



Board of Education Policy Committee Meeting

Administration Building, Board Room

April 16, 2012

Nicole Armbruster, Chair

8:00 AM

Myra Ford, Peter Spadafore Committee Members

Dr. Nino Rodriguez, Alternate

AGENDA

Call to Order

Approval of Minutes

Approval of March 5, 2012, minutes.

Public Comment on Agenda Items

Additions to the Agenda

Discussion Item

2410 Principals as Instructional Leaders – Jim Davis will give update.

District-wide Dress Code – Survey Results Attached

PE Credit for Athletic Participation – Update from Jim Davis.

Becoming a Charter

Coordinated School Health Policy

Action Items:

Dwight Rich Name Change, Jim Davis will give an update.

8260 Bullying Statute

8012, 8015, 2450, 5030 Disabled Students - 8012, 2450, and 5030 are attached. 8015 is redundant. Peter Jensen recommends deleting it.

1000 Series rewrite from MASB needed from Nicole Armbruster

Other Business Deemed Necessary

Public Comment

Adjournment

If you need accommodations in order to fully participate in this meeting, please contact the Board Services Office at 517.755.1020. If you are hearing impaired, please call the Michigan Relay Center, TTY/Voice, 800.649.3777, and ask them to forward your message to the above number. These requests must be made no later than 48 hours prior to the meeting. The Lansing School District is an equal opportunity district.



Board of Education Policy Committee Meeting

Administration Building, Board Room

Nicole Armbruster, Chair

Myra Ford, Peter Spadafore Committee Members

Dr. Nino Rodriguez, Alternate

MARCH 5, 2012

8:00 AM

MINUTES

I. Call to Order

The meeting was convened by Chairperson Nicole Armbruster at 8:10 a.m.

In attendance: Committee members Nicole Armbruster, Myra Ford, Peter Spadafore. Deputy Superintendent Davis was present representing the Administration. Peter Jensen, and Martin Alwardt were also present.

II. Approval of Minutes

The February 6, 2012 minutes were approved with modification of the date.

III. Additions to the Agenda

Becoming an authorizer of charter schools was discussed.

IV. Discussion Items

It was decided to take the District-wide Dress Code information to Cabinet to determine how to implement a K-12 dress code. Junior Board should be involved.

Regulations for the sex education policy, tobacco policy, and athletic policies were provisionally approved.

V. Action Items for Recommendation

Dwight Rich Name Change – Policy committee will be meeting with Worsie Gregory to determine if contact has been made with the family and to verify what provision has been made for something in the school to be named after Dwight Rich.

7630 Graduation Requirements -

8705 Student Eligibility for Participation in Athletics Jim Davis will bring information regarding receiving physical education credit for athletic participation to the next meeting.

8012, 8015, 2450, 5030 – These policies will be reviewed at a future meeting.

1000 Series rewrite from MASB – Due to time constraints, this item was moved to a special March 19 Policy Committee.

VI. Other Business Deemed Necessary

VII. Public Comment

VIII. Adjournment

The meeting adjourned at 9:31 a.m.



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Attwood

Parent

Number of Positive Response 35 Number of Negative Response 42

Total Response 77

#1 Concern: Cost, enforce what exists, hard to get clothes and take away from individuality.

#1 Benefit: No one dresses inappropriately and no bullying.

Student

Number of Positive Response 9 Number of Negative Response 55

Total Response 64

#1 Concern: They want to wear their own clothes and too much laundry.

#1 Benefit: They would be able to fit in.

Staff

Number of Positive Response 3 Number of Negative Response 7

Total Response 10

#1 Concern: Cost, loss of individuality and enforcement of the dress code.

#2 Benefit: Would students be more focused?



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: Averill Elementary

Parent

Number of Positive Response 45 Number of Negative Response 63

Total Response _____

#1 Concern: Cost – Lack of freedom of expression- Not needed in elementary schools

#1 Benefit: All students would be equal. Overall cost would be less. More professional looking and should apply to staff also.

Student

Number of Positive Response 5 Number of Negative Response 21

Total Response _____

#1 Concern: Cost to parent. Hard to find. Not good choice of colors. Size is hard to find for some.

#1 Benefit: Pressure off students about what they wear. Would be able to focus more on studies

Staff

Number of Positive Response 3 Number of Negative Response 7

Total Response 141

#1 Concern: Overall cost to parent. Not needed in elementary schools.

#2 Benefit: Less pressure on students. Students would not be teased and could focus more on studies.



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: Bingham

Parent

Number of Positive Response 26

Number of Negative Response 37 Maybe: 5

Total Responses 68

#1 Concern: The costs that uniforms impose upon the families is concerning.

#1 Benefit: The students may not be made fun of for clothing choices.

Student

Number of Positive Response 122

Number of Negative Response 99

Total Response 221

#1 Concern: Teasing if they have no uniform

#1 Benefit: Less bullying wearing uniforms.

Staff

Number of Positive Response 7

Number of Negative Response 5

Total Response 12

#1 Concern: The students need to be able to express themselves before getting to middle school and having to wear uniforms.

#2 Benefit: There wouldn't be a need to decide what is appropriate attire, especially in warm months.



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: Cavanaugh

Parent

Number of Positive Response 21 Number of Negative Response 46

Total Response: 67

#1 Concern: hypocritical to teach to be individuals and say you all have to look the same, kids need to be allowed their individuality, will take my children out of Lansing if made to wear uniforms – very against, if wanted uniforms would have put in an academy/private school, see no reason, clothing not the reason for problems – parents need to make sure kids wear appropriate clothes – will not stop problems, enforce the rules that are already in place – uniforms didn’t stop Pattengil incident, affordability – must buy clothes for outside school – cannot afford to buy another set for school, have to take laundry out to wash – don’t need, will make more parents take their kids to charter schools, why are we talking about a dress code when we are closing schools, cutting staff, can’t buy books for kids, focus should not be what kids wear should be teaching them, current dress code is fine

#1 Benefit: None, none, none, none, none, kids would look the same, would be more beneficial in MS/HS, uniformity,

Student

Number of Positive Response 13 Number of Negative Response 237

Total Response 250

#1 Concern: Will lose creativity/individual expression, not all families can afford regular clothes and uniforms, don’t want to look like everyone else

#1 Benefit: none, some students might not get picked on/judged because of clothes, but might get picked on for something else

Staff

Number of Positive Response 0 Number of Negative Response 15

#1 Concern: One more thing to monitor, current dress code works - needs to be enforced in all schools consistently, harder to identify individual students when there are problems

#2 Benefit: little or none as current dress code works and is enforced in our school, more appropriate at secondary



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: Cumberland Elementary School

Parent

Number of Positive Response 89 Number of Negative Response 99

Total Response 188

#1 Concern: Can all families afford uniforms. It does not allow any form of expression for the children.

#1 Benefit: It allows kids to focus on school other than what they are wearing or their friends. All students feel equal. Cheaper for parents than other school clothes.

Student

Number of Positive Response 37 Number of Negative Response 18

Total Response 55

#1 Concern: We believe there are more important concerns to deal with in the district than a dress code.

#1 Benefit: It is good because we don't have to wear raggedy clothes.
No more bullying from other kids.

Staff

Number of Positive Response 2 Number of Negative Response 4

Total Response 6

#1 Concern: How do we enforce this issue? The cost.

#2 Benefit: All students will feel a part of the bigger group. No more bullying between the "haves" and "have nots". No more dragging pants.

Positive Response Total: 128

Negative Response Total: 121



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Elmhurst

Parent

Number of Positive Response 33 Number of Negative Response 68

Total Response 101

#1 Concern: Cost (35); Doesn't allow for student individuality (25).

Additional Comments: Dress code oversteps public school jurisdiction. If parents wanted a dress code, they would have sent their students to a charter school (3).

Dress code is an unimportant focus for the Lansing School District. The focus should be on education (2).

If a dress code is put into effect, parent will pull students from the Lansing School District (3).

#1 Benefit: Students would look professional and it would promote unity (15); There would be less bullying (12); There would be less distractions, jealousy and inappropriate clothing (14).

Additional Comments: Like the idea of a dress code, however, a casual dress day would be appreciated (2).

Student

Number of Positive Response 0 Number of Negative Response 0

Total Response 0

#1 Concern: _____

#1 Benefit: _____

Staff

Number of Positive Response 0 Number of Negative Response 0

Total Response 0

#1 Concern: _____

#2 Benefit: _____



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: Fairview

Parent

Number of Positive Responses 38 Number of Negative Responses 55

Total Responses 96

#1 Concern: Individuality and cost

#1 Benefit: Reduction in teasing or stigma associated with clothing

Student

Number of Positive Response _____ Number of Negative Response _____

Total Response _____

#1 Concern: _____

#1 Benefit: _____

Staff

Number of Positive Responses 1 Number of Negative Responses 2

Total Response 3

#1 Concern: Loss of Individuality

#2 Benefit: _____ Reduction in teasing, etc. _____



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Forest View Elementary

Parent

Number of Positive Response 15 Yes Number of Negative Response 30 No

Total Response 45

#1 Concern: Cost for uniforms, Students might resent it at first but would get use to it, Every student should have the same uniform.

#1 Benefit: Less teasing, Easier on Parents budgets, Students would look more neatly dressed, It would support a sense of equal among all students, Focus more on academics then brand clothing.

Student

Number of Positive Response 0 Number of Negative Response 2

Total Response 2

#1 Concern: It is expensive for people that don't have money.

#1 Benefit: Students should be able to wear what they want.

Staff

Number of Positive Response 7 Number of Negative Response 5

Total Response 13

#1 Concern: A lot of body types do not fit into Dockers, For some staff that don't make much money it would be a hardship for them to buy new clothes,

#2 Benefit: More school unity, allowing to wear school spirit shirts occasionally.



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: GIER PARK

Parent

Number of Positive Response 25 Number of Negative Response 92

Total Response 117

#1 Concern: Cost of having to purchase school clothes and play clothes is too much. Clothes are a way for kids to express themselves and uniforms would take that away, and the current dress code should be enforced along with parents not letting their children leave the house with inappropriate clothing on.

#1 Benefit: More equality among children, less teasing, less focus on brand names, kids would look better, and no hassles about what to wear to school.

Student

Number of Positive Response 51 Number of Negative Response 223

Total Response 274

#1 Concern: No individual choice, loss of personality, like how dress they dress now, all look the same, your mother will get exhausted washing clothes, it would get very boring!, if they got dirty they wouldn't be able to come to school the next day, you'd see spaghetti/taco sauce on the light cloths, they're ugly, they wouldn't be comfortable

#1 Benefit: when kids wear nicer clothes, they act like they're better, kids won't get teased, pants wouldn't be falling down, easy to choose clothes each day,

Staff

Number of Positive Response 8 Number of Negative Response 11

Total Response 19

#1 Concern: Initial cost may be a hinderance, affordability for all parents, we already have a dress code and it should be reinforced, how would "another dress code" make a difference

#2 Benefit: there would be no inequality in clothing (labels, etc)



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Kendon

Parent

Number of Positive Response 20 Number of Negative Response 26

Total Response 46

#1 Concern: Cost of uniforms

#1 Benefit: Fashion less of an issue

Student

Number of Positive Response 52 Number of Negative Response 135

Total Response 187

#1 Concern: Cost of uniforms

#1 Benefit: Less Bullying

Staff

Number of Positive Response 7 Number of Negative Response 6

Total Response 13

#1 Concern: Affordability

#2 Benefit: Prevents division by social class and simplifies rules related to no dress code.

From: Teri Bernero
To: Barton, Myrical
Date: 1/5/2012 10:59 AM
Subject: SurveyResults_838.csv
Attachments: SurveyResults_838.csv; Teri Bernero1.vcf

This is what it looks like if I export the results - not so pretty.

My password is **password** if you would like to see the graphs and results. There is some audio too of comments that parents left.

To sum it up:

66% of the parents were against school uniforms

33% of the parents were in favor of the school uniforms

50% of the parents had many concerns about the uniforms

60% of the parents saw many benefits to a uniform policy

Teri Bernero

Principal

Lewton Elementary School

(517) 755-1461 phone

(517) 755-1469 fax

email - teri.bernero@lansingschools.net



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Lyons Elementary

Parent

Number of Positive Response 32 Number of Negative Response 54

Total Response 86

#1 Concern: Cost, dress code is strict enough-just enforce it, takes away from individuality, hard to get clothes for larger students, doesn't impact student achievement, chose Lyons because there is no uniform policy

#1 Benefit: Everyone dresses the same, no one dresses inappropriately, no bullying, creates school unity

Student

Number of Positive Response 15 Number of Negative Response 56

Total Response 71

#1 Concern: Cost, availability of clothing, no freedom of expression

#1 Benefit: Students wouldn't bully, tease, make fun of other students, would show pride in school, makes the school look good, less distractions, convenience, kid's wouldn't wear inappropriate clothing

Staff

Number of Positive Response 3 Number of Negative Response 8

Total Response 11

#1 Concern: Dress code enforcement, cost, loss of individuality, availability of clothing

#2 Benefit: Emphasis is placed back on education, students are more focused

District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Mt. Hope School

Parent

Number of Positive Response 37 Number of Negative Response 28

Total Response 65

#1 Concern: Expense

#1 Benefit: Less judgement / Equality

Student Number of Positive Response 1 Number of Negative Response 9
Total Response 10

#1 Concern: Cost

#1 Benefit: Freedom of choice

Staff Number of Positive Response 14 Number of Negative Response 12

Total Response 26

#1 Concern: Cost to Parents

#2 Benefit: Appropriate Dress /Remove Distractions



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: North

Parent
Number of Positive Response 49 Number of Negative Response 42
Total Response 91

#1 Concern: Cost

#1 Benefit: Would eliminate peer pressure

Student
Number of Positive Response 2 Number of Negative Response 0
Total Response 2

#1 Concern: _____

#1 Benefit: _____

Staff
Number of Positive Response 13 Number of Negative Response 9
Total Response 22

#1 Concern: Financial burden for parents

#2 Benefit: Would eliminate peer pressure



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Pleasant View Magnet

Parent

Number of Positive Response 75 Number of Negative Response 87

Total Response 162

#1 Concern: 37% were concerned about where to purchase +
right behind at 36% was cost

#1 Benefit: 57% stated cost savings

Student (only 5th-8th graders were surveyed)

Number of Positive Response 15 Number of Negative Response 178

Total Response 193

#1 Concern: Loss of individuality in an overwhelming majority; next
closest concern was cost

#1 Benefit: Very close between "stops comparisons" + ends dress
arguments.

Staff

Number of Positive Response 17 Number of Negative Response 16

Total Response 33

#1 Concern: Handling of dress code violations

#1 Benefit: Stops comparisons



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Reo

Parent

Number of Positive Response 9 Number of Negative Response 42

Total Response 51

#1 Concern: Students want to be individuals not look like everyone else. Should be able to express themselves

#1 Benefit: will pay less attention to what others are wearing.

Student

Number of Positive Response 0 Number of Negative Response _____

Total Response _____

#1 Concern: _____

#1 Benefit: _____

Staff

Number of Positive Response 0 Number of Negative Response _____

Total Response _____

#1 Concern: _____

#2 Benefit: _____



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Riddle Elementary

Parent

Number of Positive Response 31 Number of Negative Response 12

Total Response 43

#1 Concern: Cost/Price of the uniforms

#1 Benefit: Uniformity - Neat & Clean appearance

Student

Number of Positive Response 12 Number of Negative Response 12

Total Response 24

#1 Concern: Cost / Price of uniforms.

#1 Benefit: Uniformity - All look the same

Staff

Number of Positive Response 8 Number of Negative Response 4

Total Response 12

#1 Concern: Cost/Price of uniforms.

#2 Benefit: Uniformity - All look the same



Home of the Little Reds

Riddle Elementary School

221 Huron St.

Lansing, MI 48915

(517) 755-1720--phone

(517) 755-1729 - Fax

Principal, Sylvia Hernandez

Secretary, Wendy Andrews

FAX -1039

DATE: 1-17-2012

TO: Myrical

FROM: Wendy

NUMBER OF PAGES: (including cover) 2

NOTES:



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: Sheridan Road

Parent

Number of Positive Response 32 (24%) Number of Negative Response 101 (76%)

Total Response **133**

#1 Concern: Cost to families, especially large families who use hand-me-downs or Goodwill etc.

#1 Benefit: Easy to pick out school clothes everyday

Student

Not Applicable to all students

Number of Positive Response 9 (45%) Number of Negative Response 11 (55%)

Total Response 20 (One class)

#1 Concern: Why have a dress code if not needed, if we are dressed inappropriately you would tell us.

#1 Benefit: I have never tried it before. We should try new things.

Staff

Number of Positive Response 10 (43%) Number of Negative Response 13 (57%)

Total Response 23

#1 Concern: Cost to families

#2 Benefit: Won't need to worry about students dressed inappropriately.



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Willow Elementary

Parent
Number of Positive Response 20 Number of Negative Response 17

Total Response 37

#1 Concern: • Cost of Dress code clothes

#1 Benefit: • NO TEASING
• stop sagging

Student
Number of Positive Response _____ Number of Negative Response _____

Total Response _____

#1 Concern: _____

#1 Benefit: _____

Staff
Number of Positive Response 1 Number of Negative Response _____

Total Response 1

#1 Concern: _____

#2 Benefit: NO TEASING

Willow Elementary School
 1012 W. Willow Street
 Lansing, MI 48915
 Phone: (517) 755-1680
 Fax: (517) 755-1689

Fax

To: _____ From: Nickson

Fax: 1039 Pages: 1

Phone: 755-1030 Date: 1-19-12

Re: Uniform Code of Dress

- Urgent
- For Review
- Please Comment
- Please Reply



District-wide Uniform Code of Dress Survey 2011-2012

School Summary – DUE JANUARY 16 in Deputy Superintendent Office

School: LANSING S.T.E.M. MAGNET ACADEMY

Parent

Number of Positive Response 1 Number of Negative Response 0

Total Response 1

#1 Concern: Concerned that we don't have one.

#1 Benefit: Focus on academics – not on fashion

Student

Number of Positive Response 46 Number of Negative Response 292

Total Response 368

#1 Concern: Doesn't allow for self-expression .

#1 Benefit: Everybody is the same. Less teasing and bullying. Better behavior

Staff

Number of Positive Response 19 Number of Negative Response 2

Total Response 21

#1 Concern: The manpower and time to strictly enforce it with consistency. Drives students away – will affect enrollment. The cost factor – many may not be able to afford

#2 Benefit: Levels the playing field. Students are not as distracted. Behavior is better; less bullying



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: OTTO MIDDLE SCHOOL

Parent

Number of Positive Response 3 Number of Negative Response 33

Total Response 36

#1 Concern: Can not afford clothes. Freedom of expression.

#1 Benefit: No one teased if they don't have the latest fashion.

Student

Number of Positive Response _____ Number of Negative Response 51

Total Response 51

#1 Concern: Freedom to wear what they want

#1 Benefit: _____

Staff

Number of Positive Response 4 Number of Negative Response 2

Total Response 6

#1 Concern: Student and parent resistance

#2 Benefit: better student behavior



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Cardron MS

Parent

Number of Positive Response 12 Number of Negative Response 17

Total Response 29

#1 Concern: Expense Loss of individuality Too controlling Private schools
Enrollment decline Students would hate it enforce uniform

#1 Benefit: Uniformity

Student

Number of Positive Response 41 Number of Negative Response 502

Total Response 543

#1 Concern: Expense Enrollment decline Controlling

#1 Benefit: Uniformity Enforcement

Staff

Number of Positive Response 27 Number of Negative Response 9

Total Response 36

#1 Concern: Expense Enforcement Enrollment decline - some parents
Loss of individuality come here for the no uniform policy

#2 Benefit: Enforcement Equality Ability to identify non-students



District-wide Uniform Code of Dress Survey 2011-2012

DUE January 9, 2012

Definition: A Uniform Code of Dress means students wearing similar pants/skirts and shirts/sweaters District-wide.

Example ONLY – This is not a set or inclusive District-wide uniform code of dress, but a sample ONLY:

Shirts/Tops: Plain colored knit tops with collar (no emblems); One to four buttons (like golf shirt), no snaps; Long or short sleeves; COLORS: red, white, blue, gray, baby blue and black

Dress Pants/Shorts: Docker style dress pants/shorts (BLACK jeans, cargo, denim, corduroy, stretch knit, boot cut, or skinny pants NOT permitted); Solid Colors: black, navy blue, brown or beige/Khaki ONLY

Jumpers/Skirts/Capris: Knee length or longer; Solid Colors: black, navy blue, brown or beige/Khaki ONLY; no denim, corduroy or stretch knit permitted; Leggings are not allowed

School: GARDNER MIDDLE SCHOOL

Circle one: Parent Student Staff

1. Do you support a Uniform Code of Dress? YES NO
2. What are your concerns about a Uniform Code of Dress? Almost nobody has these clothes, and almost nobody makes them. It will force many poor people to buy clothes. It will have no effect on test scores. This is an example of the miserable homogenization and stifling of Americans so that it's easier for the big bad money machine to deal with them
3. What benefits do you see about a Uniform Code of Dress? None. If we force America into bland uniformity, then we will have no street urchins, but also no great leaders and doers. Love is defined by hate, poverty by riches, and trying to get rid of either one of them will destroy both. It's like watering a plant; don't overwater it and don't under-water it. Keep a balance.

Please complete and return to the Main Office at Gardner Middle School by Monday, January 9, 2012.

Thank you.

District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Everett High School

Parent 30 of 1309 responded = 2%

Number of Positive Response 12 of 30 = 40% Number of Negative Response 18 of 30 = 60%
Surveys mailed home to all households on Dec. 21, 2011.

Total Response 30

#1 Concern: 52% = Too Expensive / 25% = Limit Freedom of Expression
10% = Difficult to Enforce / 13% = No comment

#1 Benefit: 30% = No Benefit at all / 20% = Dress more appropriately
4% = Reduce Teasing / 4% = Less distractions / 2% = Identify Trespassers
40% = No comment

Student 752 of 1309 responded = 57% of population

Number of Positive Response 133 of 752 = 18% Number of Negative Response 619 of 752 = 82%

Surveys given in all 6th period classes on January 3rd or 4th, 2012

Total Response 752

#1 Concern: 38% = Limit Freedom of Expression / 24% = No Comment / 20% = Too Expensive
8% = Difficult to Enforce / 6% = Uncomfortable / 4% = Ugly

#1 Benefit: 36% = No Comment / 30% = No Benefit at all / 13% = Reduce Teasing & Bullying
10% = Dress more appropriately / 4% = Equality / 4% = Easier / 3% = Improve Behavior

Staff 42 of 120 responded = 35%

Number of Positive Response 32 = 76% Number of Negative Response 10 = 24%

Surveys provided to staff via email and in mailroom on Jan 3, 2012.

Total Response 42

#1 Concern: 46% = Difficult to Enforce / 35% = Too Expensive / 4% = Limit Freedom of Expression
15% = no comment

#2 Benefit: 44% = Dress Appropriately / 15% = Less Teasing / 15% = Identify Trespassers
9% = Set High Expectations / 2% = Less Expensive
15% = no comment



District-wide Uniform Code of Dress Survey 2011-2012
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 9% = Set High Expectations / 2% = Less Expensive
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District-Wide Uniform Code of Dress

Students and staff were directed to complete these surveys in Advisory. I have recorded some of the comments (they basically all said the same things). Parent surveys were not mailed due to lack of funding, PTSA did not meet in December and will not meet until the 4th Monday in January. A few filled them out at the counter in the Main Office or took them with them, but did not return them.

	Students	Staff	Parents
Yes	53	5	1
No	408	3	1

Student Comments Item 2

Don't get to express your fashion, which is part of the teen years
Does not allow students to show their individuality
We should be able to wear what we want as long as it doesn't bother anybody.
It's another way of keeping us from growing up and finding out who we are
It takes away from the diversity of the building
In high school, we should be treated like adults, not children.
People won't wear them
Students won't follow it if it is put in place
Students will be upset
I don't understand the point
Requires people to spend money on clothing that they don't want and don't have the money for
Too expensive, ugly, restricting and unable to show my style
Some people cannot afford them
Will the District provide funding? Honestly we are in high school and a vast majority of us are mature enough to decide what is appropriate and what it not.
I wouldn't mind a dress code, but think that students should be allowed to wear what they want one day a week, like Friday
I like to be comfortable
They're stupid
Too restricting
I don't want it, because I had to wear them in 8th grade
Stripping an individual of their personality and sense of style in an attempt to brainwash an unruly generation is wrong.
It is an annoying idea.
Just make the current dress code stricter
Increased suspension due to non-compliance (wearing the wrong color shirt)
I have been in schools with a dress code and it doesn't change anything.
Look at Pattengill..students still sag and have pants too tight and have necklines too low.
It would be a good idea.

Student Comments Item 3

None, it will just make kids mad

Everyone would be equal

Less bullying

Preparation for jobs and professional careers

People would not be judged by what they are wearing

People would look like real students

Teachers would have less dress code issues in class

Ending the wearing of provocative clothing

The school district gets to enforce more rules to oppress us.

You don't have to worry about what to wear to school

Everyone looks the same so people don't get teased over what they wear

Studies show that academics improve

Helps identify people as students...trespassers would stand out

There would be less skin showing

It shows that everyone is dressed to impress.

Saves money on clothes

Enforcement takes a lot of time and at Pattengill it seemed like teachers were more interested in enforcing the dress code than students learning

Staff Comments Item 2

I'd have to buy new clothes

If kids have choices they can still do clichés

There should be a jewelry code also, like none.

Enforcement – If they don't wear "it" what is the "or else" – same as everything else – nothing.

Enforcement

Rebellion of students

Why waste time/paper on a survey that you will not listen to?!

We have too much difficulty enforcing basic rules, including major disrespect to staff.

Staff Comments Item 3

Cheaper

Less fashion show stratification

Less distractions

Easier to identify outsiders

There should be one color only or color by grade.

Increased potential for positive behavior



District-wide Uniform Code of Dress Survey 2011-2012

School Summary - DUE JANUARY 16 in Deputy Superintendent Office

School: Sexton High School

Parent

Number of Positive Response 0 Number of Negative Response 4

Total Response 4

#1 Concern: Students do not want to dress a like.

#1 Benefit: None

Student

Number of Positive Response 43 Number of Negative Response 243

Total Response 286

#1 Concern: Cost & repercussions for students who refuse to wear uniform.

#1 Benefit: We could identify our own students. Would improve self-confidence, less bullying about clothes.

Staff

Number of Positive Response 7 Number of Negative Response 1

Total Response 8

#1 Concern: District enforcing it if it passes.

#2 Benefit: No sagging, or inappropriate clothes. Focus on learning & not what is worn.

Coordinated School Health

The Lansing School District believes that a crucial link exists between student health and well-being and academic achievement. The Coordinated School Health model suggested by the Centers for Disease Control and Prevention (CDC) includes the following eight components: Health Education; Physical Education; Health Services; Family and Community Involvement; Counseling, Psychological, and Social Services; Nutrition Services; Healthy School Environment, and Health Promotion for Staff.

Lansing School District will develop, adopt, implement and sustain to the extent that resources permit, a comprehensive plan for a Coordinated School Health model that:

- Responds to the needs, preferences, and values of families and the community;
- Emphasizes a positive youth development approach;
- Promotes the optimal physical, emotional, social, nutritional and educational development of students;
- Emphasize prevention and early intervention;
- Is based on models that demonstrate evidence of effectiveness; and
- Makes efficient use of school and community resources.

Lansing School District will establish and sustain a Coordinated School Health team that includes a diverse representation of school staff, families, students, and members of the community to oversee and evaluate the Coordinated School Health team and make recommendations to the school board.

The school board will designate a Coordinated School Health Coordinator (health teacher, physical education teacher, counselor, or nurse) to assist with planning, implementing and evaluating the Coordinated School Health components.

The Coordinated School Health team will focus on district-level policies and programs and work in conjunction with other district-level school health committees, programs, health-related grant programs, and community-based agencies/organizations to improve the health and safety of students and staff in Lansing School District.



Coordinated School Health is:

- Centered on the needs of our children;
- Systematic in its approach;
- Built on a team effort; and
- A rigorous process that aims to eliminate gaps and redundancies.

Michigan Department of Education Coordinated School Health and Safety Programs

Lansing School District Receives a Second Year of Funding for Coordinated School Health Implementation

The Michigan State Board of Education and the Coordinated School Health and Safety Programs of the Michigan Department of Education provide the background of Coordinated School Health dating back to 1987. At that time, the Centers for Disease Control and Prevention first proposed the concept of a coordinated school health model with eight components. These separate but interconnected components exist at some level in every school, but are often not formally linked or coordinated. Coordinated school health is a way to do business in a more efficient and effective manner - not one more thing to do, but another way to do what must be done.



Coordinated School Health Model
Coordinated School Health provides a structure within the school to coordinate all resources aimed at promoting student and staff health under one umbrella.

Year 1 Coordinated School Health Accomplishments

Lansing School District received funding from the Eaton Intermediate School District to implement Coordinated School Health during the 2010-2011 school year. The Coordinated School Health (CSH) team was composed of a school administrator (Diana Rouse), school counselors, food service staff, parents, a faith-based community mem-

ber, physical education teacher, school nurses, MSU College of Nursing faculty, a Sparrow Hospital representative, students, and facilitators from the Eaton Intermediate School District. The CSH team developed a mission statement and strategic plan. The primary goal for the team was to develop a plan to disseminate the Michigan Profile

for Healthy Youth (MiPHY) data. The MiPHY data was distributed to the school board, cabinet members and secondary principals. The school district received funding for the 24/7 Tobacco-Free Schools grant because a Coordinated School Health team was in place.

**Lansing School District
Office of State & Federal Programs**

**Diana Rouse,
Director of Student Services**

**Patricia K. Bednarz, RN, MN, FNASN
Project Coordinator**

**Jose P. Gamez,
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Jose.gamez@lansingschools.net

Coordinated School Health Program Team Members:

James Davis, Deputy Superintendent

Diana Rouse, Director of Student Services

Patricia Bednarz, School Nurse, Project Coordinator

Wendy Sellers, Co-facilitator, Eaton Intermediate School District

Micki Fuhrman, Co-Facilitator, Eaton Intermediate School District

Randy Bell, MSU Extension

Marybeth Braddick, School Nurse

Jill Campbell, Counselor

Teri Chadwell, Lansing School District Food Service Supervisor

Kathy Davis, Children and Family Charities

Kyron Harvell, Building Liaison, Safe and Supportive School Grant

Jaime Gundrum, Project Director, 21st Century Grant

Marcus Jefferson, Parent/Community

Jan Kimble, Ingham County Health Department

Janice Marchal, Physical Education

Sharon McWilliams, Student Services, Lansing School District

Elizabeth Perez, Health Teacher, Eastern High School

Lorraine Robbins, MSU College of Nursing

Lara Slee, Regional Coach, Safe and Supportive Schools Grant

Carolyn Stone, Parent Coordinator

Kirk Valkner, Aramark General Manager

Melissa Washburn, Health Teacher, Pattengill Middle School

2011-2012 Coordinated School Health Team

The Coordinated School Health (CSH) Team will meet three times during the 2011-2012 school year to implement the strategic plan developed during the previous year. The Strategic Plan has three goals: 1) By 2014, Coordinated School Health will be institutionalized as part of Lansing School Districts processes and procedures; 2) By 2014, using Coordinated School Health (CSH), student risk behaviors will decrease by 5% as evidenced by MiPHY data and student achievement will increase 5% as evidenced by MEAP; 3) By 2014, using Coordinated School Health (CSH), all buildings will have some form of health promotion for faculty and staff. The CSH Team

plans to draft a policy modeled after the Michigan Department of Education's CSH policy for the Lansing School District. In addition to developing a CSH policy, the CSH team is working to increase collaboration among the school district's prevention grants, including, Safe and Supportive Schools (Eastern High School), 21st Century (All High Schools and STEM Academy), Pregnancy Prevention or P3 Grant (Eastern, Everett and Sexton), Counseling Grant (Bingham, North, Wainwright, Willow), and MSU College of Nursing's *Girls on the Move Intervention*.

Board Policies supporting Coordinated School Health:

**Athletic Code of Conduct
8706**

**Tobacco Products –
24/7 Tobacco Free Schools
5345 (School Personnel)**

**Tobacco Products—
24/7 Tobacco Free Schools
8230 (Students)**

**Sex Education and
HIV Education 7430**

Fact Sheet funded by: Eaton Intermediate School District and Ingham Substance Abuse Prevention Coali-

LANSING K-8 S.T.E.M. MAGNET ACADEMY (D.RICH)

OFFICIAL SCHOOL NAME CHANGE PROPOSAL
SUBMISSION TO
Lansing School District

Board of Education Policy Committee
12/5/11

The Lansing K-8 S.T.E.M. Magnet Academy/Dwight Rich Middle School staff and students have followed the process of renaming the school via informational meetings and polling.

Two votes were taken. The final results determined that the recommendation for review and consideration to be:

LANSING S.T.E.M. MAGNET ACADEMY

The attached pages detail the process and the outcome leading to this proposal.

Factors to consider in a final name change per staff and administrative concerns are as follows:

- Modifications to Michigan Department of Education documents including MEAP, ELPA, and related assessment reports.
- Modifications to accounting documents including CIMS purchasing identification to vendors who currently have the school identified as Lansing S.T.E.M. Magnet Academy
- Modifications to Parent Link System which took 10 weeks to change from Dwight Rich to temporary name of Lansing S.T.E.M. due to a system malfunction of downloading the enrollment data.
- Modifications to school sports and academic teams including the Robotics Team, Math-R-Rama Team, and Equations Team.

The vote speaks for itself. There is a strong desire to have a new school with a new image and thus a new name. The history of Dwight Rich Middle school is definitely worthy of recognition and we definitely support and ask that naming the auditorium after Mr. Rich also be considered.

LANSING K-8 S.T.E.M. MAGNET ACADEMY (D.RICH)
OFFICIAL SCHOOL NAME CHANGE BALLOT RESULTS
FIRST VOTE
12/1/11

Lansing K-8 STEM Magnet Academy - 135
Richwood - 126
Woodrich - 47
Dwight Rich - 111
Hampden Academy - 34
Dwight Rich K-8 17
ISmart Academy - 5
Rocket School of Learning - 1
Dwight Creek - 8
Dwight Rich Bears - 6
Colonial Village Magnet Academy - 1
SwagRich - 2

Other Suggested Names

Million Dollar Rich
Lewton Middle School
Rocket Stem Academy
Spartans Magnet Academy
Woodrich Jr 777
Dwight Rich Two
Richwood Academy
Riverwood
King Arthur's Court Academy School
Rich Creek
Dwight Wood
Nicholas Dr.
Hoodrich

DEBRIEFING NOTES

JUNIOR BOARD REPRESENTATIVES

TOPIC: OFFICIAL NAMING OF OUR SCHOOL

12/1/11

Present:

Sasha Butler

Jada Chapman-Dixon

Juwuan Funches

Samuel Menzie

Alma Scott

D. Chapman, Principal

Mrs. Chapman opened the meeting by explaining the Lansing School District policy on officially naming the school. She then asked each rep how he/she voted earlier today. Three (3) reps voted to keep the name as Dwight Rich; (1) Lansing K-8 S.T.E.M. Magnet Academy, and (1) totally new name.

A brief discussion was then conducted. Juwuan Funches felt that having a new name will help the community to have a more positive image of the school. Others chimed in and agreed that having a new name is a way to start over or have a new beginning. There was some discussion on having the mascot from Dwight Rich to remain as the Bears. It was finally determined that a new school should have a new mascot.

Mrs. Chapman then reported that the ballot results showed that the majority of voters today would like the school to be named Lansing K-8 S.T.E.M. Magnet Academy. The question was then called as to the support or non-support of proposing from the junior board representatives that the official name to be considered for the former Dwight Rich Middle School be the Lansing K-8 S.T.E.M. Magnet Academy passed with a unanimous vote of support.

The meeting was then adjourned.

DEBRIEFING NOTES

POLICY STAKEHOLDER MEETING

TOPIC: OFFICIAL NAMING OF OUR SCHOOL

12/1/11

Present:

Nicole Armbruster, School Board Member

Victor Celentino, Teacher

Delsa Chapman, Principal

Georgia Ellis, Parent- PTO Representative

Mrs. Chapman opened the meeting by sharing the debriefing notes and ballot results from 12/1/11.

Discussion focused on the fact that the top two names voted were:

Lansing K-8 S.T.E.M. Magnet Academy with 135 votes

Richwood with 126 votes

Due to only a nine (9) point margin between the top two names it was determined that a final ballot be drawn up and voting take place on Friday, December 2nd.

It was also determined that the final ballot included the following two names:

- Lansing S.T.E.M. Magnet Academy (The stakeholders decided to remove “K-8”)
- Richwood S.T.E.M. Magnet Academy

Additional discussion included the possibility of naming the auditorium after Dwight Rich. Mrs. Chapman shared that Mr. Rich’s granddaughter had contacted the school and was quite concerned about the name being changed even temporarily without the family being notified. She asked if her grandparents’ pictures were still visible in the school. Mrs. Chapman reported that Mrs. Rich’s picture was still hanging in the social room. Mr. Celentino shared that the picture of Mr. Rich had been removed quite some time ago. Mrs. Chapman indicated that she would inquire with staff and possibly previous administrators to determine where the photograph could be. The photo was not removed by administrative staff during the 2010-11 school year or the present academic year. All agreed that the Rich family should be included in upcoming matters regarding the name change. Mrs. Armbruster asked those present if the school board should ensure that they be contacted. All present agreed.

The meeting was adjourned.

MEMORADUM

To: Policy Committee Members, TC Wallace; D. Rouse;
James Davis;
From: Peter C. Jensen
Re: Anti-bullying policy
Date: February 2, 2012

Attached to this memorandum is a proposed anti-bullying policy established by the Michigan Department of Education. The proposal was fashioned on the statutory language of MCL 380.1310(b). I have previously provided to Board members and others in December what I believed would be necessary to write a policy that would pass muster. In that memorandum, I pointed out the anti-bullying policy previously adopted (prior to the adoption of the statute) by the Board was woefully inadequate in light of the statutory requirements. I have attached the "Model Anti-Bullying Policy" prepared by the adoption. This memorandum will review the policy. My frank opinion is that the policy is, in general, consistent with the statute, but I believe that it is poorly written.

The foundation of the language appears to be the original "Dear Colleague: from the US Department of Civil Rights" plus language from various other memos written on the subject. Obviously, it addresses the language in MCL 380.1310(b), but it is not *verbatim* and does not necessarily follow the same progression as the statute.

In note that in paragraph 1, which is a simple preamble outlining the reason for the policy it fails to protect those persons who report such behavior.

The second paragraph is a complete analysis of the phrase "bullying" and "harassment." The definitional provisions which outline the meanings separately are equally sufficient. However, I would have a sentence that says "Both the act of bullying and harassment are intricately tied as one and neither term is mutually exclusive."

The definition of where bullying occurs is consistent with MCL 380.3110(b)(8).

Page 3 the second paragraph requires "annual training" MCL 380.1310(b)(6). This policy will [implicitly] require that a team be selected to learn not only this policy but to have a total understanding of the consequences of this policy, more precisely, the violation of this policy which includes liability under Title IX, ADA, Elliott Larsen Civil Rights Acts and others. Counsel should be part of the team to provide guidance.

Pages 3 and 4 requires the "school administrators" to "develop and implement" procedures to ensure "appropriate consequences and remedial responses". Although page 4 lays out the factor, I think that it is important to have some uniformity in how the administration intends to mete out discipline based on these factors. Once again, a team will be necessary to more precisely provide guidelines of discipline. Counsel can work with the team on this approach (There is a 220 page monograph on the US Dept. of Ed.

Site with a complete analysis on how other states and Michigan fashion remedies. Only this way can we avoid “disparate impact” claims of discrimination.

The Principal or designee is to be the coordinator and to “conduct a prompt, thorough, and complete investigation” within 3 days. All persons involved in the investigation shall be given a “written notice...on the outcome.”

I note that the policy on page 7, paragraph 3 “prohibits reprisal or retaliation” for those who report. The statute specifically provides for “immunity” MCL 380.1310(b)(7). This is certainly stronger than “prohibit” and should perhaps be added.

Finally, the policy (and statute) requires that the policy be disseminated annually to all school staff, students and parents along with a statement of explanation. At school sponsored function or on a school bus [310.1310(b)(5)(e). I think this is somewhat weak language and we should consider adding language to post this on our web page separately from the other Board policies. Also I recommend publication in the Student Code of Conduct.

