East Lansing Board of Education

6160 Towar Ave, East Lansing, MI 48823

Regular Meeting
September 14, 2026 - 7:00 PM

Board Room
Agenda

I. **Opening of Meeting**
   A. *Call to Order*
   B. *Roll Call*
   C. *Mission Statement: Nurturing Each Child, Educating All Students, Building World Citizens*
   D. *Approval of Agenda*
      Motion: I move that the Board of Education approve the September 14, 2026, regular meeting agenda, as presented.
   E. *Approval of Minutes*
      Motion: I move that the Board of Education approve the minutes of the following meetings:
      1. August 10, 2026 regular meeting 2

East Lansing Public Schools Regular Meeting August 10, 2026, 7:00 PM	Board Room 6160 Towar Ave East Lansing, Michigan 48823

I. **Opening of Meeting**

I.A. Call to Order

The meeting was called to order at 7:00 pm by President Lyons.

I.B. Roll Call

Attendance Taken at 7:00 PM. Chambers: Present, Edsall: Absent, Faris-Hylen: Absent, Lyons: Present, Martin: Absent, Torrez: Present, Tykocki: Present, Superintendent Leyko: Present.

I.C. Mission Statement: Nurturing Each Child, Educating All Students, Building World Citizens

The mission statement was read by Trustee Chambers.

I.D. Approval of Agenda

Motion: 26-27/005: I move that the Board of Education approve the agenda of August 10, 2026, regular meeting, as presented.

This motion, made by Tykocki and seconded by Chambers, Passed.

Chambers: Aye, Edsall: Absent, Faris-Hylen: Absent, Lyons: Aye, Martin: Absent, Torrez: Aye, Tykocki: Aye

Aye: 4, Nay: 0, Absent: 3

I.E. **Approval of Minutes**

Motion: 26-27/006: I move that the Board of Education approve the minutes of July 13, 2026, regular meeting, as presented.

This motion, made by Chambers and seconded by Tykocki, Passed.

Chambers: Aye, Edsall: Absent, Faris-Hylen: Absent, Lyons: Aye, Martin: Absent, Torrez: Aye, Tykocki: Aye

Aye: 4, Nay: 0, Absent: 3

II. **Recognition**

No recognition

III. **Superintendent's Report**

Click here for the Superintendent's Report.

- Trustee Chambers is thankful for the Pay What You Are Able option for our families.
- Trustee Tykocki was happy to see the different ways to pay.

IV. **Public Comment**

This is an opportunity to address the Board. Speakers are to confine their remarks to five minutes. If a speaker requires more than five minutes, after all other persons who have requested to speak during this part of the meeting have spoken, that speaker will be allowed additional time. The Superintendent or other district staff may comment to clear up or avoid significant misunderstandings.

- Syed Wasif - IEP Concerns on Compliance

V. **Board Discussion**

No Board Discussion

VI. **Action Items**

VI.A. **Acceptance of Donation**

Motion: 26-27/007: I move that the Board of Education accept the donation from East Lansing Kiwanis in the amount of $7,430.

This motion, made by Chambers and seconded by Tykocki, Passed.

Chambers: Aye, Edsall: Absent, Faris-Hylen: Absent, Lyons: Aye, Martin: Absent, Torrez: Aye, Tykocki: Aye

Aye: 4, Nay: 0, Absent: 3

VII. **Committee Reports**

VII.A. Academic and Technology Committee

- The next meeting is August 17 at 12:30 pm.

VII.B. Facilities Committee

- Facilities Update from Billy Hastings:
  - Supply line at Green was leaking; it has been fixed.
  - Filter First program: ELHS and MMS have required drinking sites filtered. Elementary schools are already in compliance.
  - ELHS roof drain was flooding a classroom; the drain will be replaced before school starts.
  - MMS roof project will be completed before students return.
  - Multiple other projects have been completed.
- Committee toured the new construction project at ELHS.

VII.C. Finance Committee

- The next meeting is October 5 at 1:00 pm.

