belongings contain bed bugs, the school nurse or other District official may visually inspect the student's clothing or belongings. Any bugs found should be removed and collected for identification. If a live bed bug is discovered, the District will notify the student's parent/guardian and provide educational materials on bed bug prevention and treatment.

If a student's clothing or belongings are infested by bed bugs, the student may be excluded from school until the parent/guardian has confirmed that successful treatment has occurred or other remedial steps have been taken to ensure that bed bugs are not brought to school.

If bed bugs are found in a classroom or elsewhere in the school building, the building principal or designee will notify the parents/guardians of all students in the affected school building and will provide information on bed bug prevention and treatment. The school building will not be closed due to bed bug presence. If pest management is necessary, it will be provided to affected areas of the school building consistent with Policy 3406.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5712 Concussion Awareness

Each coach, employee, volunteer, and other adult who works with student athletes in an athletic activity sponsored or operated by the District must complete the concussion awareness training program required by the Michigan Public Health Code at least once every 3 years.

Before allowing a student athlete to participate in any athletic activity, the District will annually:

- A. provide the Michigan High School Athletic Association (MHSAA) or state-approved educational materials on concussion awareness to each student athlete and to the student athlete's parent/guardian; and
- B. obtain a statement signed by each student athlete and respective parent/guardian acknowledging receipt of the MHSAA- or state-approved concussion awareness educational materials. The District will maintain this signed statement for 5 years or until the student is 18, whichever is longer.

A student athlete must be removed from any practice or game when the student athlete is reasonably suspected of sustaining a concussion during a practice or game. The student athlete will not be permitted to participate in any school athletic activities involving physical exertion, including practices or games, until the student has:

- A. been evaluated by a licensed physician, physician's assistant, or nurse practitioner;
- B. received written and signed clearance to resume participation in athletic activities from a licensed physician, physician's assistant, or nurse practitioner; and
- C. submitted to the school the written and signed clearance to resume participation in athletic activities, accompanied by written permission from the student's parent/guardian to resume participation.

District officials are not required to verify the qualifications of the physician, physician's assistant, or nurse practitioner who provides the clearance.

A student who has sustained a concussion may need accommodations, supports, and monitoring until the student is fully recovered. Nothing in this Policy automatically entitles a student who has sustained a concussion to an individualized plan under Section 504 of the Rehabilitation Act or the Individuals with Disabilities Education Act. Staff should refer a student who has sustained a concussion for evaluation if they suspect the student may have a disability, consistent with Policies 5601 and 5603.

Legal authority: MCL 333.9155, 333.9156

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5803 Student Driving and Parking

Student driving and parking on District property is a privilege, not a right, that may be revoked at any time. The building principal or designee will annually publish rules and criteria for student driving and parking in the applicable student handbook(s).

A student who drives to school must register any vehicle driven to school consistent with the rules in the applicable student handbook.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5804 *Work Permits*

The building principal or designee will issue student work permits in accordance with state law.

Date adopted:

Date revised:

Series 5000: Students, Curriculum, and Academic Matters

5800 Miscellaneous

5806 *Recording of District Meetings*

- A. Audio Recording of Individualized Education Program (IEP) Team and Section 504 Meetings

Parents/guardians of students with disabilities are permitted to audio record IEP Team and Section 504 meetings if the parent/guardian provides notice to the District before the date of the scheduled meeting.]

Parents/guardians must use their own device for any recording permitted pursuant to this Policy. If a parent/guardian records a meeting pursuant to this Policy, the District may also record the meeting.

- B. Audio Recording of Other Meetings

Parents/guardians may not record any other meeting absent the prior written approval of the Superintendent or designee. If a parent/guardian is permitted to audio record a meeting, the parent/guardian must use their own recording device and the District also may elect to record the meeting.

- C. Secret Recording of Meetings and Other Activities

Parents/guardians and students may not use secret means to record any meeting or activity at school. Student use of a device with listen-in or audio surveillance capabilities at school must comply with applicable Board policy.

- D. Video Recording of Meetings

Video recording of any meeting, including IEP Team and Section 504 meetings, is prohibited. This Policy does not apply to meetings that are open to the public under the Open Meetings Act.

Date adopted:

Date revised: