

Series 2000: Bylaws

2300 Board Member Conduct

2301 Conflict of Interest

Board members take an oath of public office requiring that they faithfully discharge their duties to the best of their abilities. Board members must act in the District's best interests and avoid any actual or perceived conflict of interest in the performance of their public duties. Board members will not misuse their public office to solicit, accept, obtain, or produce a substantial direct or indirect benefit for themselves or a family member.

A. "Family member" as used in this Policy means that term as defined in Revised School Code Section 1203.

B. Statutory Conflict of Interest

1. When a Board member believes or has reason to believe that the Board member has a conflict of interest, as described in Revised School Code Section 1203, as to a contract or other financial transaction that requires Board approval, the Board member will: (a) abstain from voting on the contract or other financial transaction, and (b) disclose the specific conflict of interest. If a majority of Board members are required to abstain from voting under this section, the special quorum and voting rules prescribed in Revised School Code Section 1203 will apply.

2. A Board member is presumed to have a conflict of interest if the Board member or the Board member's family member has a financial interest or a competing financial interest in the contract or other financial transaction or is a District employee.

C. Contracts of Public Servants with Public Entities

1. Affected Contracts Defined

For purposes of this Policy, an affected contract means a contract between the District and any of the following:

- a. a Board member;
- b. any firm, meaning a co-partnership or other unincorporated association, of which a Board member is a partner, member, or employee;
- c. any private corporation in which a Board member 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 if the stock is listed on a stock exchange, or of which a Board member is a director, officer, or employee; or

- d. any trust of which a Board member is a beneficiary or trustee.
- 2. Board members will comply with the disclosure and voting requirements of the Contracts of Public Servants with Public Entities Act for affected contracts.
- 3. A Board member will not do either of the following concerning an affected contract in which that Board member has a direct or indirect financial interest:
 - a. take any part in the negotiation, renegotiation, amendment, or approval of the affected contract; or
 - b. represent either party in the transaction.

4. Disclosure Requirements

Board members will comply with the following disclosure requirements concerning an affected contract. Disclosures will be recorded in the Board's minutes.

a. Nominal Benefit or Emergency

If the Board member files a sworn affidavit with the Board attesting that the Board member will directly benefit from the affected contract in an amount less than \$250 and less than 5% of the public cost of the affected contract, or if the affected contract is for emergency repairs or services, the disclosure will be made as follows:

- i. the disclosure may be made less than 7 calendar days before the meeting at which a vote will be taken on the affected contract; and
- ii. the sworn affidavit or grounds to determine the need for an emergency repair or service will be recorded in the Board minutes.

b. Benefit Equals or Exceeds \$250 But Does Not Exceed \$5,000

If a Board member will directly benefit from the affected contract in an amount equal to or exceeding \$250 (but not more than \$5,000) or equal to or more than 5% of the public cost of the affected contract, and if the affected contract is not for emergency repairs or services, the disclosure will be made in either of the following ways:

- i. at least 7 calendar days before the meeting at which a vote will be taken on the affected contract, the Board member will promptly disclose in writing the financial interest in the affected contract to the President (or other presiding officer), or to the Secretary if the President is the Board member that will directly benefit from the affected contract. The disclosure will be made public in the same manner as a public meeting notice; or

- ii. the Board member will disclose the financial interest at a public meeting of the Board; provided that the vote on the affected contract will be taken at a subsequent Board meeting held at least 7 calendar days after the meeting at which the disclosure is made.

c. Benefit Exceeds \$5,000

If the amount of the direct benefit to the Board member is more than \$5,000, disclosure must be made at a public meeting of the Board and the vote on the affected contract will be taken at a subsequent public Board meeting held at least 7 calendar days after the meeting at which the disclosure is first made.

5. Abstention Requirements

A Board member must abstain from voting on an affected contract in which the Board member has a financial interest.

D. Incompatible Public Office

A Board member will not hold 2 or more incompatible public offices, as defined by Michigan law.

Legal Authority: Const 1963, art 4, §10; MCL 15.181 et seq., 15.321 et seq.; MCL 380.1203; MCL 388.1769b; OAG, No 4555 (April 12, 1967)

Date adopted:

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Series 2000: Bylaws

2300 Board Member Conduct

2302 Board Code of Ethics

Each Board member has a fiduciary duty to act in the District's best interests and to faithfully discharge the office of a Board member in compliance with applicable law and Policy to the best of that person's ability.