WHAT TO DO

Although I believe that the policy as presented by the Michigan Department of Education could certainly improved upon, it is a document prepared and will be obviously accepted in this format/ The document must be approved by the Board and submitted to the Department of Education. I note that there does not seem to be a provision for the development of a “task force” as noted in MCL 380,1310(b)(6)(a) [however, the act only “encourages a board to include this]. The Board should determine whether such language should be added. (By analogy to Section 504, I believe that the due process [hearing] language is weak since it does not say anything except the district will investigate. There are no notice provisions. What do we do when an attorney appears? So, this memorandum proposes minor changes consistent with the Act.

Concurrently with adopting the policy, I recommend that the Board authorize the Superintendent to immediately establish a committee which includes the attorney to ensure that all portions of the policy are immediately implemented and that programs be established to meet with building principals explaining their role and the significance of the policy to all; building principals. The attorney has also try to establish guidelines of discipline as necessary. As part of this program the attorney will appear at all hearings as an observer to ensure that the investigation is consistent with the act and provide guidance to the principal if necessary.

MEMORANUM

To: Dr. Wallace; E. Harris; D.Rouse

From: PCJ

Re: Anti Bullying statute (Matt's Safe School Law, MCL 380.1301b)

Date: December 7, 2011

The Governor will soon be signing amendments to the Revised School Code (MCL 380.1301b) which requires school districts to adopt anti bullying policies. This bill will not be in place for at least one month. (No action to be taken until December 31). I know that the District already has a policy in place; however, the statute requires certain provisions within the policy. With this in mind, I will review the statutory requirements. We can meet at a later date to review the current policy and statutory provisions we have and the process we need to take to amend any portion of that policy. At the outset the Legislature has said that the policy should be adopted through a process which includes parents/guardians, school employees, volunteers, pupils, school administrator and community representatives. The question becomes whether any amendment to a current anti-bullying policy requires this mix of community/school leaders.

The policy must contain the following components:

1. A statement prohibiting harassment or bullying of a pupil
2. A definition of harassment or bullying that includes at least the acts described in the definition.
3. Description of types of behavior expected from each pupil
4. Age-appropriate consequences and remedial action for violations of the policy
5. A procedure for reporting harassment or bullying, including a provision for anonymous reporting.
6. A procedure for prompt investigation (within 3 days) of reports of violations or complaints, identifying either the principal or designee as the person responsible for the investigation.
7. Range of ways the District will respond once harassment or bullying has been identified. Must be commensurate with the severity of the offense and with the offenders past record. This must be placed in the student's permanent disciplinary record including a description of the incident.
8. A statement that prohibits reprisal or retaliation against person who reports incident
9. Consequences and appropriate remedial action for a person found to have falsely accused another.
10. A statement of how the policy is to be publicized now and on an on-going basis.
11. Provisions encouraging individual s to report incidents
12. A requirement that a school employee who has witnessed an incident or has reliable information that it occurred shall report the incident to the principal or designee.

This policy must be adopted within six (6) months of the passage of the bill, and submit it to the MDE.

The MDE shall develop a model policy applicable to grades K-12 .

The MDE has developed policies and procedures for dealing with Districts which do not comply with the Act.

The Board shall assure publication of this policy in its set or rules, student code of conduct and other handbooks.

The person who reports the occurrence is not liable for damages arising from any failure to remedy the reported occurrence.

Schools are encouraged to develop task forces, programs and other initiatives involving staff, pupils, administrators, volunteers and parents and community members.

The District SHALL do the following:

1. Provide annual training on the policy to school employees and volunteers who have “significant contact with pupils” [there is no definition of that class of volunteers]
2. Develop a process of discussing harassment or bullying policy with students.
3. Incorporate this in the basic employee training program.

The statute does not create or alter any tort liability which may be available to those harassed or bullied.

The District must develop a form and procedure to report incidents to the MDE on an annual basis and make this information available to the public.

If a criminal act is reported, the law enforcement agency shall commence an investigation within 3 days of the report being made. The District shall provide “directory information” to law enforcement agents as part of an investigation.

DEFINITIONS;

AT SCHOOL is defined as a classroom, on or immediately adjacent to school premises, on a school bus or other school vehicle, bus stop, a route of pupil to and from school, at any school-related function Includes conduct using telecommunications access device or service that occurs off school premises

BULLYING includes, but is not limited to, conduct in person or using a telecommunications access device that (i) is directed at one or more students; (ii) substantially interferes with educational opportunities, benefits, or programs of 1 or more students; (iii) adversely affects the ability of a pupil to participate in or benefit from the

district's educational programs or activities by placing the pupil in reasonable fear of physical harm or causing emotional distress.

(iv) based on pupil's actual or perceived religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, gender identity, socioeconomic status, or any other distinguishing characteristic or based on association with another person who has or is perceived to have any of these characteristics.

HARASSMENT means conduct, including but not limited to, conduct in person or by telecommunication that meets all of the following:

- (i) Directed at 1 or more
- (ii) Substantially interferes with educational opportunities, benefits, or programs
- (iii) Adversely affects ability of pupil to participate in or benefit from educational programs because conduct reasonably perceived by pupil is so severe, pervasive, and objectively offensive as to have this effect.
- (iv) Is based on pupil's actual or perceived religion, race, color, national origin, age, sex, sexual orientation, disability, height, weight, gender identity, socioeconomic status, or any other distinguishing characteristic or is based on association with another person who has or is perceived to have any of these characteristics.

COURSE OF ACTION

There is no question that our District's policy does not contain all the requirements of the Act. Although I think we are mostly there, it will be necessary to review the current policy and statute and determine what needs to be strengthened, amended or added to. Also, we will need some process established for annual reporting to the state.

I suspect the District could wait and see what the MDE proposes. That will be a decision that will have to be made by Administration. I personally believe that it is in our best interests to establish our own policy and procedure, and fashion our own remedies. Obviously, I would need to be part of the review process.

The Lansing School District board of education prohibits acts of harassment or bullying. The board of education has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

"Harassment or bullying" is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts, such as sexting or cyber-bullying via internet, cell phone, or any electronic communication device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle. Off-campus incidents that affect learning conditions at school shall be subject to the same disciplinary consequences as on-campus incidents.

Since bystander support of harassment or bullying can support these behaviors, the district prohibits both active and passive support for acts of harassment or bullying.

The Lansing School District board of education requires its school administrators to develop and implement procedures that ensure *both* the appropriate consequences *and* remedial responses to a student or staff member who commits one or more acts of harassment or bullying.

The Lansing School District board of education requires the principal and/or the principal's designee at each school to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or the principal's designee. All principals or principal's designees are required to report alleged violations of this policy to the District superintendent or the superintendent's designee. The superintendent shall make a monthly report on alleged violations and responses and/or actions to the school board.

The Lansing School District board of education requires school officials to annually disseminate the code of conduct to all school staff, students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying that occur on school property, at school-sponsored functions, or on a school bus. The chief school administrator shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

Approved: November 18, 2010

LEGAL REF: "Policies on Bullying," Michigan State Board of Education, 7-19-01; Tinker v Des Moines Independent School District, 393 US 503(1969). See also: Saxe v State College Area School District, 240 F3d 200(CA 3, 2001).

Amended: August 4, 2011

MEMORANDUM

To: Policy Committee; M.Alwardt
From: PCJ
Re: Amendment to Board Policy 8012 and
Procedure to Implement policy
Date: February 27, 2012

As part of a Civil Rights settlement some time ago, the OCR requested that the Board adopt specific procedures related to Sec. 504 complaints. I have reviewed the policy. There is one required change in that policy *in italics* in the first paragraph. I have then added a last paragraph in the policy which references the adopted procedure.

8012 Disabled Students

It is the intent of the Board of Education that no otherwise qualified student with a disability *or a perceived disability* shall be excluded from participation in, denied the benefits of, or be subjected to discrimination solely on the basis of his/her disability in any program or activity conducted by the District.

It is further the intent of the Board of Education to identify, evaluate and provide a free appropriate education to each qualified student with a disability *or a perceived disability*, within its jurisdiction regardless of the nature or severity of the disability.

[Third paragraph unchanged]

NEW PARAGRAPH

The implementation of this policy is affixed as a Regulation adopted by the Board and is located in Regulation No. 8012.

Refer to Policy 2450.

It is the policy of the Board of Education that the District will not discriminate against any person based on sex, race, color, national origin, religion, height, weight, marital status, handicap, age, or disability. The District reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d, et seq.; and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; The Americans With Disabilities Act of 1990, 42 U.S.C. §§ 1210, et seq.; the Persons with Disabilities Civil Rights Act, MCL §§ 37.1101, et seq.; and the Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.

~~The administrator in charge of Special Education is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs and activities. The Superintendent is appointed the Civil Rights Coordinator regarding discrimination complaints made by students (grades Pre K through 12) and/or their parent(s)/guardian(s), and involving sex, race, color, national origin, religion, height, weight, age, or marital status. The Superintendent is appointed the Civil Rights Coordinator regarding all other complaints of discrimination. In the event the complaint is against the Superintendent of Schools, the Vice President of the Board of Education is appointed the Civil Rights Coordinator.~~

~~Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination based on disability/handicap should be directed to:~~

~~The Administrator in Charge of Special Education
Lansing Public School District
519 W. Kalamazoo St.
Lansing, MI 48933
517-755-2000~~

Inquiries or complaints made by ~~students (grades Pre K through 12) and/or their parent(s)/guardian(s)~~personnel related to discrimination based on sex, race, color, national origin, religion, height, weight, age, or marital status should be directed to:

The Superintendent of Schools
Lansing Public School District
519 W. Kalamazoo St.
Lansing, MI 48933
517-755-2000

In the event a complaint is against the Superintendent of Schools, the complaint should be directed to:

The Vice-President of the Board of Education
Lansing Public School District
519 W. Kalamazoo St.
Lansing, MI 48933
517-755-2000

The complaint should identify the facts, dates, and times (if possible) of the acts and type of discrimination you believe to be violation of the Board's policy. It should also identify the party you believe committed the discriminatory act.

All other inquiries related to discrimination should be directed to:
Superintendent of Schools
Lansing Public School District
519 W. Kalamazoo St.
Lansing, MI 48933
517-755-2000

The Civil Rights Coordinators, as specified herein, are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy may should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will take, then, the following action: First, cause an investigation of the complaint to be commenced. (1)Second, arrange for a meeting to occur with the complainant, and persons identified in the complaint and any other persons the Coordinator believes may be relevant to the investigation, and/or assist in its resolution, which may include School District staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise that will assist in resolving the complaint.(2)Third, complete the investigation of the complaint and provide, in writing, a reply to the complainant. If possible, the Coordinator will make a proposed resolution of the complaint and deliver the same to the complaining party and superintendent. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the Superintendent. In the event the complaint is against the Superintendent, a copy of the determination shall be delivered to the President of the Board of Education for review by the whole Board. The complainant may appeal the Civil Rights Coordinator's determination to the Superintendent, or, in the case of a complaint against the Superintendent, to the Board, by so notifying the Superintendent or Board President in writing within the (10) calendar days of the Civil Rights Coordinator's determination. The Superintendent or Board may conduct additional investigation of the facts and circumstances surrounding the complaint.

The Board Vice-President, with the consent of the full Board, or the Board, may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Superintendent.

The Superintendent, or the Board in the case of a complaint against the Superintendent, shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the Civil Rights Coordinator's proposed resolution or a modification thereof. The Superintendent or the Board's decision shall be final.

Except as otherwise required by statute, the complaining party does not have to file a claim with the District, but may file a complaint with the appropriate agency or court as required by law.

Approved: April 28, 2005

LEGAL REF: Included in text.

Section 2000- General School administration

2450 Non-Discrimination and Complaint Procedure (Cf. 5030,8015) 2450

It is the policy of the board of Education that the District will not discriminate against any person based on sex, race, color, national origin, religion, height, weight, marital status, age, handicap, or disability.

The District reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§2000d. et Seq.; and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; The Americans With Disabilities Act of 1990, 42 U.S.C. §§ 1210, et seq.; the Handicappers' Civil Rights Act, MCL §§ 37.1101, et seq.; and the Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.; IDEA, 20 U.S.C. § 1400 et seq.

The administrator in charge of Special Education (*or other appropriate administrator named by the District*) is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs, and activities. Inquiries or complaints by students and/or their parent(s)/guardian(s) related to discrimination based on disability/handicap or other educational issue should be directed to:

The Administrator in charge of Special Education
Lansing Public School District
519 W. Kalamazoo St.
Lansing, MI 48933
517-325-6000

The Superintendent (*or other appropriate administrator named by the District*) is appointed the Civil Rights coordinator regarding discrimination complaints made by student (grades Pre-K through 12) and/or their parent(s)/guardian(s), and involving sex, race, color, national origin, religion, height, weight, age, or marital status. The Superintendent (*or other appropriate administrator named by the District*) is appointed the Civil Rights coordinator regarding all other complaints of discrimination. Inquires or complaints made by student (grades Pre K through 12) and/or their parent(s)/guardian(s) related to discrimination based on sex, race, color, national origin, religion, height, weight, age, or marital status or any other claim of discrimination not related to the school curriculum should be directed to:

(Administrator to be named by the District)
Lansing Public School District
519 W. Kalamazoo St.
Lansing, MI 48933
517-325-6000

Section 2000- General School Administration
2450 Non-discrimination and Complaint Procedure

The Civil Rights Coordinators, as specified herein, are designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy may file a written complaint with the Civil Rights coordinator within then (10) calendar days of the alleged violation. Upon receipt of the Complaint the Coordinator shall review it and determine the nature of the claim. If it should be directed to another Coordinator, he will do so immediately. An investigation will commence within 14 calendar days. The Coordinator shall: (1) arrange for a meeting with the complainant and persons identified in the complaint and any other persons the Coordinator believes may be relevant to the investigation, and/or assist in its resolution; (2) complete the investigation of the complaint and provide, in writing, a reply to the complainant. If possible, the Coordinator will make a proposed resolution of the complaint and deliver the same to the complaining party and Superintendent.

In the event the complaint is against the Superintendent, the attorney for the District will investigate the matter and deliver the proposed resolution to the Board President. The complainant may appeal the Civil Rights Coordinator's determination to the Superintendent, or, in the case of a complaint against the Superintendent, to the President of the Board, by so notifying the Superintendent or Board President in writing within the (10) calendar days of the Civil Rights coordinator's determination. The Board President or designee may conduct additional investigation of the facts and circumstances surrounding the complaint if deemed necessary. The Board President may elect to secure the services of an outside party to investigate the facts and circumstances surrounding any complaint against the Superintendent. The Superintendent, or Board President in the case of a complaint against the Superintendent, shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the Civil Rights Coordinator's proposed resolution or a modification thereof. The Superintendent or Board President's decision shall be final.

Except for those claims under IDEA, matters relating to a manifestation hearing, the Complainant is not required to start any action concerning allegations of discrimination with the District, but may commence such actions before an administrative agency or court, as required under the statute.

Approved:

LEGAL REF: Included in text.



**Section 504 Manual for Identifying and Serving Eligible Students:
Policies, Guidelines, and Forms**

TABLE OF CONTENTS

INTRODUCTION..... 1

OVERVIEW 1

POLICY STATEMENT 2

DEFINITIONS 2

CHILD FIND 5

PRE-REFERRAL ASSISTANCE 5

PARENT RIGHTS..... 6

SECTION 504: THE PROCESS..... 6

A. Referral..... 6

B. Evaluation 6

C. Eligibility Determination 8

D. Section 504 Plan 8

E. Review of Section 504 Plan 8

F. Reevaluation 9

SUSPENSION AND EXPULSION OF SECTION 504 STUDENTS.....9

IMPARTIAL DUE PROCESS HEARING 10

GRIEVANCE PROCEDURE..... 11

FORMS

<u>FORM A: SECTION 504 CHECKLIST</u>	A-1
<u>FORM B: SECTION 504 REFERRAL FOR EVALUATION</u>	B-1
<u>FORM C: NOTICE OF SECTION 504 PROCEDURAL SAFEGUARDS</u>	C-1, C-2
<u>FORM D: SECTION 504: NOTICE OF REFERRAL AND CONSENT FOR EVALUATION</u>	D-1
<u>FORM E: SECTION 504: PARENT CONSENT FORM</u>	E-1
<u>FORM F: AUTHORIZATION FOR RELEASE AND EXCHANGE OF MEDICAL INFORMATION</u>	F-1
<u>FORM G: COVER LETTER TO PHYSICIAN</u>	G-1
<u>FORM H: PHYSICIAN'S STATEMENT</u>	H-1
<u>FORM I: SECTION 504: TEACHER INPUT</u>	I-1
<u>FORM J: SECTION 504: MEETING NOTICE AND INVITATION</u>	J-1
<u>FORM K: SECTION 504 PLAN</u>	K-1, K-2, K-3
<u>FORM L: GRIEVANCE PROCEDURE</u>	L-1, L-2
<u>FORM M: SECTION 504: COMPLAINT FORM</u>	M-1
<u>FORM N: SECTION 504: MANIFESTATION DETERMINATION MEETING NOTICE AND INVITATION</u>	N-1
<u>FORM O: SECTION 504 MANIFESTATION DETERMINATION REVIEW</u>	O-1, O-2, O-3

INTRODUCTION

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as "Section 504") prohibits discrimination against students on the basis of disability.

This Manual contains information, guidelines, policies, procedures, and forms to achieve compliance with Section 504 with respect to the education of the District's students, in a manner consistent with the District's non-discrimination policies.

The District expects its employees to be knowledgeable about its Section 504 procedures. If you have Section 504 questions concerning either current or prospective students, please contact the District's Section 504 Coordinator:

Martin Alwardt
Special Education Director
Lansing School District
Hill Center
5815 Wise Road
Lansing, MI 48911
(517) 755-4000
Martin.Alwardt@lansingschools.net

Although Section 504 also applies to employment and facility access by individuals with disabilities, this Manual only addresses student issues under Section 504.

OVERVIEW

Section 504 is a federal law which prohibits discrimination against persons with disabilities. The law provides:

No otherwise qualified individual with a disability. . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. . . .

29 USC § 794

One of the principal purposes of Section 504 is to ensure that students with disabilities are not denied access to educational facilities, programs, and opportunities on the basis of their disability.

For a student to have a disability which may be protected under this law, he or she must: **(1) have a mental or physical impairment, (2) which substantially limits, (3) one or more**

major life activities. For a student to be considered an "eligible student" under Section 504, all three criteria must be fulfilled.

Under Section 504, schools that receive federal funds may not discriminate against eligible students with disabilities. Section 504 also protects students who have a record of a disability, and students who are regarded as having a disability. Discrimination against students in either category is prohibited under Section 504.

Section 504 requires the District to provide a free appropriate public education ("FAPE") to each eligible student who has a physical or mental impairment which substantially limits a major life activity. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of non-disabled students are met and in accordance with Section 504 requirements pertaining to educational setting, evaluation, placement, and procedural safeguards. The FAPE obligation extends to all students described in this paragraph, regardless of the nature or severity of their disability.

POLICY STATEMENT

The District shall not discriminate against any student having a disability, a record of having had a disability, or who is otherwise regarded as having a disability. The District shall also, as required by law, attempt to locate and identify each student within the District's jurisdiction who may be an eligible student under Section 504. The District shall evaluate each student identified under Section 504 and provide each eligible student with a FAPE as defined by law.

The District also shall not discriminate against persons based upon any other legally-protected characteristic. Other District publications and policy documents should be consulted to obtain details of those prohibitions, and the means by which an internal complaint or grievance concerning any type of discrimination may be filed.

DEFINITIONS

The following definitions apply to this Section 504 Manual, Policies, Guidelines, and Forms.

"Free Appropriate Public Education" ("FAPE")

A "free appropriate public education" is the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of students with a disability as adequately as the needs of non-disabled students are met and is based on adherence to procedures that satisfy Section 504 requirements pertaining to educational setting, evaluation, placement, and procedural safeguards.

"Individual with a Disability"

An "individual with a disability" is a person who:

1. Has a physical or mental impairment which substantially limits one or more of such person's major life activities;
2. Has a record of such an impairment; or
3. Is regarded as having such an impairment.

"Physical or Mental Impairment"

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or
2. Any mental or psychological disorder, such as a cognitive impairment, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The Section 504 regulations do not provide an exhaustive list of specific diseases or conditions that may constitute a physical or mental impairment because of the difficulty of developing a comprehensive list of possible diseases and conditions.

"Substantially Limits"

A student who has a physical or mental impairment that substantially limits a major life activity is considered a student with a "disability" under Section 504. This determination is made on a case-by-case basis. Neither Section 504 nor its implementing regulations define the term "substantially limits" but the term is not necessarily synonymous with "unable to perform" or "significantly restricted in" a major life activity.