VII.D. Intergovernmental Relations
- No report

VII.E. Personnel Committee
- No report

VII.F. Policy Committee
- No report

VII.G. Ingham School Officers Association (ISOA)
- No report

VIII. **Announcements**

VIII.A. The next regular scheduled meeting of the Board of Education is August 24, 2026.

Trustee Chambers acknowledged the high school main office for their help with enrolling her foreign exchange student.

IX. **Adjournment**

The meeting adjourned at 7:21 pm.

President

Secretary

2. August 19, 2026 special meeting 6

East Lansing Public Schools
Special Meeting - Personnel Matters
August 19, 2026, 1:30 PM

Board Room
6160 Towar Ave
East Lansing, Michigan 48823

I. **Opening of Meeting**

I.A. Call to Order
The meeting was called to order by President Lyons at 1:30 pm.

I.B. Roll Call
Attendance Taken at 1:30 PM. Chambers: Present, Edsall: Present, Faris-Hylen: Present, Lyons: Present, Martin: Absent, Torrez: Present, Tykocki: Absent, Superintendent Leyko: Present.

Trustee Martin arrived at 1:32 pm

I.C. Mission Statement: Nurturing Each Child, Educating All Students, Building World Citizens
The mission statement was read by Trustee Torrez.

I.D. Approval of Agenda
Motion: 25-26/008: I move that the Board of Education approve the August 19, 2026 Special Meeting agenda, as presented.

This motion, made by Edsall and seconded by Chambers, Passed.

Chambers: Aye, Edsall: Aye, Faris-Hylen: Aye, Lyons: Aye, Martin: Absent, Torrez: Aye, Tykocki: Absent

Aye: 5, Nay: 0, Absent: 2

II. **Consent Agenda**
Motion: 26-27/009: I move that the Board of Education approve the consent agenda to include the following:

II.A. New Hires

II.A.1. Hiring of Jacinta Henry - 1.0 FTE 8th Grade Social Studies Teacher at MacDonald Middle School at BA Step 3 effective August 20, 2026.

II.A.2. Hiring of Jennifer Louagie - 1.0 FTE Kindergarten Teacher at Donley Elementary at BA Step 5 effective August 20, 2026.

II.A.3. Hiring of Kelsey LaCross - 1.0 FTE Spanish Teacher at MacDonald Middle School at MA Step 14 effective August 20, 2026.

II.A.4. Hiring of April Aulepp - 1.0 FTE 4th Grade Teacher at Donley Elementary at BA Step 3 effective August 20, 2026.

II.A.5. Hiring of Oluwakemi (Kemi) Alomo - 1.0 FTE School Social Worker at Donley Elementary at MA Step 8 effective August 24, 2026.

II.A.6. Hiring of Adam Slaby - 1.0 FTE 4th Grade Teacher at Robert L Green Elementary at BA Step 3 effective August 20, 2026.

This motion, made by Chambers and seconded by Torrez, Passed.

Chambers: Aye, Edsall: Aye, Faris-Hylen: Aye, Lyons: Aye, Martin: Aye, Torrez: Aye, Tykocki: Absent

Aye: 6, Nay: 0, Absent: 1

III. **Public Comment**

This is the opportunity to address the Board. Speakers are to confine their remarks to five minutes. If a speaker requires more than five minutes, after all other persons who have requested to speak during this part of the meeting have spoken, that speaker will be allowed additional time. The Superintendent or other district staff may comment to clear up or avoid significant misunderstandings.

IV. **Action Items**

IV.A. **Director of Technology and Media Services**

Motion: 26-27/010: I move that the Board of Education approve the contract for Jacob Hampton, Director of Technology and Media Services, effective September 14, 2026.

This motion, made by Chambers and seconded by Torrez, Passed.

Chambers: Aye, Edsall: Aye, Faris-Hylen: Aye, Lyons: Aye, Martin: Aye, Torrez: Aye, Tykocki: Absent

Aye: 6, Nay: 0, Absent: 1

V. **Announcements**

VI. **Adjournment**

The meeting adjourned at 1:36 pm.