A. Each Board member will:

1. remember that a Board member's primary concern must be the educational welfare of students attending the District's schools;
2. regularly attend Board meetings and be informed about issues to be considered at those meetings;
3. make decisions only after consideration at legally held Board meetings;
4. focus on governance, not management, taking care to distinguish the Board's responsibility to focus on the District's mission, values, vision, policy development, strategic planning, and budgeting from the administration's responsibility for implementation of Policies and goals, routine operational decisions, and administration of daily operations;
5. employ or contract with and retain those persons best qualified to serve as District employees and insist on a regular and impartial evaluation of all employees in compliance with applicable law;
6. render all decisions based on an objective evaluation of available information, exercising independent judgment;
7. encourage constructive dialogue among Board members and among the Board and students, staff, parents/guardians, and the school community;
8. learn about current educational issues by individual study and through participation in seminars and programs, such as those sponsored by the Michigan Association of School Boards and the National School Boards Association;
9. work constructively and collaboratively with other Board members to establish effective Policies and procedures;
10. work constructively and collaboratively with the Superintendent, staff members, students, parents, and community stakeholders;
11. recognize the Superintendent as the District's chief executive officer;

12. refer complaints to the Superintendent (other than those involving the Superintendent), designee, or designated administrator(s), as appropriate (see Policies 4101, 4102, 4103, and 4104);
13. safeguard confidential information, including social security numbers, criminal history record information, information pertaining to unprofessional conduct checks, and personally identifiable student information under the Family Educational Rights and Privacy Act (FERPA) and Revised School Code Section 1136;
14. avoid an actual or perceived conflict of interest;
15. comply with the Open Meetings Act;
16. be mindful of a Board member's fiduciary obligations to the District, including duties of loyalty and care, placing the District's interests above a Board member's personal interests; and
17. use District employee resources, property, and funds judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.

B. A Board member will *not*:

1. represent the Board member's personal opinions as those of the Board;
2. act in isolation, operating as if a "Board-of-one";
3. disrupt or impede the established District administrative structure;
4. use the Board position for actual or perceived personal or political gain;
5. discuss confidential Board business except as authorized by law;
6. disclose closed session deliberations or proceedings other than as permitted by law; or
7. refer a student for an abortion or assist a student in obtaining an abortion. This prohibition does not apply to a Board member who is the parent or legal guardian of that student.

C. Violations of the Board Code of Ethics will be handled in compliance with Policy 2303.

Legal Authority: 20 USC 1232g; 34 CFR Part 99; Const 1963, art 11, §1; MCL 15.261 et seq., 15.341 et seq.; MCL 168.310(1); MCL 380.11a, 380.601a, 380.1136; MCL 388.1766

Date adopted:

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Series 2000: Bylaws

2300 Board Member Conduct

2304 *Gifting*

A. Gifts to Individual Board Members

A Board member will not solicit or accept anything of value that may influence or reasonably be perceived to influence the manner in which a Board member performs official duties.

B. Board Acceptance of Gifts

1. The Board shall not accept a gift, donation, or contribution on the District's behalf in a manner or for a purpose that does not comply with Policy 3303.
2. The Board must publicly disclose a gift, donation, or contribution from any vendor or contractor that has submitted a bid in response to a request for proposals the District currently has under consideration.

Legal Authority: 25 USC 2701 et seq.; MCL 380.11a(14), 380.601a, 380.634(2), 380.1814

Date adopted:

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Series 2000: Bylaws

2300 Board Member Conduct

2306 Board Member Compensation

Board members will not receive compensation to attend Board meetings, or subcommittee meetings or for the performance of an authorized duty as a Board member.

Legal Authority: MCL 380.11a

Date adopted:

Date revised:

Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3305 Sale or Lease of District Property

The District may, in accordance with applicable law, sell, lease, or otherwise convey (each, a “transfer”) its property, whether real or personal. Subject to Board parameters and legal review, the Superintendent may obtain, negotiate, or modify transfer documents for any Board-authorized transfer of District property.]