Except for ordinary eye glasses or contact lenses, the ameliorative effects of mitigating measures may not be considered when assessing whether a student has an impairment that substantially limits a major life activity. "Mitigating measures" include, but are not limited to: medication; medical supplies, equipment or appliances; low-vision devices (devices that magnify, enhance, or otherwise augment a visual image); prosthetics (including limbs and devices); hearing aids and cochlear implants or other implantable hearing devices; mobility devices; oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; and learned behavioral or adaptive neurological modifications.

A temporary impairment does not constitute a disability for purposes of Section 504 unless it is of such severity that it results in a substantial limitation of one or more major life activities for an extended period of time. This determination is to be made on a case-by-case basis.

If a student has an impairment that is episodic or in remission, the District must consider whether the impairment, *when active*, would substantially limit a major life activity. If it would, then the student meets the definition of a student with a disability.

"Major Life Activities"

To be eligible under Section 504, a student's physical or mental impairment must interfere with one or more "major life activities." A "major life activity" includes, but is not limited to functions such as:

- Caring for oneself
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working
- Eating
- Sleeping
- Standing
- Lifting
- Bending
- Reading
- Concentrating
- Thinking
- Communicating
- Operation of major bodily functions (including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions)

This list is not exhaustive. An activity or function not found on the list may nonetheless be a major life activity. A student is protected from all forms of discrimination and is eligible under Section 504 if the student has an impairment that substantially limits one or more major life activities, including, but not limited to, learning.

"Record of Impairment" and "Regarded as Having an Impairment"

Section 504 also protects students from discrimination who have a record of an impairment or who are regarded as impaired. A student is "regarded as" having an impairment if the District perceives the student as impaired. The District shall not treat students differently based upon a record that shows that the student was disabled in the past, or based upon an assumption or perception of disability. The District is not required to develop a Section 504 plan for a student who either has a record of an impairment or who is regarded as having an impairment, but who is not otherwise currently eligible under Section 504.

"Current User of Illegal Drugs"

A student who is currently engaging in the illegal use of drugs is not eligible for services or protection under Section 504 when the District takes disciplinary action on the basis of such drug use even if the student is otherwise a student with a disability. A student who is a former drug user or who is participating in a drug rehabilitation program, however, may be eligible for Section 504 services and protection if the student otherwise meets the definition of an "individual with a disability" as described above.

CHILD FIND

Every year, the District shall attempt to identify and locate every student residing in the district who may be a student with a disability under Section 504, regardless of whether he or she is receiving a public education. The District shall notify parents of those students of the District's Section 504 obligations.

The District may satisfy the notification obligation by advertising, by posting notices in places likely to be visited by qualified students with disabilities and their parents, by including notices in District publications and on its web site, and by directly contacting parents of those students who the District believes to be eligible.

The District must also ensure that the information in its Section 504 notices is written in a manner that is easily understandable to a parent. The notice should also contain the name and contact information for the District's 504 coordinator.

PRE-REFERRAL ASSISTANCE

Pre-referral assistance is an important first step in serving students experiencing difficulties in school. Teachers may vary instructional and behavioral methodologies and expectations, and, by so doing meet students' educational and behavioral needs; and thereby strengthen the general education program and reduce unnecessary Section 504 and IDEA formal referrals.

Pre-referral assistance, including strategies such as response-to-intervention ("RTI"), is not intended to impede or be a substitute for necessary referrals for consideration of eligibility under the Individuals with Disabilities Education Act ("IDEA") or Section 504. If, at any time, a teacher, counselor, administrator, or other professional staff member has reason to believe that the student's difficulties may be attributable to a disability, the student should be referred for an evaluation. If a parent/guardian at any time requests an evaluation, the District must either honor that request or notify the parent/guardian of his/her due process rights under the IDEA, or Section 504, as applicable.

PARENT RIGHTS

Section 504 guarantees certain rights to parents of students with disabilities. A Section 504 Notice of Procedural Safeguards ([Form C](#)) has been developed for distribution to parents.

SECTION 504: THE PROCESS

This section of the Manual addresses important steps in the Section 504 process including: referral, evaluation, eligibility determination, development of the Section 504 Plan, review, and reevaluation.

A. Referral

A student who, because of a suspected disability, is believed to need services under Section 504 is typically referred for a Section 504 evaluation by a parent, guardian, teacher, other certified school employee, the student if 18 years of age or older, or other concerned adult individual. Upon the receipt of a referral:

- The referral should be reduced to writing. ([Form B](#))
- The parent should be provided written notice of the referral, and be asked to provide written consent to a Section 504 evaluation. ([Form D](#))
- The parent should be provided with a copy of "Section 504 Notice of Procedural Safeguards" ([Form C](#)) with notice of the referral.

Once the District has received parent consent to evaluate, the District may begin the evaluation process. If a parent refuses to consent to an initial evaluation, the District may, but is not required to, use due process hearing procedures to seek to override the parent's refusal to consent to the evaluation. Additionally, if a parent refuses to consent to an evaluation that is necessary for a determination of eligibility, the 504 Team may determine that the student is not eligible under Section 504.

B. Evaluation

The evaluation is the starting point for determining whether a student is an eligible student under Section 504. The District is required to conduct an evaluation before providing Section 504 services. The nature and extent of the information needed to make a Section 504 eligibility decision is determined on case-by-case basis by a group of persons knowledgeable about the student, the meaning of evaluation data, and the placement options, *i.e.*, the Section 504 Team. Information obtained through the evaluation process must be documented and all significant factors must be considered. The District may, but is not required to, use the same

evaluation process used to evaluate students under the IDEA. The evaluation must draw upon information from a variety of sources and may include:

- School records review
- Observations of the student
- Standardized tests or other assessments by school staff
- Parent/Student/Teacher interviews
- Behavior rating scales or other checklists
- Pertinent medical information
- Information provided by the parent
- Other relevant information

Where formal testing is determined to be necessary, the evaluation procedures must ensure that:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer.
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
3. Tests are selected and administered so as best to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except when those skills are the facets that the tests purport to measure).

A medical diagnosis of a physical or mental impairment does not, in and of itself, determine Section 504 eligibility. As mentioned above, Section 504 requires the District to draw upon information from a variety of sources in making its eligibility determination. A medical diagnosis is only one source of information. Additionally, the District may request, but cannot require a parent to provide a medical statement or authorize the release of the student's medical information as part of the evaluation process. If the District determines, based on the facts and circumstances of the individual case, that a medical assessment is necessary for an appropriate evaluation, the District must ensure that the child receives this assessment at no cost to the parents. If alternative assessment methods meet the evaluation criteria, those methods may be used in lieu of a medical assessment. If a parent refuses to consent to a medical assessment and alternative assessment methods are not available, the 504 Team must proceed to make an eligibility determination based on the information it has on hand.

Absent extenuating circumstances, the District's evaluation and the development of a Section 504 Plan, if necessary, should be completed no later than 30 school days following the District's receipt of the parent's consent to evaluate. If an extension of time is required, the parent must be notified in writing of the extension, the reason for the extension, and the expected date of completion of the process.

C. Eligibility Determination

The eligibility determination must be made by a group of persons knowledgeable about the student, the meaning of evaluation data, and placement options and must be documented in writing. The parent of the student should be given a meaningful opportunity to provide input into identification, evaluation, and placement decisions for his/her child. Therefore, the parent should typically be included in this process.

D. Section 504 Plan

Where a student is found to be eligible under Section 504, the need for a Section 504 Plan must be determined. ([Form K](#)). The Section 504 Team, which should include the parent, will be responsible for determining the services that are needed to provide the student a FAPE. The Plan should specify how services will be provided and by whom.

The Section 504 Plan shall be signed by the Section 504 Coordinator/Designee, indicating the District's intent to implement the plan. A copy of the Plan, along with the Section 504 Notice of Procedural Safeguards ([Form C](#)), must be provided to the parent.

If a Section 504 Plan is developed for a student, all school personnel with implementation responsibilities should be informed of the existence and particulars of the Plan. Failure to implement the Plan can result in non-compliance with Section 504.

E. Review of Section 504 Plan

The teacher or other person(s) designated by the Section 504 Team shall monitor the student's progress and the effectiveness of the student's Plan. The teacher or other designated person will contact the parent (in person or by phone) at least annually to discuss whether the 504 Plan continues to be appropriate or whether any changes are necessary. If changes are to be considered, the Section 504 Team must be convened.

In addition, the Section 504 Team should be convened and the student's 504 Plan updated whenever the student's situation warrants a review (*e.g.*, during natural transition periods, when a teacher or parent raises concerns, or when the student's performance changes).

E. Reevaluation

A reevaluation should be completed at least once every 3 years to redetermine eligibility under Section 504 and before any significant change in the student's placement.

SUSPENSION AND EXPULSION OF SECTION 504 STUDENTS

Students who are eligible under Section 504 have certain additional protections when charged with a violation of the Code of Student Conduct which may result in a suspension or expulsion that constitutes a significant change in placement. Similar to suspension or expulsion of a student with a disability under the IDEA, it is necessary to conduct a manifestation determination for a Section 504 student when:

- The suspension or expulsion will be for more than 10 consecutive school days; or
- The student has been subjected to a series of suspensions that total more than 10 school days in a school year and a pattern of exclusion exists. Whether a series of suspensions creates a pattern of exclusion is determined on a case-by-case basis taking into account the following factors: the length of each suspension, the proximity of the suspensions to one another, the similarity of the behavior that resulted in the removals, and the total amount of time the student is excluded from school.

If either of the situations above applies, then the District is required to conduct a manifestation determination before any significant change in student's placement may occur. The manifestation determination should be conducted within 10 school days of the decision to change the student's placement. The parent must be invited to participate in the meeting and provided a copy of the Section 504 Notice of Procedural Safeguards ([Form C](#)). The purpose of the manifestation determination is to review whether the student's misconduct was caused by, or had a direct and substantial relationship to the student's disability; or whether the conduct was a direct result of the District's failure to implement the student's Section 504 plan. ([Form O](#)).

This determination should be made by a group of persons knowledgeable about the student, the meaning of evaluation data, placement options, the student's Section 504 Plan, and the disciplinary incident. In making its determination, the 504 Team must review all relevant information in the student's file, the student's Section 504 plan, any teacher observations of the student, and relevant information provided by the parent.

If the 504 Team concludes that the student's conduct is a manifestation of the student's disability, the student must remain in (or be returned to) his/her current educational placement, unless the parent and the District agree to change the student's placement. If the 504 Team concludes that the student's conduct is not a manifestation of the student's disability, the District may apply the relevant disciplinary procedures applicable to all students. Unlike the IDEA,

there is no requirement to provide a student whose conduct is not a manifestation of the student's disability educational services during a disciplinary change in placement unless services are provided to similarly-situated non-disabled students.

Please note that Section 504 allows a student to be disciplined, without going through the manifestation determination review process, when the infraction results from the student's current illegal use of drugs or alcohol in violation of the Code of Student Conduct.

In the case of a Section 504 student who carries or possesses a weapon to or at school, on school premises, or to or at a school function, the District may place the student in an interim alternative educational setting for up to 45 school days if a student without a disability would be similarly disciplined. The Section 504 team must meet to develop the interim alternative educational setting after evaluating the student as described in this Manual. The interim alternative educational setting must be educationally appropriate and the services provided must enable the student to continue to progress in the general curriculum. The interim alternative educational setting must also address the behavior prompting the disciplinary action.

IMPARTIAL DUE PROCESS HEARING

A parent who disagrees with the identification, evaluation, placement, or the provision of a free appropriate public education of a student with a disability under Section 504 has the right to request an impartial due process hearing. Request for a Section 504 due process hearing must be made in writing to the District's Section 504 Coordinator. Upon receipt of such a request, the necessary arrangements will be made by the District, including the selection of a hearing officer. A person who is an employee of the District, or any person having a personal or professional interest which would conflict with his/her objectivity in the hearing, may not be appointed as a hearing officer.

Any party to a hearing has the right to:

1. Be accompanied and advised by counsel or an individual with special knowledge or training about the problems of children with disabilities;
2. Present evidence and cross-examine witnesses;
3. Obtain a written or electronic verbatim record of the hearing or obtain alternate forms of the verbatim record to be provided in the parent's native language;
4. Obtain written or electronic findings of fact and decisions; and
5. Seek judicial review of a hearing officer decision.

Lansing School District

The District will adhere to the following timeframes if a due process hearing is requested:

1. A hearing will be scheduled not more than 30 calendar days following receipt of the parent's written request.
2. The hearing officer will, not later than 30 calendar days after the hearing, draft a written decision (with specific findings of fact) and send a copy of the decision to each party and/or their attorneys/representatives.
3. In the absence of an appeal, the District will implement the decision of the hearing officer within 15 calendar days of the District's receipt of the decision.

GRIEVANCE PROCEDURE

A person who believes a student has been discriminated against by the District on the basis of the student's disability or who believes the District otherwise violated Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act also has the right to file a complaint through the District's grievance procedure. In addition, if any person believes that any employee of the school, a student, or other third-party has engaged in discrimination based on an individual's disability or perceived disability status, then they may file a grievance with the school's Section 504/ADA coordinator. ([Forms L and M](#)). A person who wishes to file a complaint should contact:

Martin Alwardt
Special Education Director
Lansing School District
Hill Center
5815 Wise Road
Lansing, MI 48911
(517) 755-4000
Martin.Alwardt@lansingschools.net

A person may file a complaint with the Office for Civil Rights (OCR) if he/she does not wish to use the District's grievance procedure. A person who wishes to file a complaint with OCR should contact:

Office for Civil Rights
U.S. Department of Education
600 Superior Avenue East, Suite 750
Cleveland, OH 44114-2611
FAX: (216) 522-2573; TDD: (877) 521-2172
Telephone: (216) 522-4970
[E-mail: OCR.Cleveland@ed.gov](mailto:OCR.Cleveland@ed.gov)

A discrimination complaint may be filed with OCR at any time. Additionally, if a person is dissatisfied with the District's resolution of a complaint, that complaint may be filed with OCR at the address above within 60 days of the District's resolution.

Lansing School District

SECTION 504 CHECKLIST

FORM A

Student Name: _____ Date of Birth: _____

School Building Attending: _____ Grade: _____

1. **Section 504 Referral**

- Receive signed Section 504 Referral for Evaluation ([Form B](#))
- Date received by the School District _____

2. **Parent Consent for Evaluation**

- Provide parent Section 504 Notice of Referral and Consent for Evaluation ([Form D](#))
- Provide parent Section 504 Notice of Procedural Safeguards ([Form C](#)).
- Date parent consent received by the District _____
- Date evaluation should be completed _____
(30 school days from date consent received for initial evaluation)

3. **Evaluation Process**

- Identify Section 504 team members (persons who are knowledgeable about the student, the meaning of evaluation data, and placement options)
 - Determine needed evaluation data. **Note:** Evaluation information should be obtained from a variety of sources.
 - Seek parent consent to obtain medical information, if appropriate ([Form F](#))
 - Send Letter to Physician ([Form G](#)) and Physician's Statement ([Form H](#))
- Note:** A parent is not required to provide the School District medical information or permission to contact the student's physician
- Use Teacher Input forms ([Form I](#)), if appropriate

4. **Section 504 Meeting**

- Determine date, time, and location for meeting
- Notify Section 504 team members of meeting date, time, and location
- Send parent Section 504 Meeting Notice and Invitation ([Form J](#))
- Convene meeting
- Review evaluation data and determine eligibility/continued eligibility
- Complete Section 504 Plan ([Form K](#))
- Provide parent Notice of Procedural Safeguards ([Form C](#))
- If parent is not present at meeting, send copy of paperwork, including Notice of Procedural Safeguards, to home address

5. **Section 504 Plan Implementation**

- Notify persons with implementation responsibilities of the Plan's existence and their responsibilities under the Plan
- Monitor the student's progress and the effectiveness of the Plan
- Review the Plan at least annually and whenever the student's situation warrants review
- Reevaluate at least every three years.

Lansing School District

SECTION 504 - REFERRAL FOR EVALUATION

FORM B

Date of Referral: _____

Student Name: _____ **Date of Birth:** _____

School Building Attending: _____ **Grade:** _____

Reason for referral: (Please briefly describe the nature of your concern(s), e.g. academic, behavioral, gross/fine motor, social/emotional, medical, other.)

Pre-referral interventions: (Please indicate interventions, supports, or other actions tried prior to the referral in an effort to address the concern(s) identified above.)

Has the student been referred, evaluated, or provided special education or 504 services in the past?
Yes _____ No _____ If yes, please explain below.

Person Making Referral: _____ **Title/Position:** _____

Phone: _____ **Email:** _____

Please submit form to:

Lansing School District

NOTICE OF SECTION 504 PROCEDURAL SAFEGUARDS

FORM C

The following is a brief summary description of the rights provided by Section 504 of the Rehabilitation Act of 1973 to students with disabilities, or suspected disabilities, and some related rights provided by Title VI of the Civil Rights Act of 1964 and the Family Educational Rights and Privacy Act. The intent of the law is to keep you fully informed about decisions concerning your child and to inform you of your rights in the event you disagree with any decisions concerning your child. You have the right to:

1. have the District advise you of your rights under federal law;
2. receive notice with respect to Section 504 identification, evaluation, and/or placement of your child;
3. have an evaluation and placement decision for your child based upon information from a variety of sources and which is made by a team of persons knowledgeable about the student, the meaning of evaluation data, and placement options;
4. have your child receive a free appropriate public education, which is the provision of regular or special education and related aids and services that are designed to meet individual educational needs of your child as adequately as the needs of students without disabilities are met, if the child is Section 504 eligible;
5. have your child be educated with non-disabled students to the maximum extent appropriate, if the child is Section 504 eligible;
6. have your child take part in and receive benefits from the District without discrimination on the basis of disability;
7. have your child educated in facilities and receive services comparable to those provided to non-disabled students;
8. examine all relevant records of your child, including those relating to decisions about your child's Section 504 identification, evaluation, educational program, and placement; and obtain copies of those records at a reasonable cost, unless the fee would effectively deny you access to the records;
9. receive information in your native language and primary mode of communication;
10. have a periodic re-evaluation of your child, including an evaluation before any significant change of placement;
11. have your child given an equal opportunity to participate in nonacademic and extracurricular activities offered by the District;
12. request and participate in an impartial due process hearing regarding the identification, evaluation, or placement of your child, including a right to be represented by counsel in that process and to appeal an adverse decision;
13. file a complaint in accordance with the District's grievance procedures or with the U.S. Department of Education, Office for Civil Rights.

Lansing School District

**SECTION 504 - NOTICE OF REFERRAL AND
CONSENT FOR EVALUATION**

FORM D

(mm/dd/yyyy)

Re:

Dear

Your child has been referred for an evaluation under Section 504 of the Rehabilitation Act of 1973 ("Section 504"). Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance and requires the school district to provide eligible students a free appropriate public education designed to meet the student's individual educational needs as adequately as the needs of non-disabled students are met.

In order to be eligible for services under Section 504, a student must have a physical or mental impairment that substantially limits one or more major life activities. In determining whether a student meets these criteria, the school district will draw upon information from a variety of sources which may include the following:

- School records
- Observations
- Standardized tests or other assessments
- Parent/Student/Teacher interviews
- Behavior rating scales or other checklists
- Pertinent medical information
- Information provided by the parent/guardian
- Other relevant information

Your child's teacher(s), building administrator, counselor, and other individuals (school psychologist, school nurse, *etc.*) may be involved in the evaluation process. Once the evaluation is completed, a meeting will be scheduled to discuss the results of the evaluation. You will be notified of the time, date, and location of the meeting and are welcome to attend and participate in the decision-making process.

The purpose of this letter is to advise you that the school district proposes to evaluate your child under Section 504 and to obtain your consent for the evaluation. In addition, enclosed is a copy of the Notice of Procedural Safeguards which describes the rights afforded parents under Section 504.

Please indicate on the enclosed form your consent for the Section 504 evaluation and return this form to me as soon as possible. Please feel free to contact me if you have any questions.

Sincerely,

Enclosures

Lansing School District

SECTION 504 - PARENT CONSENT FORM

FORM E

Student Name: _____ **Date of Birth:** _____

School Building Attending: _____ **Grade:** _____

Parent/Guardian Name: _____

Address: _____

Phone: _____ **Email:** _____

CONSENT FOR SECTION 504 EVALUATION

I understand that my child has been referred for an evaluation under Section 504. The evaluation will draw upon information from a variety of sources, which may include, but is not limited to: a school record review, observations of the student, parent/child/teacher input or interviews, assessments, and other relevant information. The purpose of the evaluation is to determine whether my child is eligible for services under Section 504.