_____
President

_____
Secretary

3. September 1, 2026 special meeting 9

East Lansing Public Schools Special Meeting - Personnel Matters September 1, 2026, 1:30 PM	Board Room 6160 Towar Ave East Lansing, Michigan 48823

I. **Opening of Meeting**

I.A. Call to Order

The meeting was called to order by President Lyons at 1:32 pm.

I.B. Roll Call

Attendance Taken at 1:32 PM. Chambers: Present, Edsall: Present, Faris-Hylen: Present, Lyons: Present, Martin: Absent, Torrez: Present, Tykocki: Present.

I.C. Mission Statement Nurturing Each Child * Educating All Students * Building World Citizens

The mission statement was read by Trustee Edsall.

I.D. Approval of Agenda

Motion: 26-27/011: I move that the Board of Education approve the agenda for the September 1, 2026, Special Meeting, as presented.

This motion, made by Faris-Hylen and seconded by Edsall, Passed.

Chambers: Aye, Edsall: Aye, Faris-Hylen: Aye, Lyons: Aye, Martin: Absent, Torrez: Aye, Tykocki: Aye

Aye: 6, Nay: 0, Absent: 1

II. **Consent Agenda**

Motion: 26-27/012: I move that the Board of Education approve the consent agenda to include the following:

II.A. New Hire

II.A.1. Hiring of Valerie James - 1.0 FTE ASD Teacher — Whitehills Elementary at BA Step 17, effective September 1, 2026.

This motion, made by Chambers and seconded by Edsall, Passed.

Chambers: Aye, Edsall: Aye, Faris-Hylen: Aye, Lyons: Aye, Martin: Absent, Torrez: Aye, Tykocki: Aye

Aye: 6, Nay: 0, Absent: 1

III. **Public Comment**

This is an opportunity to address the Board. Speakers are to confine their remarks to five minutes. If a speaker requires more than five minutes, after all other people who have requested to speak during this part of the meeting have spoken, that speaker will be allowed additional time. The Superintendent or other district staff may comment to clear up or avoid significant misunderstandings.

No Public Comment

IV. **Announcements**

No Announcements

V. **Adjournment**

The meeting adjourned at 1:33 pm.

_____
President

_____
Secretary

II. **Recognition**

III. **Student Representative Report**

IV. **Superintendent's Report**

V. **Public Comment**

This is the opportunity to address the Board. Speakers are to confine their remarks to five minutes. If a speaker requires more than five minutes, after all other persons who have requested to speak during this part of the meeting have spoken, that speaker will be allowed additional time. The Superintendent or other district staff may comment to clear up or avoid significant misunderstandings.

VI. **Board Discussion**

A. MASB 2026 Delegate Assembly

VII. **Action Items**

A. **June 2026 Thrun Policy Updates** **12**

Motion: I move that the Board of Education approve the June 2026 Thrun Policy Updates, as presented.

2200 Board Powers

2202 Authority to Enter into Contracts

A. The Board may enter into agreements, contracts, or other cooperative arrangements with other entities, public or private, including, but not limited to, another school district or intermediate school district, to the extent permitted by law.

B. The Board also may enter into an agreement with a public school academy to provide services to the public school academy or the academy's students or for the public school academy to provide services to the District or to the District's students.

C. No agreement, contract, or other cooperative arrangement is binding on the District unless approved by the Board or designee and executed by 1 or more persons delegated authority to act as an authorized signatory to an agreement, contract, or other cooperative arrangement on the Board's behalf. Absent the Board's express delegation of authority to another entity or person, only the Board has the authority to contractually bind the District.

D. The Board and its authorized designees are without authority to grant unconditional indemnity to a third party before a liability-triggering event has occurred.

E. Before presenting a contract to the Board for approval, the Superintendent or designee will:

1. verify the Board's contracting authority;
2. review budget parameters and implications and recommend any correspondingly required budget amendments;
3. review relevant existing contractual obligations;
4. consider and report to the Board any actual or perceived conflicts of interest; and
5. ensure that the contract complies with all relevant laws and Policies.