- A. The District may consider both solicited and unsolicited offers to transfer its property. The District may market its property through any lawful process, including employing a real estate broker, publicly listing the property for a specific price, soliciting bids, or holding an auction.
- B. The Superintendent or designee will contact the District’s financial advisor or legal counsel to investigate any tax consequences from the transfer of District property financed with tax-exempt obligations.
- C. Prior to entering into any agreement to transfer property, the District shall notify the community publicly at least 60 calendar days prior to any Board action on any transfer agreement. Notice of the potential transfer agreement shall be placed prominently on the District’s web site.
- D. The District may only transfer its property in exchange for fair value, which value may be non-monetary. An appraisal may be obtained but is not required.
- E. The District may not impose a deed or use restriction that is prohibited by law.
- F. The transfer of District real property is exempt from transfer tax.

Legal authority: Const 1963, art 9, § 18; MCL 123.1045; MCL 207.505, 207.526

Date adopted:

Date revised:

gSeries 5000: Students, Curriculum, and Academic Matters

5300 Student Enrollment, Attendance, and Records

5307 Homeless Students

A. General Policy

The District will provide a free public education to homeless children and youth who are in the District and afford them the educational rights and legal protections provided by federal and state law. Homeless children and youth will not be stigmatized or segregated based on their homeless status and will have the same access to services offered to students who are not homeless. It is the intent of this Policy to remove barriers to the enrollment and retention of homeless students in the District.

B. Homeless Liaison

The homeless liaison will coordinate services to ensure that homeless children and youth enroll in school and have the opportunity to succeed. The liaison will also coordinate and collaborate with state homeless coordinators, community agencies, and District personnel responsible for the provision of education and related services to homeless children and youth, including unaccompanied youth. A student or parent/guardian in a homeless situation who requires assistance should contact the District's homeless liaison:

Director of Human Resources
4406 N Okemos Road
517 706 5006]
hr@okemosk12.net

The liaison's responsibilities include ensuring that:

1. homeless children and youth are identified by District personnel through outreach and coordination activities with other entities and agencies;
2. homeless children and youth are enrolled in, and have a full and equal opportunity to succeed in, the District's schools;
3. homeless families and homeless children and youth have access to and receive educational services for which the families and students are eligible, including Head Start, early intervention services under Part C of the Individuals with Disabilities Education Act, and other preschool programs administered by the District;
4. homeless families and students receive referrals to health care, dental services, mental health and substance abuse services, housing services, and other appropriate services;

5. parents/guardians of homeless children and youth, and unaccompanied youth, are informed of the educational and related opportunities available to their students and are provided with meaningful opportunities to participate in their student's education;
6. public notice of the educational rights of homeless children and youth is disseminated in locations frequented by parents/guardians of homeless children and youth, and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents/guardians of homeless children and youth, and unaccompanied youth;
7. enrollment disputes involving homeless children and youth are resolved as quickly as possible after receiving notice of the dispute and in accordance with any applicable state or District procedures;
8. parents/guardians of homeless children and youth, and unaccompanied youth, are fully informed of all transportation services, including transportation to the school of origin, and are assisted in accessing transportation to the school that is selected;
9. District personnel providing services to homeless children and youth receive professional development and other support to assist in meeting the educational and related needs of homeless students;
10. unaccompanied youths who are enrolled in school have: (a) opportunities to meet the same challenging state academic standards as children and youth who are not homeless; (b) appropriate secondary education and support services, including receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school; (c) access to counselor services and supports to prepare for and improve college readiness; and (d) notice of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the liaison to receive verification of that status for Free Application for Federal Student Aid (FAFSA) purposes; and
11. performance of any other duties identified in this Policy and applicable federal laws or state guidelines governing the homeless liaison's duties.

The homeless liaison will participate in relevant professional development and other technical assistance activities as part of the liaison's duties and may work with other District personnel to accomplish the responsibilities described in this Policy.

C. Definitions

1. "Homeless children and youth" means persons who lack a fixed, regular, and adequate nighttime residence and includes children and youth who:

- a. are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
 - b. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 - c. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - d. are migratory children who qualify as homeless because they are living in circumstances described above.
2. "Child" and "youth" refers to persons who, if they were children of residents of the District, would be entitled to a free education.
3. The term "unaccompanied youth" means a homeless child or youth not in the physical custody of a parent/guardian.
4. "School of origin" means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

D. District's Obligation

In the best interest of a homeless child or youth, the District generally will:

1. continue the child's or youth's education in the school of origin for the duration of homelessness in any case in which a family becomes homeless between academic years or during an academic year and for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or
2. enroll the child or youth in any public school that students who are not homeless who live in the attendance area in which the child or youth is actually living are eligible to attend.