(Check all that apply)

- I have received a copy of the Section 504 Notice of Procedural Safeguards.
- I consent to the Section 504 evaluation.
- I do not give permission for the Section 504 evaluation.

Signature of Parent/Guardian

Date

Please return this form to:

.....
For School Use Only

Date consent form received by School District: _____

Lansing School District

SECTION 504 AUTHORIZATION FOR RELEASE AND EXCHANGE OF MEDICAL INFORMATION

FORM F

Student Name: _____ Date of Birth: _____

School Building Attending: _____ Grade: _____

Parent/Guardian Name: _____

Address: _____

Phone: _____ Email: _____

I hereby authorize the release and exchange of otherwise confidential medical information between the Lansing School District and:

Physicians Name: _____

Address: _____

Phone: _____ Fax: _____

I understand that any information released or exchanged will be treated in a confidential manner by the District and will not be transmitted to a third party without my permission. This authorization is valid for a period of ninety (90) days unless earlier revoked by me in writing.

Date: _____

Signature of Parent/Legal Guardian

Relationship to Student

PLEASE FORWARD DOCUMENTS TO:

Lansing School District

SECTION 504 - COVER LETTER TO PHYSICIAN

FORM G

mm/dd/yyyy

Physician's Name
Medical Facility/Practice Name
Physician's Address
City State Zip

Re: Student's Full Name and Date of Birth

Dear Physician's Name

The above-named student is currently being evaluated by the Lansing School District for the purpose of determining the student's eligibility for services under Section 504 of the Rehabilitation Act of 1973. In order to be eligible under Section 504, the student must have a physical or mental impairment that substantially limits a major life activity.

Enclosed is an authorization for release of information to the School District signed by the student's parent/guardian. Please assist us with our evaluation by completing and returning the enclosed Physician's Statement no later than (Date by which the SD requires the information followed by).

Please send to:

We appreciate your assistance in this evaluation process. Please contact me if you have any questions. Thank you in advance for your cooperation.

Sincerely,

c:
Enclosures - Physician's Statement
- Authorization for Release of Information

Lansing School District

FORM H

SECTION 504 - PHYSICIAN'S STATEMENT

Student Name: _____ Date of Birth: _____

Physician's Section. Please provide the following information to assist the School District in its Section 504 evaluation. Attach supporting documentation if needed.

1. Does the student have a physical or mental impairment? Yes _____ No _____ If yes, what is the student's diagnosis?

2. Describe the student's current prognosis and the nature and extent of possible change in the student's condition.

3. What are the anticipated effects of the physical or mental impairment on the student's ability to access, participate in, or benefit from school/educational experience?

4. Does the student have any other special health/medical issues of which the School District should be aware which could affect the student in the school setting?

5. Is the student currently on any medication of which the School District should be aware? Yes _____ No _____ If yes, please list medication(s), dosage, and frequency.

6. Additional comments to assist in educational planning for student.

Physician's Signature: _____ Date: _____

Physician's Name: _____ Phone: _____

Address: _____ Email: _____

Lansing School District

SECTION 504 - TEACHER INPUT

FORM I

Student Name: _____ Date of Birth: _____

Teacher Name: _____ Subject: _____

1. Do you have any concerns about this student? Yes _____ No _____ If yes, please specify the type of concerns below:

Academic concerns (please describe):

Behavioral concerns (please describe):

Other concerns (please describe):

2. Please list any accommodations, interventions, or strategies you have used to address the above concern(s) and indicate how the student responded to the intervention.

3. The student's current grade in class is: _____

4. Would the student have earned this grade without the accommodations, interventions, or strategies you used to address the concern(s)? Yes _____ No _____

Additional comments:

Teacher's Signature

Date

Lansing School District

SECTION 504 – MEETING NOTICE AND INVITATION

FORM J

Student Name: _____ Date of Birth: _____

School Building Attending: _____ Grade: _____

(mm/dd/yyyy)

Dear

You are invited to attend a meeting to determine or review your child’s eligibility for services under Section 504 of the Rehabilitation Act of 1973. If it is determined that your child is or continues to be eligible, a Section 504 Plan will be developed (or reviewed and revised) at this meeting.

The meeting will be held on: (meeting date)
(mmeeting time)
(location)

The school district has invited the following persons to attend the meeting:

Table with 2 columns: NAME, POSITION/TITLE. 7 empty rows.

Table with 2 columns: NAME, POSITION/TITLE. 7 empty rows.

You are encouraged to attend this meeting and participate in the decision-making process. If the meeting date or time is not convenient for you, please contact me at your earliest convenience and we will attempt to make other arrangement.

Please feel free to contact me if you have any questions.

Sincerely,

Enclosures (Procedural Safeguards and Envelope)

PLEASE RETURN THIS PORTION OF THE FORM IN THE ENCLOSED ENVELOPE

- I will attend Section 504 meeting.
I am not able to attend and request the meeting be rescheduled.
I am not able to attend, but request that the meeting be held without me and that the paperwork be sent to my home address.

Student’s Name (Print)

Parent/Guardian’s Name (Print)

Lansing School District

SECTION 504 PLAN

FORM K

Date of Meeting: _____

STUDENT INFORMATION

Student Name: _____ **Date of Birth:** _____

School Building Attending: _____ **Grade:** _____

Parent/Guardian Name: _____

Address: _____

Phone: _____ **Email:** _____

PURPOSE OF MEETING

- Initial Review Redetermination Other

PARENT CONTACT:

Method of Contact: _____
Contacted By: _____
Date Contacted: _____

MEETING PARTICIPANTS

Team members should include persons knowledgeable about the student, the meaning of evaluation data, and placement options.

Parent/Guardian

Administrator/Designee

Parent/Guardian

Student's Teacher

Additional School Staff

Additional School Staff

Additional School Staff

Additional School Staff

Other

Other

Other

Other

Lansing School District

SUMMARY OF EVALUATION INFORMATION

Based on the evaluation information reviewed:

- 1. Does the student have a physical or mental impairment? Yes _____ No _____
If yes, specify the impairment _____

- 2. Does the impairment substantially limit one or more major life activities? Yes _____ No _____
If yes, specify the major life activity(ies) and describe how the impairment substantially limits the activity(ies)

ELIGIBILITY DETERMINATION

- Student is eligible under Section 504
- Student is not eligible under Section 504
- The student has a qualifying disability under Section 504, but does not require a Section 504 Plan at this time.

Rationale:

Lansing School District

ACCOMMODATION PLAN (Complete this section only if student is determined eligible.)

List the regular or special education, related aids, and services that are necessary for this student to receive a free appropriate education and to have equal access and opportunity to participate in school programs and activities. Note: each service or accommodation should be directly related to the substantial limitation caused by the student’s impairment. Attach additional pages as necessary.

AREA OF NEED	SERVICE/ACCOMMODATION	PERSON RESPONSIBLE

NOTICE OF INTENT TO IMPLEMENT SECTION 504 PLAN

Plan implementation date: _____ Next review date: _____

Person responsible for implementation/review: _____

Date: _____

Signature of Section 504 Coordinator/Designee

PARENT/GUARDIAN SIGNATURE

- I have received the Notice of Procedural Safeguards under Section 504.
- I agree with the determination above.
- I disagree with the determination above and understand that I have the right to request an impartial due process hearing by filing a written request for a hearing with the Section 504 coordinator.
- I understand that my child is eligible for a Section 504 Plan but do not wish to have a Plan implemented for my child at this time. I understand that I may request that the District review my child’s disability-related needs in the future.

Date: _____

Signature of Parent/Guardian

Lansing School District

SECTION 504 - GRIEVANCE PROCEDURE

FORM L

The Lansing School District has adopted the following Grievance Procedure for addressing complaints of discrimination under Section 504. A person is not required to use this procedure and may instead file a complaint directly with the U.S Department of Education's Office for Civil Rights, 600 Superior Avenue East, Suite 750, Cleveland, OH 44114-2611:

Step 1: A person who believes that he/she has been discriminated against by the Lansing School District is encouraged, but is not required, to discuss the matter informally with the appropriate building principal, in the case of a student, or his/her immediate supervisor, in the case of an employee.

- A. If the building principal or the immediate supervisor is the subject of the complaint, or the grievant is not a student or employee, the grievant may, instead, contact the Lansing School District Section 504 Coordinator.
- B. The person receiving the complaint shall verbally convey his/her findings to both the person who alleged the violation and the person who is the subject of the complaint within 10 business days.

Step 2: If the informal Step 1 process does not resolve the matter, or if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to the Lansing School District Section 504 Coordinator who will investigate the complaint.

- A. If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted to the Superintendent of Schools who will appoint another administrator to conduct the investigation.
- B. The complaint shall be signed by the grievant and include the:
 - (1) grievant's name and contact information;
 - (2) facts of the incident or action complained about;
 - (3) date of the incident or action giving rise to the complaint;
 - (4) type of discrimination alleged to have occurred; and
 - (5) specific relief sought.
 - (6) Note: Witness names and other evidence as deemed appropriate by the grievant may also be submitted.
- C. An investigation of the complaint will be conducted within 10 business days following the submission of the written complaint. The investigation shall include an interview of the parties and witnesses, a review of relevant evidence, and any other steps necessary to ensure a prompt and thorough investigation of the complaint.
- D. A written disposition of the complaint shall be issued within 10 business days of completion of the investigation, unless a specific written extension of time is provided to the parties. Copies of the disposition will be given to both the grievant and the person who is the subject of the complaint.
- E. In the event the Section 504 Coordinator determines that disability harassment occurred, the Lansing School District will take steps to prevent reoccurrence of any harassment and to correct the discriminatory effects on the complainant and others, if appropriate

Lansing School District

Step 3: If the grievant wishes to appeal the decision in Step 2 above, he/she may submit a signed, written appeal to the Superintendent of Schools within 10 business days after receipt of the written disposition. The Superintendent or his/her designee shall respond to the complaint, in writing, within 10 business days of the date of the appeal. Copies of the response shall be provided to both the grievant and the person who is the subject of the complaint.

The Lansing School District provides assurance that it strictly prohibits any form of retaliation against persons who utilize this Grievance Procedure. Further, a grievant making a complaint is neither required to prosecute the matter nor confront the alleged discriminator or harasser when that would be inappropriate.

If you have questions regarding these procedures or want to file a complaint, please contact the Lansing School District Section 504 Coordinator:

Martin Alwardt
Special Education Director
Lansing School District
Hill Center
5815 Wise Road
Lansing, MI 48910
(517) 755-4000
Martin.Alwardt@lansingschools.net

If you wish to appeal the Lansing School District Section 504 Coordinator's decision, please contact the Superintendent of Schools:

Dr. T.C. Wallace Jr.
Superintendent of Schools
Lansing School District
519 W. Kalamazoo St.
Lansing, MI 48933
(517) 755-1000

Lansing School District

SECTION 504 COMPLAINT FORM

FORM M

Name of Injured Party: _____

Address: _____

Phone: _____ **Email:** _____

If the injured party is a student, please also provide the following information:

School Building Attending: _____ **Grade:** _____ **Birth Date:** _____

Complainant's Name: _____

Relationship to Student: _____

Address: _____

Phone: _____ **Email:** _____

1. Describe the alleged violation of Section 504. Please be specific and describe the specific incident(s), as well as identify the individuals involved, dates/times/locations, etc. Attach additional pages if needed.

2. Describe your proposed resolution to address the alleged problem(s)/violation(s).

Date: _____

_____ Complainant's Signature

PLEASE SUBMIT THIS FORM TO:

A person who believes that he/she has been discriminated against by the Lansing School District on the basis of disability may file a complaint through the District's grievance procedure. A complaint may also be filed with the Office for Civil Rights (OCR), U.S. Department of Education, 600 Superior Ave East, Suite 750, Cleveland, OH 44114. You may file a complaint with OCR at any time. Filing a complaint with the School District is not a prerequisite to filing with OCR.

Lansing School District

**SECTION 504 MANIFESTATION DETERMINATION
MEETING NOTICE AND INVITATION**

FORM N

Student Name: _____ **Date of Birth:** _____

School Building Attending: _____ **Grade:** _____

(mm/dd/yyyy)

Dear

You are invited to attend a Section 504 manifestation determination meeting to review whether your child's misconduct was a manifestation of his/her disability.

The meeting will be held on: (meeting date)
(meeting time)
(meeting location)

The School District has invited the following persons to attend the meeting:

NAME	POSITION/TITLE

NAME	POSITION/TITLE

You are encouraged to attend this meeting and participate in the decision-making process. If the meeting date or time is not convenient for you, please contact me at your earliest convenience and we will attempt to make other arrangements.

Please contact me if you have any questions.

Sincerely,

Enclosure

PLEASE RETURN THIS PORTION OF THE FORM IN THE ENCLOSED ENVELOPE

- _____ I will attend the Manifestation Determination meeting.
- _____ I am not able to attend and request the meeting be rescheduled.
- _____ I am not able to attend, but request that the meeting be held without me and that the paperwork be sent to my home address.

Student's Name (Print)

Parent/Guardian's Name (Print)

Lansing School District

SECTION 504 MANIFESTATION DETERMINATION REVIEW

FORM O

Date of Review: _____ Date of Current Section 504 Plan: _____

STUDENT INFORMATION

Student Name: _____ Date of Birth: _____

School Building Attending: _____ Grade: _____

Parent/Guardian Name: _____

Address: _____

Phone: _____ Email: _____

PARENT CONTACT

Method of Contact: _____

Contacted by: _____

Date Parent Contacted: _____

MEETING PARTICIPANTS

Parent/Guardian

Administrator/Designee

Parent/Guardian

Teacher/Service Provider

Student (when appropriate)

Additional School Staff

Other

Other

Other

Other

CURRENT DRUG OR ALCOHOL USE

1. Does the student currently engage in the illegal use of drugs or alcohol? Yes _____ No _____

2. Is the student being disciplined for the possession or use of illegal drugs or alcohol? Yes _____ No _____

If the answer to both questions is yes, the student is not entitled to a manifestation determination review and the student may be disciplined to the same extent that such disciplinary action is taken against students without disabilities.

Lansing School District

FORM O

CONSIDERATIONS FOR REVIEW - In carrying out a manifestation determination review, the 504 Team shall:

1. Describe the behavior or incident that is subject to discipline.

2. Review and summarize relevant information in student's file.

3. Review and summarize relevant information in student's Section 504 plan.

4. Review and summarize relevant teacher observations of the student.

5. Review and summarize relevant information provided by the parent.

MANIFESTATION DETERMINATION

In relation to the behavior subject to discipline (see previous page):

1. Was the conduct in question caused by or did it have a direct and substantial relationship to the student's disability? Yes _____ No _____
2. Was the conduct a direct result of the School District's failure to implement the Section 504 plan? Yes _____ No _____

If the Section 504 team answers "Yes" to either of the questions above, then the behavior must be considered a manifestation of the student's disability.

Lansing School District

FORM O

The Section 504 team's determination is that the behavior subject to discipline: (Check one)

- Is not a manifestation of the student's disability (school personnel may apply relevant disciplinary procedures applicable to all students)

- Is a manifestation of the student's disability

Date: _____

Signature of Section 504 Coordinator/Designee

PARENT/GUARDIAN SIGNATURE

- I have received the Notice of Procedural Safeguards under Section 504.

- I agree with the determination above.

- I disagree with the determination above and understand that I have the right to request an impartial due process hearing by filing a written request for a hearing with the Section 504 Coordinator.

Date: _____

Signature of Parent/Guardian

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

TC-1000-1

1000—BOARD BYLAWS

1001	Introduction and Information
	Nominating Petition/Filing Fee
	Special Elections
	Advice of Legal Counsel
1005	District Authority
1010	District Legal Status
1015	District Mission Statement (Optional)
1020	Bylaws
1030	Membership
	Term of Office
1032	Powers and Duties
	Functions of the Board
1035	Board Membership – Student Representation (Optional)
1040	District Goals and Objectives (Optional)
1150	Board Officers
	President - Duties
	Vice-President - Duties
	Secretary - Duties
	Treasurer - Duties
	Duties of Trustees
1152	Election of Officers and Length of Term
1155	Removal of a Board Officer from Office
1160	New Member Orientation (Optional)
1162	Board Member Development Opportunities (Cf. 1168)
	Board Certification
1168	Reimbursement for Expenses
1170	Board Position Vacancies
	Process
1175	Vacancies in Office
1180	Board Advisory Committees
	Advisory Committees
	Meeting Structure
1185	Board-Superintendent Relations
1190	Professional Services
1191	Attorney
1220	Consultants
1250	Board Remembrances (Optional)
1260	Board Recognitions (Optional)
	Board Member Recognition
	Staff Recognitions
	Staff Retirements

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

TC-1000-2

- 1300 Meetings
 - Organizational
 - SN The organizational meeting of the Board, usually once a year, when the Board elects its officers.
 - Regular
 - Special Meetings
 - Emergency Meetings
 - Information/Work/Study Sessions
 - Adjourned Meetings
- 1310 Closed Sessions
- 1320 Agenda *← this should be the only policy that*
 - Consent Agenda *will have rules/reg/ guidelines.*
- 1330 Rules of Order
 - Amendment/Suspension of Bylaws and Policies
 - Quorum
- 1350 Voting Method
- 1360 Minutes
- 1370 Public Participation
 - Handling of Complaints (Cf. 9450)
- 1375 Mailing of Notices and Documents to the Public
- 1400 News Coverage
 - Broadcasting and Taping
 - Reporting Board Meetings
 - Cameras
 - Recording Devices
- 1510 Bylaw and Policy Development System**
 - Draft Writer**
 - Attorney Involvement**
 - Staff Involvement**
 - Community Involvement**
 - Student Involvement**
- 1550 Bylaw and Policy Adoption
 - SN The official action of the Board that makes new and/or revised policy statements operable.
 - Policy Dissemination
 - Policy Review
 - SN The periodic assessment by the Board of its existing policies and policy development system.
- 1570 Review of Administrative Regulations
- 1575 Administration in Absence of Policy
- 1600 Board Records (Cf. 2800)**
- 1650 Board Memberships (Optional)**
 - Liaison with School Board Associations**

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

TC-1000-3

1730	Board Legislative Program (Optional) Legislative Representative Purpose Recommended Legislation Legislative Presentations
1750	Board Self-Assessment/Evaluation (Optional)
1800	Public School Academies (Optional) Review Contract Limitations Audits
1900	Contracts and Board Member Disclosure Obligations
1950	Board Member Conflict of Interest, Ethics and Responsibilities Board Member Responsibilities Employment of Former Board Members (Optional)
1955	Board Member Service as an Unpaid Volunteer

The Board shall establish programs and procedures, which shall best produce the educational achievement needed by District students, and do so within the financial limitations of the District. The Board will function as a legislative body in formulating and adopting policy, by selecting an executive officer to implement policy and by evaluating the results. Further, the Board shall carry out its functions openly, while seeking the involvement and contributions of the public, students, and staff in its decision-making processes.

In accordance with these principles, the Board, through its operations, shall seek to achieve the following goals:

1. To function in a non-partisan, broadly representative manner and to emphasize that every Board member should represent the entire District open-mindedly,
2. To concentrate the Board's collective effort on its policy making and planning responsibilities, and to formulate Board policies that best serve the educational interests of each student,
3. To provide the Superintendent with sufficient and adequate guidelines for implementing Board policies,
4. To maintain effective communication with the school community, the staff, and students, and
5. To conduct Board business openly, soliciting and encouraging broad-based involvement in the Board's decision-making processes by public, students, and staff.

Nominating Petition/Filing Fee

The School District Election Coordinator¹ shall receive nominating petitions from persons running for the Board or, in the alternative, personally receive a nonrefundable statutory \$100 filing fee paid by the candidate.

¹ The "School District Election Coordinator" is the County, City, or Township Clerk.

Special Elections

The Board may schedule special elections at such time, under law, as it shall designate and for such purposes as determined by the Board.

Advice of Legal Counsel

The Board shall seek the advice of legal counsel concerning the proper procedure for scheduling special school elections.

Approved:

LEGAL REF: MCL 168.301-303; 168.641

The Board recognizes that many of the subject topics found in this policy manual may be subject to negotiations under the Michigan Public Employment Relations Act. It is not the intent of the Board to, in any way, circumvent the negotiations process; but rather to establish direction and general and long-range operational procedures for the care and custody, establishment, maintenance, management and carrying on of the public schools and property of the District as authorized under current law.

Whenever the words “Superintendent,” “Assistant Superintendent,” or “Principal” appear in these policies and rules, the words “or designated representative” shall be assumed to follow. The delegation of authority of administrative actions does not relieve the Superintendent or other administrators of the responsibility of the actions of such designated representatives.