F. All independent contractors, employees of independent contractors, and other persons who provide services to the District who are not District employees must comply with all applicable legal requirements and Policies, including those related to interactions with students, non-discrimination, ethics and standards, student safety and welfare, student privacy, and District operations.

G. Subject to bidding requirements (see Policy 3301 and Policy 3301A), the Superintendent is authorized to make purchases within budget allocations.

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Legal Authority: MCL 15.321 et seq.; MCL 380.11a(4), 380.1203, 380.1228, 380.1421, 380.1422; *Huntington Leasing Co v Manistee ISD,* unpublished Mich App No. 250942 (2005)

Date adopted: December 13, 2021

Date revised:

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Series 2000: Bylaws

2400 Board Membership and Duties

2406 Board Officers' Duties

To ensure proper District oversight, a Board officer must fulfill the requirements of the respective office. The following Board officer duties may be modified or removed, in whole or in part, by Board action.

A. President

1. Preside over all Board meetings and act as a decision-maker on procedural issues.
2. Coordinate with the Superintendent or designee to prepare Board meeting agendas.
3. Serve as the Board's spokesperson unless another person is designated by the Board.
4. Sign contracts, correspondence, and other documents on behalf of the District as authorized by the Board or required by law.
5. Accept complaints and coordinate investigations into allegations of misconduct against other Board members or the Superintendent, including placing the Superintendent on non-disciplinary, paid administrative leave during the pendency of an investigation.
6. Contact legal counsel on the Board's behalf or authorize individual Board members to contact legal counsel.
7. Perform other duties as prescribed by law, Policy, or Board action.

B. Vice President

1. In the President's absence, or in the event that the President is precluded from performing the President's duties due to illness or other reason, the Vice President is authorized to preside over Board meetings and perform the President's duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting President, and that acting President will be authorized to preside over Board meetings and perform the President's duties to the extent allowed by law.
2. Perform other duties as prescribed by law, Policy, or Board action.

C. Secretary

1. Ensure that an accurate record of Board meetings is maintained and published in compliance with law.

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2. Sign Board meeting minutes, orders, resolutions, and records memorializing Board proceedings.

3. Draw and sign orders upon the Treasurer for money to be disbursed by the Board.

4. Perform other duties as prescribed by law, Policy, or Board action.

5. In the Secretary's absence, or in the event that the Secretary is precluded from performing the Secretary's duty to sign Board meeting minutes due to illness or other reason, the President must appoint a temporary Secretary, who will be authorized to sign approved Board meeting minutes. For all other Secretary duties, in the Secretary's absence, the Vice President is authorized to perform the Secretary's duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting Secretary, and that acting Secretary will be authorized to perform the Secretary's duties to the extent allowed by law.

6. The Secretary may delegate Secretary duties to an assistant to the Secretary to the extent allowed by law.

D. Treasurer

1. Serve as the custodian and maintain accounting for District monies, credits, and property.

2. Sign checks and other Board-authorized documents.

3. Perform other duties as prescribed by law, Policy, or Board action.

4. In the Treasurer's absence, or in the event that the Treasurer is precluded from performing the Treasurer's duties due to illness or other reason, the Vice President is authorized to perform the Treasurer's duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting Treasurer, and that acting Treasurer will be authorized to perform the Treasurer's duties to the extent allowed by law.

5. In the absence of both the President and the Vice President, or when both the President and Vice President are precluded from performing their respective duties due to illness or other reason, the Treasurer is authorized to preside over Board meetings and perform the President's and the Vice President's respective duties to the extent allowed by law. In the alternative, the Board may appoint a Board member to serve as acting President, and that acting President will be authorized to perform the President's duties to the extent allowed by law. The Board may also appoint a Board member to serve as acting Vice President, and that acting Vice President will be authorized to perform the Vice President's duties to the extent allowed by law.