E. School Stability

In determining the best interest of a homeless student, the District will presume that keeping a homeless child or youth in the student's school of origin is in the student's best interest unless it is contrary to the request of the student's parent/guardian, or in the case of an unaccompanied youth, the youth. In determining the school placement of a homeless child or youth, the District will also consider factors related to the impact of mobility on the homeless child or youth's achievement, education, health, and safety, giving priority to the parent's/guardian's or the unaccompanied youth's request. In the case of an

unaccompanied youth, the District will assist in placement or enrollment decisions and will give priority to the unaccompanied youth's views.

If, after consideration of the presumption and factors above, the District determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the District will provide written explanation of the reasons for its determination in a manner and form understandable to the parent/guardian or unaccompanied youth, including information about the right to appeal.

F. Immediate Enrollment

The District will immediately enroll homeless children and youth, including unaccompanied youth, even if they are unable to produce records normally required for enrollment such as previous academic records, immunization records, residency documents, birth certificates, or other documentation or the child or youth has missed application or enrollment deadlines. The District will immediately contact the school last attended by the student to obtain relevant academic and other records. The District's homeless liaison will assist in obtaining any necessary immunizations or screenings or immunization or other required health records.

G. Comparable Services

The District will provide homeless children and youth services that are comparable to those offered to students who are not homeless, including transportation services, Title I services, programs and services for students with disabilities under IDEA and Section 504, career and technical education, programs for gifted and talented students, programs for English learners, and school nutrition programs.

H. Transportation

Transportation will be provided to homeless students to the extent required by law and will be comparable to that provided to students who are not homeless. At the request of the parent/guardian (or for an unaccompanied youth, the liaison), transportation will be provided to and from the school of origin as follows:

1. If the homeless child or youth continues to live in the area served by the District, the child's or youth's transportation to and from the school of origin will be provided or arranged by the District.
2. If the homeless child's or youth's living arrangements in the area served by the District terminate and the child or youth begins living in an area served by another school district, the District and the other school district in which the homeless child or youth is living must agree on a method to apportion the responsibility and costs for providing the homeless student with transportation to and from the District. If the districts are unable to agree, the responsibility and cost for transportation will be shared equally.

I. Records

The District will maintain and respond to requests for enrollment records for homeless children or youth consistent with Policy 5309 and state and federal record laws. Any information about a homeless child's or youth's living situation will be treated as a confidential education record and not directory information.

J. Dispute Resolution

If a dispute arises about a homeless student's eligibility, school selection, or enrollment, the homeless student, including an unaccompanied youth, must be immediately enrolled and served in the school in which enrollment is sought, pending final resolution of the dispute.

A complainant should contact the District's homeless liaison who will follow MDE-approved District dispute resolution processes or MDE dispute resolution/complaint procedures to quickly resolve the dispute.

Legal authority: 42 USC 11431 et seq.

Date adopted:

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Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5705 *Emergency Anaphylaxis*

Anaphylaxis is a severe and life-threatening allergic reaction. Anaphylaxis may occur within minutes or longer after exposure to an allergen. The most common causes of anaphylaxis are food, insect bites or stings, medications, and latex.

The symptoms of anaphylaxis may vary from person to person and may change over time. Reported symptoms include skin reactions, a feeling of warmth, constriction of the airway, a swollen tongue or throat, wheezing, trouble breathing, weak or rapid pulse, nausea, vomiting, diarrhea, dizziness, or fainting.

A. Emergency Preparedness

1. The Superintendent or designee must obtain a prescription in the name of the Board for auto-injectable epinephrine as authorized and required by this Policy and applicable law.

Each school operated by the District must maintain at least 2 epinephrine auto-injector devices at all times, regardless of whether any student or employee has been diagnosed with allergies.