Approved:

LEGAL REF: MCL 380.11a

The legal basis for the Lansing School District is vested in the will of the people as expressed in the Michigan Constitution, the statutes pertaining to education, various court interpretations, and the powers implied by the above.

The official name of the school District shall be Lansing School District, Ingham County, and the District shall operate as a general powers school District.

Approved:

LEGAL REF: Michigan Constitution, MCL 380.11a

(Does the District wish to have its “mission statement” inserted here? If so, please furnish the text of that statement as you want it to appear to MASB and it will be included in the 2nd draft.)

Approved: *(Optional)*

The exercise by the Board of its powers granted by statute, the conduct of its affairs, and the rights and powers of its members, Directors, and officers shall be governed by these bylaws, in accord with the laws of the State of Michigan and the regulations of the Michigan Department of Education.

Approved:

LEGAL REF: MCL 380.11a (6)

The Board is composed of nine (9) members serving six (6) year terms, and elected at an election held in accordance with MCL 168.1 *et seq*, or appointed by the Board to fill a vacancy.

Term of Office

The term of office of a Board member shall begin on January 1 following his/her election, or immediately upon Board appointment. The term of a Board member shall end on December 31.

Approved:

LEGAL REF: MCL 168.302; 168.641; 380.11a

The Board shall act as a legislative body and shall appraise the work and programs of the District.

The Board shall observe and enforce the rules and regulations of the Michigan Department of Education affecting the operation and maintenance of a general powers school District.

Functions of the Board

The Board considers its most important legal functions fall into the following categories:

1. Legislative or Policy Making - The Board is responsible for the development of bylaws and policy, and for the employment of a Superintendent who shall carry out the Board's policies through the development and implementation of regulations.
2. Educational Planning and Appraisal - The Board is responsible for acquiring and requiring reliable information from responsible sources which shall enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisals of the results of the educational program.
3. Staffing and Appraisal - The Board is responsible for employing a Superintendent of schools and the staff necessary for carrying out the instructional program, for establishing salaries and salary schedules and other terms and conditions of employment, and for establishing personnel policies District-wide in application.
The Board is responsible for appraising the effectiveness of its staff by providing for their regular evaluation.
4. Financial Resources - The Board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials and equipment, which will enable the District to carry out the educational program. The Board is responsible for exercising control over the finances of the District to assure proper use of and accounting for all District funds.

5. School Facilities - The Board is responsible for determining school-housing needs, for communicating these needs to the community, for purchasing and disposing of properties, and for approving building plans that will support and enhance the educational program.
6. Communication with Public - The Board is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself informed about the wishes of the public.
7. Judicial - The Board is responsible for acting as a “court of appeal” for school staff members, students and the public when issues involve Board policies and their fair implementation.

The Board may exercise the above legal powers and duties only when convened in a legally constituted meeting.

Approved:

LEGAL REF: Michigan Constitution, Article VIII; MCL 380.10, 380.11 *et seq.*

Student representation on the Board is authorized in order to facilitate effective communication and to help promote sound education in accordance with the following guidelines:

1. The Board may elect one (*or more - District discretion. Many Districts have two, a male, and a female*) high school student(s) to serve in an advisory capacity to the Board,
2. The representative(s) shall be chosen by the students of the high school in a manner developed cooperatively by the building Principal and the student council,
3. The student representative(s) shall be chosen in the spring and will serve for a one-year term beginning on July 1, and
4. The student representative(s) shall have the right to sit with the Board at all regular and special meetings, but not closed sessions or sessions that exclude the public unless specifically authorized by the Board. He/She (They) shall not be permitted to vote or introduce or support motions, but may otherwise participate in the discussions as any other Board member.

Approved: *Optional*
LEGAL REF: MCL 380.11a

The Board shall annually establish and review a set of long-range goals and objectives to guide the operations of the District. All personnel in the District shall direct their efforts toward achieving the goals and objectives of the Board in order to ensure that students are able to function effectively in their environment, employment, and continuing educational efforts.

The Board shall participate in long-range planning through an annual meeting with the Superintendent and senior staff to review progress on the implementation of priorities, initiatives, and long-range plans, to determine which goals have been achieved, whether any new efforts are needed, and to review major issues that may affect the future of the District. The Board also shall consider and act upon objectives and major activities proposed by the Superintendent to achieve long-range goals.

The Superintendent shall develop necessary procedures, forms, or other measures to implement the goals of this policy using simple, logical, and collegial processes.

The Superintendent shall provide opportunities for interested patrons to become knowledgeable about the District long-range planning process, and to review and to make recommendations concerning specific District long-range plans.

The Superintendent shall give the Board periodic reports each year on the progress and success of various plans, and shall ensure that similar progress reports are available to the news media and to District patrons.

Approved: *(Optional)*

The officers of the Board shall be President, Vice-President, Secretary, and Treasurer, and such Assistant Secretaries and Assistant Treasurers as the Board determines. The President, Vice-President, and Secretary shall be members of the Board. The Treasurer need not be a member of the Board. Assistant Secretaries or Assistant Treasurers need not be Board members.

President - Duties

The President shall:

- Preside at all meetings of the Board,
- Countersign orders legally drawn by the Secretary upon the Treasurer for money to be disbursed on behalf of the District,
- Cause an action to be prosecuted in the name of the District on the Treasurer's bond in the case of a breach of a condition of the bond,
- Perform other duties appropriate to the duties of the office of President in the management of the District.

Vice-President - Duties

- Preside at Board meetings when the President is unable to attend,
- Perform other duties appropriate to the duties of the office of Vice-President,
- Succeed to the office of President when a vacancy in that office occurs.

Secretary - Duties (At the option of the Board, selected duties may be assigned to District staff.)

- Act as clerk at meetings of the Board,
- Record and sign the minutes of meetings, orders, resolutions, and other proceedings of the Board in proper record books,
- Prepare reports as required by the state Board,
- In cooperation with the Superintendent, prepare information regarding professional development opportunities for Board members,

- Draw and sign orders upon the District Treasurer for money to be disbursed by the District. Each order shall be properly numbered and dated, shall specify the sources of the funds called for, the purpose for which, and the fund upon which the order is drawn,
- Serve on the School District Election Coordinating Committee (this duty may be delegated to the Superintendent), and
- Perform other duties required by law and by the Board.

Treasurer - Duties (At the option of the Board, selected duties may be assigned to District staff.)

- Have care and custody of all moneys of the District,
- Keep proper books of account,
- Keep an account of interest received from invested school funds, and credit interest received to the appropriate fund accounts,
- Pay out funds for the purposes specified by law, or, in the case of gifts or donations for the purposes for which the money is given or donated, on proper orders signed by the Secretary and countersigned by the Board President,
- Perform other duties the Board may prescribe in its bylaws relating to the administration of District funds,
- Deposit funds of the District with a bank or banking corporation or trust company designated by the Board in the proportion and manner directed by the Board,
- Pay orders of the Secretary when lawfully drawn and countersigned by the President out of the money belonging to the fund upon which the orders are drawn,
- Cause a record book to be kept in which money received and disbursed shall be entered, the sources from which money is received, and the person to whom and the objects for which money is paid,
- Present the Board at the close of the school year a written report containing a statement of money received during the year and of each disbursement made, and

- Perform other duties required by law or by the Board.

Duties of Trustees

- Have care and custody of all school property,
- Oversee the implementation of Board Policies, and
- Serve on ad-hoc, advisory, or standing committees as determined by the Board.

Approved:

LEGAL REF: MCL 380.11a; 168.4; 380.1201

Election of Board officers shall occur at the annual organizational meeting of the Board held in January following the Board election held in accordance with Michigan law.

Election of officers shall be by a majority of the full Board. Where no such majority exists on the first ballot vote, a second vote shall be cast for the two (2) candidates who received the greatest number of ballot votes.

Except for those appointed to fill a vacancy, officers shall serve for and until their respective successors are elected and shall qualify.

Approved:

LEGAL REF: MCL 380.11a; 168.641

The Board may remove a member from a Board officer position and shall elect another Board member to the office.

In the event of a motion to remove the President of the Board from office, the President shall be asked, first, by the person making the motion to step aside and allow the Vice-President or other officer to chair the meeting temporarily. If so asked, the President must temporarily vacate the chair or may elect to resign the Presidency voluntarily prior to the motion, discussion, and vote.

Approved:

LEGAL REF: MCL 380.11a

Newly elected members of the Board shall be invited to attend all meetings of the Board prior to the time they officially take office. Newly elected and newly appointed Board members shall be encouraged to attend workshops for new Board members sponsored by the Michigan Association of School Boards.

Present members of the Board and the Superintendent shall conduct an appropriate orientation program designed to acquaint new Board members with the District, Board policy, duties, responsibilities, and other activities.

Newly elected Board members shall receive copies of all agenda, reports, and other communications normally received by regular Board members except information or material of a confidential nature.

Approved: *(Optional)*
LEGAL REF: MCL 380.11a

The Board recognizes the need for continuing in-service training and education and encourages the participation of all members at these specific categories of activities as a part of their official duties: conferences, workshops, in-service programs, and conventions, at the local, regional, state, and national levels. A Board member's actual and necessary expenses shall be paid for or reimbursed when the member attends any of these activities.

In situations where a Board member holds a state or national office in a School Board Association, or has been asked or appointed to serve a School Board Association at the state or national level, the Board shall budget for the additional expenses as agreed to prior to the beginning of each fiscal year.

The Superintendent and Board Secretary shall prepare a calendar of annual conferences, workshops, in-service programs, and conventions which Board members may wish to attend. The Superintendent and Board Secretary shall update the calendar with additional in-service programs for Board members, as the programs become known. The Board shall periodically review the calendar and designate those activities for Board member participation along with limitations as to the number of persons attending specific events.

The Superintendent and Board Secretary are responsible for authorizing requests for attendance of Board members at approved meetings if the requests come within budgeted appropriations and limitations.

The Superintendent and Board Secretary shall consult with the Board President in situations where funds may not be available for a specific activity or when a determination is necessary as to who shall attend a given activity when more requests are received than can be honored. The President and Superintendent may bring recommendations to the Board on such matters for final determination.

Funds for participation at all activities shall be budgeted for on an annual basis.

Board Certification (OPTIONAL)

The Board requires that each Board member earn the Certified Board Member Award (CBA) through the Michigan Association of School Boards Board Member Award Program during the first two years in office.

Expense reimbursement shall be in accord with policy bylaws and procedures on Board reimbursement.

Approved:

LEGAL REF: MCL 380.11a; 380.1254; 388.1764b

Board members shall be reimbursed for actual and necessary expenses incurred because of attendance at Board-approved workshops, seminars, conferences, or conventions.

To receive reimbursement for an expense listed in this policy, an expense voucher, together with supporting receipts or other evidence of actual expenses, shall be submitted to the District business office for processing. Payment will be made after the Board approves the reimbursement.

Expenses for spouses, family members, or others accompanying Board members as companions, are not reimbursable unless such persons would otherwise be entitled to reimbursement as conference attendees and employees of the District.

There shall be no reimbursement for the purchase of any alcohol, tobacco, or personal products or services.

Approved:

LEGAL REF: MCL 380.1254; 388.1764b; OAG, 1977-1978, No 5272(1978).

Board member vacancies shall be filled within 30 days from the effective date of a resignation or other event (except a vacancy occurring by recall election), which causes a vacancy to exist. The vacancy shall be filled with a legally qualified person who is appointed by a majority vote of the remaining members of the Board at a regular or special meeting of the Board.

Persons appointed to fill a vacancy shall file acceptance of the office, including an affidavit of eligibility, with the Secretary of the Board and shall take the oath of office prescribed by law. The Secretary shall then forward a copy of the acceptance to the school District Election Coordinator. The appointee shall hold office until December 31 of the year of the appointment. If wishing to remain on the Board for longer than that date, the appointee must stand for election in the next annual school election either for the remainder of the unexpired term or for a new term.

Resignations are effective without acceptance or approval by the Board.

Process

When a vacancy on the Board occurs, the Board, in filling the vacancy, shall use the following procedures:

- (a) The Board President, through public announcements in the news media, shall make known the vacancy has occurred and those persons interested in being considered for appointment should notify the Secretary of the Board by the deadline established by the Board,
- (b) The Board shall establish the criteria used in making the appointment,
- (c) The full Board, or a committee appointed by the Board, shall review and screen applications to determine which candidates should be further considered for appointment. The full Board will do candidate screening in public session unless the candidate requests confidentiality, as provided in state law,

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1170 Board Position Vacancies

1170-2

- (d) Those candidates screened for further consideration shall be interviewed by the Board in public session, and
- (e) The Board, by roll call vote of a majority of those elected, appointed, and serving, shall determine which candidate shall be appointed to fill the vacancy.

Approved:

LEGAL REF: MCL 15.261-15.275 (Michigan Open Meetings Act); 168.309-311; OAG, 1977-1978, No 5262, p 338 (January 31, 1978); OAG, 1983-1984, No 6124, p 36 (February 9, 1983)

In the event of a vacancy in the office of President, the Vice-President shall become President.

In the event of a vacancy in any other Board office, the Board shall fill the vacancy by election at the next regular Board meeting.

The offices of President and Vice-President are to be filled at all times by either regular or temporary appointment. (Cf. 2450, 5030, 8015, and 8018)

Approved:

The Board may establish such standing, ad hoc, and advisory committees, as it deems necessary. The type and function of each committee shall be dictated by the needs of the District for the special services of such committee and may include such duties including deliberating, making decisions/recommendations or taking other actions specifically authorized by the Board. Each Board committee shall be convened by a chairperson who shall report for the committee and shall be appointed by the President. A member may request or refuse appointment to a committee. Refusal to serve on any one committee shall not be grounds for failure to appoint a member to another committee. Each committee shall organize itself with assistance from the Superintendent. The Superintendent shall provide appropriate District material to each committee. Board Committees must comply with the relevant portions of the Open Meetings Act. A committee may meet in closed session to review the specific contents of an employment application provided when the applicant for employment requests that the information remains confidential. It may not, however, meet in closed session to protect an applicant's identity.

A line of communication shall exist between each committee, the Superintendent, and the Board.

Each committee shall report to the Superintendent and/or the Board as the Board may require by regulation or by procedure.

The Board may dissolve any committee at any time.

Advisory Committees

Advisory committees established by the Board shall:

- Generally have three members of the Board appointed to the committee,
- Have a task specifically defined by the Board,
- Have designated time-lines for reporting to the Board,

- Have no power or authority to act on behalf of the Board unless specifically authorized by the Board,
- Hold hearings only upon approval of the Board, and
- Limit activities and considerations to policy matters and recommendations.

All reports submitted to the Board shall contain:

- The date,
- Committee name,
- Members present at committee meetings, and
- Results or recommendations.

In appointing members of advisory committees, the President shall consider the recommendation of the Superintendent and other members of the administrative staff, as well as the recommendations of individual Board members.

As soon as an advisory committee has been appointed, the chair of the committee shall call a meeting of the committee for organizing. At said meeting, the chair shall inform the committee of the area of its jurisdiction and the matters the Board wishes the committee to consider in making its recommendations to the Board.

The committee shall meet as frequently as it deems necessary to accomplish the mission assigned to it by the Board. It shall be the responsibility of the chair to report to the Board on the progress and activities of the committee.

At the request of the committee or on the initiative of the Superintendent, the Superintendent shall assign such school personnel to assist the committee in its study as the situation warrants. The Superintendent shall exercise his/her discretion in providing such personnel.

At the request of the committee or at the discretion of the Superintendent, the Superintendent shall make available to the committee such material as the situation warrants and as may be available at reasonable times and at a reasonable cost.

At the request of the committee or upon the initiative of the Board, limited financial assistance may be given to the committee. The Board may request committees to submit budget requests to the Board for approval.

As directed by the Board or upon the initiative of the committee, the committee shall make reports to the Board. The Board shall be furnished with the minutes of each meeting of the committee within ten days following each such meeting. All minutes of said committee will be filed with the Secretary of the Board. Each committee shall submit a report of its activities and accomplishments to the Board at least once every three months.

Whenever; in the opinion of the Board, there is no longer any need for an advisory committee created by the Board, the Board shall dissolve such committee by appropriate Board action. Each member of the committee shall be notified of the Board's action. No committee shall exist longer than one year unless re-appointed by the Board.

Meeting Structure

The following is a recommended order of business that should be followed by each Board appointed or authorized committee:

- (1) Call to order,
- (2) Call the roll (sometimes omitted),
- (3) Present the minutes of the previous meeting (most often sent in advance),
- (4) State the purpose for holding the meeting,
- (5) State briefly the program for the meeting,
- (6) Discuss and resolve agenda items as they appear,

- (7) Consider new business, and
- (8) Adjourn the meeting.

Approved:

LEGAL REF: MCL 15.263; 380.11a; OAG, 1977-1978, No 5183, p 21 (March 8, 1977); OAG, 1977-1978, No 5183-A, p 97 (April 18, 1977); OAG, 1977-1978, No 5286, p 403 (March 31, 1978); *Schmiedicke v Clare School Board*, 228 Mich App 259 (1998)

The Board, in all phases of District operations, will endeavor to work through the Superintendent, who shall direct District employees concerning such operations unless mutually agreed upon between the Board and the Superintendent. The Board shall extend to the Superintendent responsibility for implementing Board policy decisions.

Approved:

LEGAL REF: MCL 380.11a

The Board may select and appoint qualified individuals or firms to provide the following professional services for the District such as legal, insurance, architectural, and auditing/accounting.

The following criteria shall be considered by the Board in its selection and appointment: certification and/or licenses, and training and experience, including that of partners and associates.

The Superintendent shall be responsible for gathering appropriate background information and other information as requested by the Board prior to any interviews or decisions by the Board.

Approved:

LEGAL REF: MCL 380.11a

The Board shall retain a qualified attorney and/or legal firm to handle all legal matters referred by the Board and to receive such compensation as the Board may provide. The duties of the attorney or legal firm shall be as follows:

1. Upon request of the Board President or Superintendent, attend the meetings of the Board and act as counselor,
2. Render a written opinion on a legal question when requested by the Board,
3. Prepare or supervise the preparation of all legal papers and documents executed by the Board officers; or shall approve such papers and documents before execution thereof by the officers,
4. Provide such opinions or other legal information to the Superintendent, which may be necessary for the immediate or long-range conduct of the District,
5. Represent the District as specifically designated by the Board in litigation to which the District may be a party or in which it is interested,
6. Shall represent, upon request, the Board in the purchase or sale of any real estate,
7. Attend to and act on any matters the Board refers to him/her for supervision, adjustment, and/or disposal,
8. Assist and advise the Board in preparing all questions on the ballot for regular or special elections,
9. Periodically provide progress reports to the Board on legal matters referred, and
10. Perform such other services as requested by the Board.

Compensation for duties and services shall be agreed to by the attorney and the Board in the retention agreement that shall set forth the annual retainer and supplemental charges.

Only the President or Superintendent is authorized to contact the attorney on legal matters concerning the District.

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1191 Attorney

1191-2

The Board's legal counsel shall not provide personal legal assistance to individual Board members, the Superintendent, or members of the staff unless specifically authorized by the Board.

In any dispute or potential divergence of interests between the Board and Superintendent, the Superintendent shall not utilize the District's counsel to represent his/her interest.

Administrative Requests for Legal Counsel

The administrator in charge of the Human Resources office shall be charged with responsibility for receiving and coordinating all administrative requests for legal counsel, maintaining an up-to-date file of legal opinions requested by the District, and overseeing the Board's budget for legal expenses.

Approved:
LEGAL REF: MCL 380.11a

The employment of consultants to advise the Board directly (such as, but not limited to, consultants for policy development or Superintendent Search) shall require approval of the Board. Before making any commitment, the Board may require the submission of a written proposal, which can be incorporated into a written contract. The proposal shall detail:

1. The specific objectives to be accomplished by the consultant,
2. The specific tasks to be performed,
3. The procedures to be used in carrying out the tasks,
4. The target dates for completion of the task,
5. The method used to report results to the Board and/or delivery of the “product” to the Board, and
6. The consultant’s compensation, if any.

Neither the Superintendent nor any member of the staff is authorized to engage a consultant to advise the Board directly, for pay, without the prior consent of the Board.

Approved:

LEGAL REF: MCL 380.11a

The Board authorizes the Superintendent to provide suitable remembrances on behalf of the Board or the District in situations or circumstances deemed necessary by either the Board President or the Superintendent. No public funds shall be expended, however, for remembrances.² The Superintendent is authorized and directed to seek other sources of revenue for such expenditures such as, but not limited to free-will donations from employees, corporate or business donations, or revenues from specified vending machines within the District.