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6. The Treasurer may delegate Treasurer duties to the person acting as the District's business official or to an assistant to Treasurer, to the extent allowed by law.

E. Succession

1. Board office holders will promptly transfer authority to their respective successor in office, including access to District accounts, investments, files, and public records.

2. Board office holders will promptly deliver District property, including logs, ledgers, money, reports, files, books, equipment, and public records, to the Board officer's respective successor in office.

3. The transfer of District property will promptly occur at a location and time agreed upon by the Board officer and the Board officer's successor in office or at a location and time otherwise determined by the Board.

Legal authority: MCL 380.901, 380.947, 380.1201, 380.1213, 380.1221, 380.1223, 380.1231, 380.1362, 380.1371, 380.1372, 380.1535a, 380.1539b, 380.1577, 380.1613; MCL 600.6094

Date adopted: December 13, 2021

Date revised: December 12, 2022

Date revised:

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Series 2000: Bylaws

2500 Board Meetings and Open Meetings Act Compliance

2501 Meetings

Board meetings must be conducted in accordance with the Open Meetings Act.

A. Notice

1. The Board must publicly post its regular meeting schedule within 10 calendar days after the Board's first meeting in each calendar or fiscal year. The notice must include the dates, times, and places of the regular meetings. If the regular meeting schedule is changed, the Board must publicly post the revised regular meeting schedule within 3 calendar days after the Board meeting at which the change was made.

2. Special meeting and rescheduled regular meeting notices must be posted at least 18 hours in advance of a special or rescheduled regular meeting.

3. Regular, rescheduled regular, and special meeting notices must be posted at the Board's principal offices. The notice, or a prominent and conspicuous link to the notice, also must be posted on the District website's homepage as required by the Open Meetings Act, if the District's website is updated at least monthly with meeting agendas or minutes.

4. Meeting notices must contain:

   a. the name, address, and telephone number of the Board;

   b. the time, date, and place of the meeting;

   c. a statement where official minutes are stored and available for inspection; and

   d. a disability accessibility notice.

5. Emergency meetings may be held without complying with the above-described notice requirements in the event of a severe and imminent threat to the health, safety, or welfare of the public, and two-thirds of the Board members elected or appointed to and serving on the Board determine that delay would be detrimental to efforts to lessen or respond to the threat. The Board will provide notice of an emergency meeting in compliance with the Open Meetings Act.

6. Public hearing notices must contain a description of the purpose(s) for which the public hearing will be conducted to the extent required by law.

7. The notice for an electronic Board meeting must comply with Policy 2501A.

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B. Quorum

1. A quorum of the Board means a majority of the Board members elected or appointed to and serving on the Board, unless different quorum and voting rules are otherwise provided by law.

2. All deliberations of a quorum of the Board must take place at a meeting that is open to the public, unless closed session deliberations are permitted by law.

3. All decisions made by the Board constituting a quorum of its members must take place at a meeting that is open to the public, except as otherwise provided by the Open Meetings Act.

C. Meeting Types

1. The Board will hold its regular meetings at the dates, times, and locations specified in the District's annual notice published pursuant to the Open Meetings Act. If the notice is amended, then meetings will be held according to the amended notice.

2. Special, rescheduled regular, or emergency meetings may be called by the President, the Superintendent, or two Board members. Notice of such meetings will be provided in accordance with the Open Meetings Act.

3. The Board may, in compliance with the Open Meetings Act, hold work sessions and retreats to provide Board members and administrators with the opportunity to plan, research, and engage in discussion.

4. The Board may meet as a committee of the whole. See Policy 2505(C).

D. Closed Session

1. The Board may meet and deliberate in closed session only for 1 or more purposes authorized by the Open Meetings Act.

2. Depending on the closed session purpose(s), the Open Meetings Act may require a two-thirds roll call vote for the Board to meet in closed session. A vote to enter closed session must be made in open session.

3. Closed session meeting minutes must be kept confidential. Board members must keep matters discussed and documents received confidential unless otherwise authorized by the Board or law. See Section G, below.