2. The epinephrine auto-injectors maintained by the school may only be used by:
 - a. a licensed registered professional nurse who is employed or contracted by the District; or
 - b. an authorized employee trained in the appropriate use of an epinephrine auto-injector.
3. The Superintendent or designee will determine, after consulting a licensed registered professional nurse or other health care provider, the appropriate dose(s) of auto-injectable epinephrine (e.g., Junior or Adult) to be maintained at each school.
4. Epinephrine auto-injectors maintained by the District will be stored according to the manufacturer's directions, at the appropriate temperature, and in a clearly labeled and unlocked container easily accessible to authorized personnel.
5. A licensed registered professional nurse who is employed or contracted by the District, or an authorized school employee who is trained in the appropriate use of an epinephrine auto-injector under this Policy, may possess and administer epinephrine by auto-injector to:
 - a. a student who has a prescription on file at the school; or

- b. any person on school grounds who is believed to be having an anaphylactic reaction.
- 6. The Superintendent or designee will:
 - a. ensure that each school building with an instructional and administrative staff of at least 10 has at least 2 employees who have been trained in the appropriate use of an epinephrine auto-injector; and
 - b. ensure that each school building with an instructional and administrative staff of fewer than 10 has at least 1 employee who has been trained in the appropriate use of an epinephrine auto-injector.
- 7. For purposes of this Policy, "trained in the appropriate use of an epinephrine auto-injector" means completing training in compliance with the Training Guidelines for Designated Staff on Allergies, Anaphylaxis, and Emergency Responses issued by MDE, conducted under the supervision of, and evaluated by, a licensed registered professional nurse.

The Superintendent or designee must maintain documentation of training completed by each employee authorized to administer an epinephrine auto-injector.

B. Notice and Reporting

The Superintendent or designee will:

- 1. promptly notify the parent/guardian of a student to whom epinephrine has been administered and document all actual and attempted notices; and
- 2. at least annually report to MDE, as prescribed by MDE, all epinephrine administration to students at school.

C. Student Possession and Use

This Policy does not alter the rights of students authorized by law to self-possess or self-administer medication, including epinephrine, or any rights of students with disabilities under state or federal law.

Legal authority: MCL 380.1178, 380.1179, 380.1179a; MCL 333.17744a

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Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5711 Toilet Training

Except when toilet training is part of the instructional program, students are expected to be fully toilet trained before the first day of school, unless otherwise specifically addressed in the student's IEP or Section 504 Plan.

The student's parent/guardian is responsible for ensuring that the student is toilet trained. The parent/guardian is also responsible for providing clean clothes for a student who may have toileting accidents.

No student will be punished or humiliated for soiling or wetting clothing or not using the toilet.

The building principal or designee should consider whether repeated toileting accidents are related to a disability.

Except when toilet training is part of the instructional program, staff will not assist a student with toileting unless directed to do so by the student's IEP or Section 504 Plan.

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Series 5000: Students, Curriculum, and Academic Matters

5700 Student Health and Safety

5713 Immunizations and Communicable Diseases

A. Enrollment, Immunization Certification, and Exemptions

1. Subject to the exemptions stated below, for a student entering the District for the first time or entering 7th grade, a parent/guardian must provide the building principal or designee with a certificate indicating that the student has received at least 1 dose of an immunizing agent against each disease specified by the Michigan Department of Health and Human Services (MDHHS) or other responsible agency.

The student's parent/guardian must provide the certificate at the time of registration, or no later than the first day of school.

A parent/guardian of a student who has not received all doses of any required immunizing agent must provide the District an updated immunization certificate demonstrating that the immunizations have been completed as required by the MDHHS. The updated certificate must be provided within 4 months of the student entering the District for the first time or upon entering 7th grade.

2. A student is exempt from the above requirements if:
 - a. a physician certifies that a specific immunization is or may be inappropriate or detrimental to the student's health; or
 - b. a student's parent/guardian, or a person acting *in loco parentis*, certifies to the building principal or designee that the child cannot be immunized as required because of religious convictions or other objection to immunization. Only waiver forms authorized, executed, and certified as required by applicable law and administrative rules will be accepted.
3. The District will not permit a student to attend school unless the parent/guardian provides evidence of immunizations or exemptions consistent with this Policy and state law.

B. Emergency Exclusion Due to Outbreak

The District, in conjunction with local health department officials, may exclude students who:

- are suspected of having a communicable disease until a physician or local health official determines the student is no longer a risk; or

- lack documentation of immunity or are otherwise considered susceptible to the disease until the local health department officials determine the risk of spreading the disease has passed.

C. District Reporting Requirements

The District will report student immunization information as required by and consistent with state and federal law.

D. Homeless Children and Youth

Nothing in this Policy diminishes the rights of homeless children and youth under Policy 5307.

Legal authority: MCL 333.9206, 333.9208, 333.9215; MCL 380.1177; MCL 388.1767;
Mich Admin Code R 325.176

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