In the case of death or serious illness involving a Board member or staff member, or student, or a member of such person's immediate family, the Superintendent may provide a suitable remembrance on behalf of the Board or District. Such remembrance shall be in a form suitable to the circumstance and may take the form of, by way of illustration and not limitation: flowers, cards, plaques, etc., with costs to be covered by non-public funds.

A quarterly report will be provided to the Board by the Superintendent indicating all remembrances provided by authority of Board policy.

Approved: *Optional* (Not a required bylaw, but if "remembrances" are contemplated, this language should be in place.)

LEGAL REF: Michigan Department of the Treasury Bulletin, "Determining Lawful Expenditures," October 2002.

² Flowers to the sick or departed are not considered a lawful expenditure of public funds.

The Board supports the concept of a recognition program for staff, students, community members, Board members, and others who have demonstrated extraordinary service, achievements and accomplishments on behalf of the District. Any costs for such a program shall be paid in accordance with law.³

The Superintendent, in consultation with the Board President, shall be responsible for developing a recognition program for the District.

Board Member Recognition

A certificate of service shall be presented to each Board member who completes at least four years of service on behalf of the District.

The Board may give appropriate recognition to those members whose service extends for a period of ten or more years by passing a resolution recognizing the Board member's service or by other appropriate means as determined by the Board.

Staff Recognitions

The Board may provide appropriate recognition for staff members who have completed ten, fifteen, twenty, twenty-five and thirty-five years of service to the District.

Staff Retirements

Retiring staff members who have completed at least fifteen years of service to the District shall receive appropriate recognition by the Board. The Superintendent shall inform the Board at the beginning of each school year of potential retirees eligible for recognition.

Approved: MASB Optional MASB Optional (Not a required bylaw, but if "recognitions" are contemplated, this language should be in place.)

LEGAL REF: MCL 380.11a

³ Should the Superintendent or Board President have a question as to what may, or may not, be a "legitimate" expenditure for "recognitions," it is urged that they contact MASB Legal Counsel or the District's retained counsel to discuss the issue of what costs are permissible "in accordance with law."

Organizational

The Board holds its organizational meeting in January. The meeting shall be called to order by the (*Superintendent or ranking officer of the preceding Board – Board to decide*) who shall serve as presiding officer until the election of a temporary chairperson, who shall in turn serve until the election of a President.

The Board shall, at the organizational meeting:

- Designate depositories for school funds;
- Designate those persons authorized to sign checks, contracts, agreements, and purchase orders;
- Designate a day, place, and time for regular meetings which shall be held at least once every month;
- Designate those persons authorized to use the safe deposit box;
- Determine fee charged to individuals who request notice of Board meetings;
- Designate a day for regular study sessions of the Board; (*optional*)
- Designate an administrator to assume specified responsibilities (*of the Treasurer or of the Secretary*)
- Designate the Electronic Transfer Officer (ETO) in accordance with policy 3300. (*Optional*)

Regular

The Board holds at least one regular meeting each month. The regular meeting is held every other Thursday of each month at 7:00 pm in the Partington Administration Center, room 106, 519 W. Kalamazoo St., Lansing, MI, unless otherwise announced and posted. The District will post a notice of the regular meeting schedule at the entrance to the principal office of the Board and/or the principal office of the District within ten days after the organizational meeting.

The schedule of regular meetings or the regular meeting date may be changed by the Board as provided in current law.

Special Meetings

Special meetings of the Board may be called by the President (Chair) of the Board or by two Board members by providing the other Board members a written notice of the date, time, and place of the special meeting.

The notice may be served by delivering the notice to the Board member personally or by fax or by email with return notice, or by leaving the notice at each member's residence with a person of the household at least 24 hours before the meeting is to take place. The notice also may be served by mail addressed to the member at the member's address on file in the District office, at least 72 hours before the meeting is to take place. Service of the notice may be by a Board member or an employee of the District.

Emergency Meetings

The Board may meet in emergency session in the event of severe and imminent threat to the health, safety or welfare of the public, when two-thirds of the members elected to, appointed, and serving on the Board decide that delay would be detrimental to the efforts to lessen or respond to the threat.

Information/Work/Study Sessions

Information/work or study sessions of the Board shall be held as called by the President. Such sessions shall be open to the public and properly posted as Board meetings. No action by the Board shall be taken at such meetings.

Adjourned Meetings

Meetings may be adjourned and reconvened as provided by law.

Approved:

LEGAL REF: MCL 15.261-275; 168.302; 168.642; 380.1201, 380.1202

The Board may meet in closed session as provided for under current law.⁴ The minutes of any closed session shall be kept separate from the minutes of the regular or special meeting and shall not be a matter of public record except as provided for under current law.

Any Board action taken because of a closed session shall be taken in a public meeting and recorded as such.

The Board shall conduct closed sessions only as provided by current law.

Approved:
LEGAL REF: MCL 15.268

⁴ A public body may meet in closed session only for the following purposes: (a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing, (b) To consider the dismissal, suspension, or disciplining of a student if the public body is a part of the school District, intermediate school District, or institution of higher education that the student is attending, and if the student's parent(s)/guardian(s) request a closed hearing, (c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either party requests a closed hearing, (d) To consider the purchase or lease of real property, (e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, (f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential, (g) Partisan caucuses of members of the state legislature, (h) To consider material exempt from discussion or disclosure by state or federal statute, (i) For a compliance conference conducted by the department of commerce under section 16231 of the public health code, (j) In the process of searching for and selecting a President of an institution of higher education. *et seq.*

The Superintendent shall distribute to each Board member prior to each meeting appropriate material and written matter concerning items on the agenda, which then shall be referred to as the annotated agenda.

The Board agenda shall be compiled by the President, in cooperation with the Superintendent. It shall include a period of time when the public may speak to the Board. Other Board members may request items to be placed on the agenda except at special meetings of the Board.

A request by the public to place an item on the Board agenda must be made to the Superintendent or President at least seven days in advance of the meeting at which it is desired to have the item discussed. The request should include a brief statement of the matter to be brought before the Board along with any background information available that may be provided to the Board in advance of the meeting.

The Superintendent in consultation with the President shall determine whether the matter is an appropriate agenda item for that meeting or a future meeting. The Superintendent shall notify the person making the request whether or not the item will be placed on the agenda. If the item is placed on the agenda, the person making the request shall be allowed a reasonable amount of time to present or discuss the issue.

Items not placed on the agenda upon the request of a member or the public may be added to the agenda by a majority vote of the members elected to, appointed, and serving on the Board if the item is an action item. Generally, it shall be the Board's policy to add items for action only in critical or urgent situations. Discussion items may be added by a majority vote of those members elected to, appointed, and serving on the Board.

The annotated agenda shall be sent to all Board members at least three calendar days prior to any regular Board meeting.

The annotated agenda may include the following information; however, other items and reports may be added as the need arises: the agenda format, including items to be discussed and Board procedure, monthly reports to the Board, financial reports, important correspondence, bids specifications, attendance center reports, requests for hearing, and other such information.

Consent Agenda

The President may place routine matters in a single consent agenda item for action by the Board. Any Board member may request that a consent item be removed and considered separately at any time prior to final vote on the consent agenda.

Approval of the consent agenda shall be by vote according to the Board bylaws on motions and votes.

Approved: MASB Rec.
LEGAL REF: MCL 380.11a

The order of business at a regular meeting of the Board shall be: **(May, of course, be replaced by the District's current agenda order. This is a prototype.)**

A. Call to Order

Date of Meeting (MCL 15.265)

Place of Meeting (MCL 15.263(1))

Type of Meeting (MCL 15.265 *et seq.*)

(Regular Meeting, Special Meeting, or Emergency Meeting)

B. Roll Call

Members Present (MCL 15.269(1))

Members Absent (MCL 15.269(1))

Others Present

C. Superintendent's Comments

D. Public Participation

E. Consent Agenda

Approval of Minutes and Corrections

Acceptance of Reports and/or Committee Reports

Investment Results

Approval of Bills/Reimbursement of Expenses

F. Board Recognitions and Remembrances

G. Communications

MASB Mailings/Information Received

Other Board Membership Mailings Received

Materials/Information Mailed Out

MHSAA Issues (Bylaws and Policy Changes)

- H. Goals Updates (School Improvement Plans, Strategic Plans)
 - School Goals
 - Director's Goals
- I. Curriculum Issues
 - Reports to the Board
- J. Bylaws and Policy Issues
 - Emerging Topics
 - Amendment to Existing or New Bylaw - Policy Topic(s)
 - First Reading/Discussion
 - Second Reading/Adoption
 - Deletion of Bylaw - Policy
- K. Personnel Issues
 - Tenure
 - Contracts
- L. Student Issues
 - Expulsion
 - Student Learning
- M. Operational Issues
 - Buildings and Grounds
 - Insurance
- N. Financial Issues
 - Competitive Bids
- O. Superintendent's Comments
- P. Public Participation
- Q. Up-Coming Workshops/Meetings, etc.
- R. Board Member Comments

- S. Closed Session (MCL 15.267 *et seq.*)
- T. Next Regular or Special Meeting
- U. Adjournment

The above order of business may be changed by majority vote of the Board at any Board meeting.

The Order of Business at an organization meeting shall be:

(Agenda to be supplied by the District)

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1330 Rules of Order

1330

The Board shall be governed by rules of procedure as adopted by the Board. The parliamentary authority governing the Board of Education shall be Robert's Rules of Order, Newly Revised in all cases in which those rules are consistent with statute, administrative code, or these bylaws. **(MASB Note: Many Boards have elected to use the following language:**

(OPTIONAL) The Board shall be governed by rules of procedure as adopted by the Board in these bylaws. The Board may use Robert's Rules of Order as a non-binding guideline in the conduct of meetings.

**Does the Board wish to retain this optional language? _____ Yes
_____ No (We elect to retain Robert's as the Governing Authority in the
conduct of our meetings.)**

The President (or Vice-President in the absence of the President) shall preside at all meetings. In the absence of both the President and Vice-President, the members present shall elect a President pro-tempore who will serve only for that meeting or for that part of the meeting in which the President and Vice-President are absent.

Any member of the Board who wishes to make a motion, second a motion or discuss pending business will first secure recognition of the Board President.

The President will present each agenda item for discussion or designate the Superintendent or other staff member who will present the agenda item.

The Board will take all formal actions by ordinary motions unless a formal resolution is required.

A motion must be before the Board in order to discuss an agenda item that has been presented by the Board President for consideration.

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1330 Rules of Order

1330-2

The following motions will be in order:

1. To recess,
2. To take action,
3. To amend a motion made to take action, but such amending motion will be disposed of before any other motion to amend the main motion will be in order,
4. To defer action, either finally or to a specific time, date and place,
5. To go into closed session, and
6. To adjourn, either finally or to a specific time, date or place.

Amendment/Suspension of Bylaws and Policies

The Board, by a vote of a majority of its members, may amend the bylaws, or suspend the operation of the bylaws temporarily, but such amendment or suspension shall not relieve the Board from complying with applicable law. Policies shall be adopted, amended, or repealed only by a majority vote of the Board.

Quorum

A majority of the Board members elected or appointed, and serving on the Board shall constitute a quorum. Members may participate in meetings via electronic means such as telephone conference calls, computer web cam, or a teleconference arrangement. A quorum of the Board must be physically present at the meeting site. The equipment used to participate must provide a real time two way audio connection so that the person(s) participating remotely can be heard at the meeting site and can hear the discussion at the meeting site. The public must also be able to hear the remotely participating Board member. All votes shall be by roll call when any member of the Board participates from a remote location via electronic means. Notice of intent to participate from a remote location shall be provided to the Board President.

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1330 Rules of Order

1330-3

A majority of the members elected or appointed, and serving on the Board is required to approve a motion unless law otherwise requires approval by a different vote.

All Board members, including the President or presiding officer, who are present at a meeting must vote either “aye” or “no” on every proper motion unless there is a legal requirement that prohibits the member from voting. Abstentions, if any, shall be counted as “aye” votes for purposes of determining if a motion has passed or failed except in those circumstances where an abstention is required by law, in which case, an abstention will not constitute a vote either for or against a motion.

An act of the Board shall not be valid unless made in a public meeting held in compliance with the Open Meetings Act and a proper record is made of the vote. Any challenges to any act of the Board shall be governed by, and limited to, the provisions of MCL 15.270 –273.

Approved: MASB Rec. and *OPTIONAL*

LEGAL REF: MCL 380.11a; 380.1201; OAG, 1981-1982, No 6057, p 622 (April 20, 1982); OAG, 1981-1982, No 6091, p 711 (August 18, 1982); *Open Meetings Guide (10th Edition)*, Michigan Association of School Boards, (2010).

The Board shall take action by way of motions. No motion may be acted upon until it has been duly supported or seconded by a member of the Board. The vote on all motions shall be by “yes” and “no” and will be taken by a show of hands, voice vote, or a roll call vote as directed by the President provided that the vote of each member is recorded. *If a member is participating via telephone conference call, all votes will be taken by voice. (Optional)* There shall be no “secret” ballots. Each Board member’s vote must be made in a public session in order to be counted. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members elected or appointed to and serving on the Board and a proper record made of the vote. No votes of any kind, or polling to attempt to determine potential votes, will be allowed outside of public sessions or in closed sessions of the Board. Following each vote, the President shall announce that the motion passed or failed, and if not a unanimous vote, shall announce the number voting “yes” and the number voting “no.”

Each Board member may have the privilege of explaining for the record any vote, be it affirmative or negative at the discretion of the President. In the rare event that a Board member has a right or obligation to abstain from voting, the Board member may have the privilege of explaining the reason for the abstention at the discretion of the President.

In situations in which a specified number of affirmative votes is required and abstentions have been noted, the motion shall fail if the specified number of affirmative votes have not been cast. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority. (184 Mich App 681, 684 (1990))

Approved:
LEGAL REF: MCL 380.1201; 388.1769b

The Secretary or temporary Secretary of the Board shall be responsible for keeping the minutes, or see that minutes of every meeting of the Board are kept. A recording Secretary, not a member of the Board, may be appointed by the Board and shall attend all meetings and record all actions of the Board. Such minutes shall be reviewed and signed by the Secretary of the Board or acting Secretary. The minutes shall include the date, time, place, members present, members absent, all motions made at open meetings and action taken thereon, the purpose(s) for which closed sessions are called, all votes taken, a reference to reports presented, a record of those speaking at the public comment session and the topic on which they spoke, items discussed when no action is taken, and corrections, if any, to the previous Board meeting minutes.

Open meeting minutes shall not contain personally identifiable information about students who have been suspended or expelled.

The minutes shall not usually contain comments from Board members.

Copies of proposed minutes of an open meeting shall be provided upon request to members of the public within eight business days of the meeting and copies of approved minutes within five business days of the meeting at which they were approved. Minutes shall be presented for approval at the next meeting of the Board and copies shall be sent to all Board members prior to the next meeting.

Minutes of closed meetings shall not be made public except as specified by current law.

Approved:

LEGAL REF: MCL 15.269; 380.11a; 380.1201; 380.1202; OAG, 1985-1986, No 6353, p 255 (April 11, 1986)

At each meeting of the Board, the President or the presiding Board officer shall welcome all visitors to the Board meeting.

The Board President shall ask, at the appropriate time as specified on the agenda, those members of the public attending the Board meeting if any of them have something to bring to the attention of the Board. All those wishing to address the Board shall be subject to the following procedural regulations:

- a. The public participation portion of the meeting shall be limited to one-half hour normally. An exception will be made so that no one's right to address the Board will be denied.
- b. Each person shall be allowed to speak for up to five minutes, except where the number of speakers exceeds the time limit. In those instances, either the Board President may reduce the five-minute limit to a three-minute limit for each speaker or the President will waive the one-half hour time limit and establish a longer period.
- c. Each person wishing to address the Board may be asked to identify himself/herself by name and address. If the person is representing an organization or group, the person should indicate whether the comments or presentation represents the official view of the organization or group or are his/her own comments.
- d. If a delegation is present to address the Board, the delegation may be asked to select up to five representatives to speak on its behalf, for a total of not more than 15 minutes. This request, however, does not mean that any person wishing to address the Board will be denied that opportunity.
- e. Any written statements should be given to the Board Secretary so that copies may be made available to all Board members. All written statements and documents presented to the Board by an individual or group during the meeting are considered public documents.

- f. Individuals addressing the Board should take into consideration the rules of common courtesy. The public participation portion of the meeting cannot be used to make personal attacks against a school board member or school district employee that disrupt the order of the meeting and are totally unrelated to the manner in which the member or employee performs his or her duties. To ensure due process and respect for individual rights, the District maintains a formal process for handling complaints against individuals. A problem involving an individual or specific incident is best handled through administrative channels. For assistance, please contact the Superintendent's office.
- g. Speakers with complaints against a Board member, employee, or student of the District that is related directly to their job performance, duties, or the administration of the District during public comment will, as provided in these bylaws, be permitted to make the initial allegation. Thereafter, the affected Board member, employee, or student (or Superintendent on behalf of those persons) may request that further discussion and/or deliberation occur in a closed session pursuant to the Open Meetings Act.
- h. Board members may question speakers, but are not obligated to answer questions or make statements or commitments in response to issues raised by the public. In general, such issues will be referred to the Superintendent for investigation, study, and recommendation or designated as future agenda items for Board consideration.

Handling of Complaints (Cf. 9450)

Speakers are encouraged to present complaints about a specific employee, Board member, or student through proper channels established under Board policy before requesting Board consideration.

Approved:

LEGAL REF: MCL 15.263(1); 15.268; 380.11a; 380.1808; *Gault v Battle Creek*, 73 F Supp 2d 811 (WD Mich, 1999); *Timmon v Wood*, 316 Fed Appx 364, 2007 WL 6123146 (CA 6, 2007), (unpublished decision); *Lysogorski v Bridgeport Charter Twp.*, 662 N.W. 2d 108 (2003); OAG 5332, July 13, 1978.

Recognizing that the public has a right to request, in writing, a renewable 6 month subscription to receive copies of any Board documents that are created, issued or disseminated on a regular basis, such as: Notices of scheduled Board meetings, Board Committee meetings (if such meetings are posted by Board policy) agendas, minutes and newsletters, the Board hereby sets the subscription cost of such items at (\$ ___) per month. *(Cannot exceed the "reasonable cost of printing and [first class] postage" - \$1.00 per month is suggested for most items.)* Printed or electronic news media are specifically exempted from any subscription fee.

Approved:

LEGAL REF: MCL 15.233, 15.266

At each meeting of the Board, the Board may provide seating for all members of the news media present and may assist in explaining any action or consideration taken by the Board. The Superintendent may provide copies of the Board agenda to all news media prior to each meeting of the Board upon request or as required by law.

Broadcasting and Taping

All meetings for the conduct of the affairs of and the transaction of business by the Board, including committee and subcommittee meetings shall be open to the public. Broadcasting and taping of the public Board meeting shall be subject to rules adopted by the Board.

The use of cameras, photographic lights, and recording devices at any meeting of said Board is authorized, as long as it is not in a manner that is disruptive to Board proceedings.

Reporting Board Meetings

The media, members of the public, and staff shall be informed of actions and decisions of the Board in the following manner:

- The Superintendent shall prepare a staff newsletter for distribution to all staff members on the morning following the Board meeting.
- Brief summaries of Board actions and decisions shall be published in the parent(s)/guardian(s) newsletter and shall be made available to the media after each meeting.

Cameras

The use of cameras at any open Board meeting shall be permitted only when, in the judgment of the Board, the use or proposed use of any camera will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the camera or the proposed user thereof.

Recording Devices

Use of recording devices at any open Board meeting shall be permitted when, in the judgment of the Board, the use or proposed use of any recording device will not be a disruptive influence upon the proceedings, genuinely annoying or harassing to the Board or any member thereof or operated to attract undue attention to the recording device or the proposed user thereof.

All recording devices together with all appurtenances and paraphernalia, including microphones, shall be kept in the area designated for the media; and recording devices, microphones or other appurtenances shall be allowed on, under or in the immediate vicinity of the Board conference table only with Board permission.

No cameras or recording devices shall be allowed at closed sessions of the Board.

Approved:

LEGAL REF: MCL 15.261; 15.263; 380.11a

The Superintendent, as the need arises, shall advise the Board when he/she is of the opinion that a bylaw or policy should be changed or supplemented and present to the Board the reasons therefor.