4. All discussions in closed session are limited to the purpose(s) identified in the motion calling the closed session.

5. The Board will determine the non-member attendees for a closed session unless attendance is required by Policy or law.

6. No decisions will be made during a closed session.

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E. Meeting Cancellation

The Board is legally required to hold at least 1 public meeting each month. The President or designee may cancel a Board meeting if the President or designee determines that a quorum of the Board will not be present for the meeting, there is no business for the Board to conduct at the meeting, or it would be unreasonable or dangerous for Board members or the public to attend the meeting (e.g., inclement weather). The President or designee will ensure that a District staff member posts notice of the cancellation on the District's website on the same day as the cancellation. If necessary, a cancelled meeting will be rescheduled.

F. Electronic Board Meetings and Remote Participation

Electronic Board meetings may be held, and a Board member may participate in a Board meeting remotely, as authorized by Policy 2501A.

G. Minutes

The Board will keep minutes of each Board meeting in accordance with the following:

1. The Secretary will record and maintain meeting minutes.
2. The Secretary, or a temporary or an acting Secretary in the absence of the Secretary, will sign meeting minutes.
3. Meeting minutes must comply with the Open Meetings Act.
    a. Open session meeting minutes
        i. Minutes for a meeting open to the public will include at least the following information:
            A) the meeting date, time, and location;
            B) the Board members present for or otherwise participating in the meeting;
            C) the Board members absent from the meeting;
            D) Board decisions;
            E) the purpose(s) for which any closed session meeting was held and the specific Open Meetings Act provision(s) that permitted the closed session;
            F) any roll call votes conducted by the Board; and
            G) corrections, if any.

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ii. The Board must make proposed open session meeting minutes available for public inspection within 8 business days after the applicable Board meeting.

iii. The Board must make approved open session meeting minutes available for public inspection within 5 business days after the meeting at which the Board approved the minutes.

b. Closed session meeting minutes

i. Closed session meeting minutes must be prepared and maintained separately from open session meeting minutes.

ii. Closed session meeting minutes will not be made available to, or be disclosed to, the public, except as required by court order.

iii. Closed session meeting minutes may be destroyed by the District 1 year and 1 calendar day after the approval of the minutes of the regular meeting at which the closed session minutes were approved, or any time thereafter.

iv. Closed session meeting minutes must include at least the following information:

A) the meeting date, time, and location;

B) the Board members present for or otherwise participating in the meeting;

C) the Board members absent from the meeting; and

D) the purpose(s) for which the closed session meeting was held and the specific Open Meetings Act provision(s) that permitted the closed session.

c. Open session Board meeting minutes may be published on the District's website.

H. Accommodating Board Members and Other Individuals with Disabilities

Any Board member or other individual with a disability who requires reasonable accommodations to participate in, or attend, a Board meeting must contact the Superintendent's office in advance of the meeting to request an accommodation.

I. Parliamentary Procedure

Board meetings will be conducted consistent with the parliamentary authority provided in Robert's Rules of Order, provided the procedure is consistent with Board Policy and the law.

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J. Recess

A Board meeting may be recessed. A Board meeting that is recessed for more than 36 hours may only be reconvened once the notice requirements for the meeting, as described in this Policy, have been satisfied, including special meeting or rescheduled regular meeting notice requirements, if applicable.

K. Electronic Communications

All electronic communications among Board members, including, but not limited to, emails, instant messages, text messages, and social media posts, must comply with the Open Meetings Act.

A quorum of the Board may not use electronic communication to deliberate on or decide matters of public policy.

A Board member may use electronic communication to communicate with administrators and other District personnel regarding matters such as meeting availability and proposed agenda items.

Legal authority: MCL 15.263, 15.263a, 15.265, 15.267, 15.269; MCL 380.1201

Date adopted: December 13, 2021

Date revised: December 12, 2022

Date revised: October 23, 2023

Date revised: September 9, 2024

Date revised:

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Series 3000: Operations, Finance, and Property

3100 General Operations

3102 Smoking, Tobacco Products, Drugs, and Alcohol

A. Definitions

1. "Electronic nicotine delivery system" means any product containing or delivering nicotine, a nicotine analog, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. "Electronic nicotine delivery system" includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, e-hookah, vape pens, mods, and tank systems, regardless of any other product name or descriptor that is used. "Electronic nicotine delivery system" includes any component part of a product, whether marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

2. "Illegal drugs" means "controlled substances" under federal or Michigan law, anabolic steroids, human growth hormones or other performance-enhancing drugs, substances purported to be illegal, abusive, or performance-enhancing (i.e., synthetic "look-alike") drugs, or other drugs prohibited by law.

3. "Imitation tobacco product" means any edible non-tobacco product designed to resemble a commercial tobacco product, or any non-edible non-tobacco product designed to resemble a commercial tobacco product and intended to be used by children as a toy. "Imitation tobacco product" includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.

4. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, cannabis, or other plant, whether natural or synthetic, that is intended for inhalation. "Smoking" also includes carrying or using an activated electronic nicotine delivery system.

5. "Tobacco-related devices" means ashtrays, rolling papers, wraps, or pipes for smoking and any components, parts, or accessories of electronic nicotine delivery systems.

6. "Tobacco product" means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes; electronic nicotine delivery systems; cigars; little cigars;

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cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.

7. "Use of tobacco product" means any of the following:

   a. the carrying by a person of a lighted cigar, cigarette, pipe, other tobacco-related device, or electronic nicotine delivery system;

   b. the ingestion of a tobacco product, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means;

   c. the placing of a tobacco product within a person's mouth; or

   d. the smoking or use of an electronic nicotine delivery system, tobacco product, imitation tobacco product, or other substitute forms of cigarettes, clove cigarettes, or other lighted smoking devices for consuming or inhaling tobacco, nicotine, or any other substance.

B. Smoking and Tobacco Products

1. The District prohibits the sale, possession, distribution, dispensation, display, promotion, consumption or use of tobacco products, tobacco-related devices, electronic nicotine delivery systems, or imitation tobacco products on property owned or operated by the District

2. The District may also prohibit the use of these products at District-related events.

3. This policy does not prohibit the use of nicotine replacement therapies for smoking cessation, such as Food and Drug Administration approved nicotine gum, patches, or lozenges.

C. Drugs

1. The District prohibits the sale, possession, distribution, dispensation, display, promotion, consumption, or use of illegal drugs on property owned or operated by the District and at any District-related event.

2. The District prohibits the sale, possession, distribution, dispensation, display, promotion, consumption, or use of any products containing cannabidiol (commonly referred to as CBD) on property owned or operated by the District and at any District-related event. The Superintendent or designee will consider exceptions to this prohibition.

3. District personnel should review Policy 4210 for the District's drug- and alcohol-free workplace policy. Students should review Policy 5206 for the student discipline policy.

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D. Alcohol

1. The District generally prohibits the sale, possession, distribution, dispensation, display, promotion, consumption, and use of alcohol on property owned or operated by the District and at any District-sponsored event, except as otherwise provided in this Policy.

2. With the written permission of the Superintendent or designee, the District may permit the lawful sale, possession, distribution, dispensation, display, promotion, consumption, and use of alcohol on school property if:

   a. the District building is used for adult education or college extension courses; or

   b. the use or possession of alcohol is part of a generally recognized religious service or ceremony; or

   c. the use or possession is part of a non-school function. The District will require the entity utilizing school property to furnish evidence of insurance, satisfactory to the District, with the District identified as an additional insured on the policy.

3. Any person or entity with the Superintendent's or designee's permission in subsection D.2 must comply with and enforce all applicable laws and regulations and obtain any legally-required permits. See also Policy 3304.