The Board shall oversee and review its bylaws and policies and shall, as needs dictate, delete, amend and supplement existing bylaws and policies and adopt new bylaws and policies.

Draft Writer

The Superintendent shall draft all recommended policy changes. New bylaws proposals and recommendations for changes shall be drafted by the Superintendent in conjunction with the Board President.

Attorney Involvement

Bylaws, policies, and rules of the Board may be submitted to the Board's attorney to determine the legality of said bylaws and policies and rules before they are submitted to the Board for final approval.

The opinion of the attorney shall be made available to all Board members and Superintendent.

Staff Involvement

In formulating policy recommendations to be made to the Board, the Superintendent may involve members of the staff in the formulation of such policy.

The Superintendent may solicit recommendations from the staff concerning the workability of present policies, needs for change and new policies. The Superintendent, in formulating recommendations to the Board, shall consider the recommendations made to him/her by the staff.

Community Involvement

The Board may involve members of the public in the development of Board policy.

The Board may advise the public, through the news media and other means, that the Board welcomes suggestions and ideas concerning Board policy.

Student Involvement

The Board may involve students in the development of Board policy.

By classroom teacher announcements, notices in student publications and by other means, the Board may invite students to submit ideas and suggestions to the Board concerning the development of Board policy. In adopting or changing Board policy, the Board shall take into consideration those ideas and suggestions submitted by the students.

Approved:

LEGAL REF: MCL 380.11a

The Board shall adopt new bylaws and policies and delete or modify existing bylaws and policies as the need arises. The Board, for compliance with Board policy, may review all rules and regulations found in handbooks for students, teachers or other employees and supplements.

The Board shall make adoption and/or amendments to bylaws, policies, rules, and regulations of the Board after two readings. However, the bylaws, policies, rules, and regulations of the Board may be amended at any regular or special meeting of the Board by a majority vote of the members elected to, appointed, and serving on the Board.

A recommendation by an individual or group of citizens to adopt or amend any bylaw, policy, or rule may be submitted at any time to the Superintendent or Board President. The Board may consider such requests at the next regular Board meeting. Final action on any such recommendation may take place at the next regular meeting of the Board unless an emergency is declared whereby final action may be taken immediately.

Policy Dissemination

The Superintendent shall be responsible for devising a procedure to ensure that those persons having copies of the Board policy manual receive changes in Board bylaws and policy and the policies that have been amended or deleted are removed from such policy manuals. Every attendance center shall have a current copy of the policy manual either in “hard copy” or in electronic format that shall be kept in the office of the Principal or the Superintendent. At least one “hard copy” of the Board policy manual shall be kept in the central business office. Each Board member shall be furnished a copy of the policy manual in either “hard copy” or electronic format, and the Superintendent may designate which administrators shall be furnished with copies of said policy manual.

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1550 Bylaw and Policy Adoption

1550-2

The Board Secretary shall keep a *ten-year (at the District's option, this can be for a longer period with records kept on microfiche or other electronic means. For most purposes, however, ten years should be more than sufficient)* running historical set of Board bylaws and policies that shall reflect all revisions, amendments or other such actions pertaining to every bylaw, policy, and rule.

Policy Review

The Board shall oversee and review its policies and rules as the needs arise.

Approved:

LEGAL REF: MCL 380.11a

All rules/regulations or procedures developed pursuant to the Board's policies shall conform to the intent of the policies. The Board shall not normally approve or adopt administrative rules/regulations or procedures except in those instances in which the Superintendent or legal counsel believe such formal adoption shall be necessary or desirable because of potential litigation, public attitudes, or possible student or staff reaction. The Board gives the Superintendent authority to develop and implement all necessary rules/regulations or procedures authorized by Board policy or state statute. All rules/regulations or procedures shall be published in the appropriate staff and student handbooks.

The Superintendent shall keep the Board informed of any rules/regulations or procedures developed to implement Board policy and shall periodically present them to the Board for review. The Board may veto any administrative rule/regulation or procedure when, in the judgment of the Board, they are inconsistent with Board policy or Board intent.

Rules/Regulations or procedures may be issued by the Superintendent directly without adoption of Board policy.

Rules/Regulations or procedures issued to implement Board policy shall be made a part of the policy manual and copies shall be provided to all holders of Board policy manuals. Staff, students and patrons of the District shall be informed of any rules/regulations or procedures affecting them as individuals or as a group.

Approved:
LEGAL REF: MCL 380.11a

When action must be taken and no guidelines have been provided for administrative action, the Superintendent shall have the power to act. Such decisions shall be subject to review by the Board at its next regular meeting. It shall be the duty of the Superintendent to notify the Board of such action and to advise the Board for needed policy.

Approved:

LEGAL REF: MCL 380.11a

The Board shall keep such Board records as shall be necessary for the understanding of their actions. In addition to those records required by law to be kept, the Superintendent shall be responsible for the designing and keeping of such other records as are necessary for the efficient operation of the District.

The Board recognizes the need for its records to be stored as a blend of printed, bound and electronically stored (i.e., audio tape, video tape, microfiche, computer disk, computer server, flash drives, etc.) material.⁵ The securing, cataloging and storing of all records shall be the responsibility of the Board Secretary, with assistance from the Superintendent.

Approved:

LEGAL REF: MCL 380.601a; 380.623; 380.862; MDE Bulletin 522 – Records Retention and Disposal Schedule for Michigan Public Schools, revised Sept. 2006

⁵ MDE Bulletin 522 revised Sept. 2006. **Record Maintenance** Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, e-mail messages, databases, etc. The retention periods listed on this general schedule do not specify the format that the record may exist in, because each government agency that adopts this schedule may choose to retain its records using different recording media. **Government agencies are responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during this entire retention period. All records [this includes District email records] need to be stored in a secure and stable environment that will protect them from tampering, damage and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. It is important to understand that the original technology that is used to create electronic records will eventually become obsolete. As a result, school districts should work with their information technology staff to develop preservation plans for retaining electronic records with long-term (more than 10 years) retention requirements.** Various laws (including the Records Reproduction Act, MCL 24.401-24.406) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws. **Public Disclosure** Select records series that are listed on this schedule may be exempt from public disclosure, in accordance with the provisions of various state and federal laws. Please consult with your attorney if you need additional information. **Suspending Destruction:** School districts must immediately cease the destruction of all relevant records (even if destruction is authorized by an approved Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an investigation or litigation has commenced. If relevant records exist in electronic formats (such as e-mail, digital images, word processed documents, databases, backup tapes, etc.), the school district may need to notify its information technology staff. **Failure to cease the destruction of relevant records could result in penalties.**

The Board, annually, shall consider memberships in the County School Boards Association and the Michigan Association of School Boards. Through membership in MASB, the Board is an indirect member of the National School Boards Association. The Board and its members shall actively participate in the activities of these organizations insofar as possible.

The Board has authorized membership in the MASB Legal Trust Fund and shall annually consider continued membership in said fund by approving payment of annual dues as determined by the MASB Board of Directors.

When recommended by the Superintendent and approved by the Board, the Board may maintain memberships in other educational associations or organizations through which the District may derive benefits.

Dues and membership fees to local, state and national educational organizations shall be budgeted for and provided by the Board. Materials and other benefits of institutional memberships shall be distributed and used to the best advantage of the District.

Liaison with School Boards Associations

The Board annually shall appoint one of its members to serve as liaison to the Michigan Association of School Boards. It shall be the responsibility and duty of the liaison member to keep the Board informed of MASB activities and call attention to Board actions that might be appropriate in relationship or support of those activities. A report from the liaison representative shall be an agenda item for each regular monthly meeting.

Approved: *Optional*
LEGAL REF: MCL 380.11a

The Board shall keep itself informed of pending legislation and actively communicate its concerns and make its position known to elected representatives at both the state and national level.

The Board will work with its legislative representatives, with the state school Boards association, the National School Boards Association, and other concerned groups in developing an annual, as well as long-range, legislative program.

The Board annually shall designate a person - who may or may not be a member of the Board - to serve as its legislative representative. This person shall be authorized to speak on the Board's behalf with respect to legislation being considered by the state legislature, or the United States Congress or their representative committees. In all dealings with individual elected representatives, the legislature, or Congress, the Board's representative will be guided by the official positions taken by the Board.

Legislative Representative

A legislative representative shall serve as the Board's liaison with the state school Boards association. This representative shall attend state school Boards association meetings and convey local views and concerns to that body and participating in the formulation of state legislative programs. The legislative representative shall monitor proposed school legislation and inform the Board of the issues.

Purpose

To establish the procedure by which legislative matters will be handled.

Recommended Legislation

All requests for proposed legislation will be directed to the Board's designated representative. The request will then be reviewed to determine if it is to be included as a part of the District's legislative package.

The Board will finalize the complete legislative package.

When legislative items are introduced that are not related to the adopted goals directly, the Superintendent and designated representative will confer with the Board prior to taking a position on such items. If time does not permit discussion with the Board, the President and/or Vice-President will be contacted. If they are not available, two Board members will be contacted.

Legislative Presentations

Oral and written presentations made in behalf of the District must receive prior approval of the Board.

The following are guidelines for presenters:

All oral presentations should be brief and to-the-point.

A copy of the presentation should be typed.

- One copy to the Superintendent,
- One copy to each Board member, and
- One copy for each committee member.

The Board's designated representative will notify the Superintendent and Board President of the time and place of the hearing when presentations are made.

Approved: *Optional*
LEGAL REF: MCL 380.11a

The primary purpose for Board self-assessment/evaluation is for the improvement of Board member leadership. In evaluating the Board's functions and roles, the Board may focus attention to the following:

1. The Board shall assess the needs of the District's students, establish priorities, and allocate the personnel and financial resources to meet the student's needs,
2. The Board shall know the standards against which they will evaluate themselves and be involved in the development of those standards,
3. Evaluation shall be at a scheduled time and place with no other items on the agenda,
4. The evaluation should be a composite of the individual Board members' opinions,
5. The evaluation should include a discussion of strengths and weaknesses, and
6. The Board should be free to comment on any area related to its function of directing the District.

The Board and Superintendent may cooperatively develop an evaluation plan that annually evaluates the various aspects of the Board's functions, duties, and roles.

Approved: *Optional*
LEGAL REF: MCL 380.11a

The Board believes that public school academies can serve a useful function in the education of students. In an effort to foster diversity of educational opportunity without sacrificing quality of education or unnecessary duplication, the Board may enter into a contract with, and charter a public school academy(s), under the guidelines set forth in the contractual agreement and guidelines established by the Superintendent.

Review

The Superintendent has the authority to conduct a periodic review of the operations and finances of an academy and submit a report to the Board.

Contract Limitations

No contracts between the Board and a public school academy shall exceed three years. Contracts may be renewed for an additional time only by mutual written agreement between the Board and the academy.

Audits

The Superintendent has the authority to designate the certified public accountant that shall conduct a financial audit of the academy.

The Superintendent shall recommend approval, modification, amendment, or rejection of all applications for public school academies to the Board.

Approved: *Optional*
LEGAL REF: MCL 380.11a; 380.501 *et seq.*

1. Except for contracts specified in Section 5, below, a Board member shall comply with the disclosure provisions of Section 2 of this policy in contracts where:
 - a. The Board member is a direct party to any contract between himself/herself and the School District, or
 - b. The Board member, directly or indirectly, solicits, negotiates, re-negotiates, represents a party to, or is an indirect party to, any contract with the school District, and
 - i. Any firm, meaning a co-partnership or other unincorporated association, or in which he/she is a partner, member, or employee,
 - ii. Any private corporation in which he/she is a stockholder owning more than 1% of the total outstanding stock of any class if the stock is not listed on a stock exchange, or stock with a present total market value in excess of \$25,000.00 if the stock is listed on a stock exchange or of which he/she is a Director, officer, or employee, or
 - iii. Any trust of which he/she is a beneficiary or trustee.
2. A Board member shall promptly disclose any pecuniary interest in the contract to the Board of Education, which disclosure shall be a matter of record in its official proceedings. This disclosure shall be made in the following ways:
 - a. If the contract is for emergency repairs or services, the Board member must promptly disclose any pecuniary interest in the contract which disclosure shall be made a matter of record in the Board's official proceedings.
 - b. If the Board member will benefit from a school District contract directly in an amount less than \$250.00 and less than 5% of the public cost of the contract, the Board member must disclose his/her pecuniary interest in the contract by filing a sworn affidavit with the school Board.

- c. If the Board member will benefit by \$250.00 or more, or 5% or more of the public cost of the contract, his/her pecuniary interest must be disclosed in one of two ways:
 - i. By notifying, in writing, the President of the Board of his/her interest at least seven (7) calendar days before the meeting at which a decision regarding the contract will be made. If the President of the Board is the individual with the conflict of interest, disclosure must be made to the Secretary of the Board. The disclosure shall be made public in the same manner as in public meeting notice, or
 - ii. By disclosing his/her interest in the contract at a Board meeting. Under this option, the Board may not vote on the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.
 - d. If the Board member's pecuniary interest in the contract exceeds \$5,000.00, the Board member must disclose his/her interest in the contract at a Board meeting, and the Board may not vote on the relevant contract until at least seven (7) calendar days after the meeting at which the disclosure was made.
3. Except as provided in Section 4 below, the contract must be approved by a vote of not less than 2/3rds of the full membership of the Board of Education in open session without the vote of the Board member making disclosure specified in Section 2. The Board of Education must disclose the following summary information in its official minutes:
- a. The name of each party involved in the contract,
 - b. The terms of the contract, including duration, financial consideration between parties, facilities or services of the school District included in the contract, and the nature and degree of assignment of employee of the school District for fulfillment of the contract, and

- c. The nature of the pecuniary interest.
4. If 2/3rds of the members of the Board are not eligible under this policy to vote on a contract or to constitute a quorum, a member may be counted for purposes of a quorum and may vote on the contract if the member will benefit from the contract directly in an amount less than \$250.00 and less than 5% of the public cost of the contract and the member files a sworn affidavit to that effect with the official body. The affidavit shall be made part of the public record of the official proceedings.
5. This policy shall not apply to:
 - a. Contracts between the school District and another public entity,
 - b. Contracts awarded to the lowest qualified bidder, other than a Board member, upon receipt of sealed bids pursuant to a published notice therefore provided such notice does not bar, except as authorized by law, any qualified person, firm, corporation or trust from bidding. Amendments or re-negotiations of a contract or additional payment there under which were not authorized by the contract at the time of award are not excluded from the requirements of Sections 2 through 4 above, and
 - c. Contracts for public utility services where the rates therefore are regulated by the state or federal government.

Approved: MASB Rec. in its entirety
LEGAL REF: MCL 15.321, *et seq*

The objectives of this bylaw are to maintain an impartial administration of the business of the school District and to maintain public confidence in the Board of Education.

No member of the Board of Education shall engage in, or be a party to, any of the following activities:

1. Representing his/her opinion as that of the Board of Education or making commitments on behalf of the school District or the Board unless that person has been specifically designated to do so by official Board action. The Board shall make the staff and citizens aware that only the Board, not individual members, has the right to take official action for the District. Board members may be contacted for discussion of District business or for complaints. The Board member may listen but shall not make a commitment on behalf of the Board. The individual Board member does not and cannot, speak for the Board or the Superintendent.
2. Placing him/herself in situations where prejudice, bias, favoritism or personal gain is a motivating force in his/her conduct.
3. Disclosing or releasing confidential information, not otherwise available to members of the public, in advance of the time prescribed for the release; provided however, that this provision shall not prevent a Board of Education member from divulging or releasing confidential information regarding suspected violations of law.
4. Benefiting financially from confidential information obtained due to the member's position on the Board of Education.
5. Using personnel resources, property, or funds of the school District, except in accordance with prescribed constitutional, statutory, and regulatory procedures, and in accordance with good business procedures and not for personal gain or benefit.

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1950 Board Member Conflict of Interest, Ethics and Responsibilities

1950-2

6. Soliciting or accepting a gift or loan of money, goods, services or other things of value, which tends to influence the manner in which the Board of Education member performs his/her official duties.
7. Becoming employed by the school District or receiving any compensation for services rendered, except compensation for attending meetings as permitted by law.

(MASB Note: The language in #7, above, is strongly suggested in light of Attorney General Opinions; OAG, 1985-1986, No 6368, p 296 (June 5, 1986); OAG, 1989-1990, No 6642, p 274 (January 2, 1990); OAG, 1991-1992, No 6728, p 172 (August 26, 1992). Yes, this does mean that Board Members cannot serve as paid substitute teachers, coaches, aids, ticket takers, etc., or in any position as an unpaid "volunteer" if the position being filled would normally be a paid position in the District unless such volunteer service is allowable under PA 22 of 2008 (MCL 15.183.) Otherwise, the only compensation allowable is that allowed by law and Board policy, for meetings attended.)

8. Endorsing any organizations, institutions, instructional books or materials, political candidates, etc., on behalf of the District or the Board without the express approval of the full Board.

Board Members shall:

1. Attend all scheduled Board meetings insofar as possible and become informed concerning the issues to be discussed at Board meetings,
2. Take no action that will compromise the Board or the District's staff and respect the confidentiality of information that is privileged under applicable law,
3. Make policy only after full discussion of the issues at publicly held Board meetings,
4. Encourage the free expression of opinion by all Board members and seek systematic communications between the Board, students, staff, and all elements of the community,
5. Work with other Board members to establish effective policy and to delegate authority for the administration of the schools to the Superintendent,

Lansing School District

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1950 Board Member Conflict of Interest, Ethics and Responsibilities

1950-3

6. Communicate to other Board members and the Superintendent public reaction to Board policy and District programs,
7. Become informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national School Boards Associations, and
8. Support the employment of those people best qualified to serve as District staff and insist on a regular, impartial evaluation of all staff.

Board Member Responsibilities

The Board shall transact all business at legally called and noticed meetings.

If a specific complaint needs attention, the Board member shall explain to the complainant the District's chain of command for handling complaints or refer the complaint to the Superintendent. The Board member also shall inform the complainant about the process for bringing items to the Board through the Board's agenda or through the public participation portion of the Board meeting.

Employment of Former Board Members

No former Board of Education member shall become employed by the school District until that individual has been out of office for at least one (1) full year from the date of official separation from office. (MASB optional language.)

Does the Board wish to retain this optional language? Yes No
 Yes, but with edits as noted.

Approved: MASB Rec. and *Optional*

LEGAL REF: OAG, 1985-1986, No 6368, p 296 (June 5, 1986); OAG, 1989-1990, No 6642, p 274 (January 2, 1990); OAG, 1991-1992, No 6728, p 172 (August 26, 1992); PA 22 of 2008 (MCL 15.183.)

As permitted by state law, a member of the Board may serve as a volunteer coach or as a volunteer supervisor of an extra curricular activity if the following statutory conditions are met:

- The Board member receives no compensation for serving as a volunteer coach or extra curricular activity supervisor.
- The Board member abstains from voting on issues that concern the program or activity that the Board member is serving as a volunteer.
- There must be no qualified applicant available from either the staff or from the outside to fill the position that the Board member will serve as a volunteer.
- The Board member must pass, in the same manner as all other staff of the District, a criminal history/criminal records check from the Michigan Department of State Police and the Federal Bureau of Investigation.
- *Optional- The Board member who seeks to serve as a volunteer coach or extracurricular activity supervisor must pay any fees that are needed to conduct the required criminal history/criminal records check. (MASB Note: We feel that if other employees are required to pay for their criminal history/background check, then Board members should be held to the same requirement. If not, then Board members should not have to pay.)*

A Board member volunteer coach or supervisor of an extracurricular activity may be appointed to a one-year term annually by majority vote of the board and may be removed from the position by majority vote for any reason. The Board member who is the subject of the appointment or removal action shall not vote on the question.

A Board member volunteer coach or supervisor of an extracurricular activity must abide by all rules and regulations that govern the position when it is held by a paid employee.

Section 1000 – Board Bylaws – 1st Draft – 12-5-2011

1955 Board Member Service as an Unpaid Volunteer

1955-2

This bylaw does not apply to, nor would Board approval or a criminal history/background check be required, for incidental volunteer activities in positions that would not normally be “paid” positions that parents/guardians or community members might perform. These might include, but not be limited to, working at a concession stand for an athletic event, chaperoning a school sponsored dance or other activity, tutoring in a reading or mathematics program, or assisting at events like a school carnival.

Approved: MASB Rec. - if the Board plans to implement the provisions of MCL 15.183. Should the Board elect to NOT implement the provisions of MCL 15.183 , MASB will be pleased to provide alternate language.

LEGAL REF: MCL 15.183