4. District personnel should review Policy 4210 for the District's drug- and alcohol-free workplace policy.

E. It shall not be a violation of this policy:

1. for commercial tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in an instructional or work-related activity in the District school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product;

2. for a person to possess or provide tobacco, tobacco-related devices, imitation tobacco products, or lighters to any other person as part of an indigenous practice used by Native communities for spiritual and medicinal purposes. It shall not be a violation of this policy to use tobacco, tobacco-related devices, initiation tobacco products, or lighters as part of an educational experience related to traditional or sacred tobacco practices that has been approved by administrators;

3. to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a nicotine dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

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Legal authority: 20 USC 6081 et seq.; 21 USC 812, 21 USC 860; 21 CFR 1100.3; MCL 333.7201 et seq., 333.7410, 333.12601 et seq.; MCL 436.1904; MCL 722.642; MCL 750.473; Mich Admin Code R 338.3101 et seq.

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Series 3000: Operations, Finance, and Property

3100 General Operations

3108 Service Animals

The District will permit a person with a disability to be accompanied by a service animal in all areas of the District's facilities where members of the public, invitees, or participants in District services, programs, or activities are permitted.

A. Definitions

1. A "service animal" means any dog that is individually trained to perform tasks for the benefit of a person with a disability. A dog whose sole purpose is to deter crime or whose mere presence is to provide emotional support or comfort to the person with a disability is not a service animal.

   Except as provided by law, other animals are not service animals for purposes of this definition. Under certain circumstances, the District will permit a person with a disability to be accompanied by a miniature horse in District facilities if the horse has been individually trained to perform tasks for the benefit of the person with a disability.

   The work or tasks performed by a service animal must be directly related to the person's disability. The service animal must be trained to take a specific action when needed to assist the person with a disability. Examples of work or tasks include, but are not limited to:

   - assisting blind or low vision persons with navigation and other tasks;
   - alerting deaf or hard of hearing persons to the presence of people or sounds;
   - providing non-violent protection or rescue work;
   - pulling a wheelchair;
   - assisting a person during a seizure;
   - alerting persons to the presence of allergens, the onset of a seizure, or high/low blood sugar levels;
   - retrieving items such as medicine or a telephone;
   - providing physical support and assistance with balance and stability to persons with mobility disabilities; and
   - helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

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2. A “service animal in training” means an animal accompanied by an animal raiser or trainer with the intent that animal is being raised, socialized, and trained to become a service animal.

3. An "animal raiser or trainer" means an individual who raises and socializes a service animal in training with the intent that the animal will become a service animal.

B. Admission of Service Animals

A student or employee with a disability who desires to be accompanied by a service animal at school is encouraged, but is not required, to notify the District in writing at least 10 school days or as soon as is practicable before bringing the service animal to school. The District may provide a form for this purpose.

If a student or employee desires to be accompanied by a service animal during school or work and the student or employee will not be the animal’s handler, the handler must undergo a criminal history check and any other background check required for employees and volunteers by state law or Policy before being allowed to regularly access District facilities as the handler. The District will permit the person with a disability to be accompanied by a service animal in District facilities without that handler.

C. Inquiries

District officials may ask the person with a disability or the service animal’s owner or handler the following questions to the extent the answers to the questions are not readily apparent:

- Is the service animal required because of a disability?
- What type of work or task has the service animal been trained to perform?

District personnel will not inquire about the nature or extent of the person’s disability. District personnel also may not require documentation that the service animal is certified, trained, or licensed as a service animal, nor may District personnel require the service animal to demonstrate its task or work.

If a local ordinance or the public health department requires that dogs be vaccinated, registered, or licensed with the county or other authority, the District may require proof that a service animal meets those requirements.

D. Charges, Fees, and Liability

The District may not ask or require a person with a disability to pay the District to be accompanied by a service animal on District property. The District may charge the service animal’s owner for damages to District property caused by the service animal to the extent it charges other persons for damages caused to District property.

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The owner of the service animal is solely responsible and liable for any damage to District property or injury to persons caused by the animal.

E. Care and Supervision of Service Animal

The person with a disability or the service animal's handler is responsible for the care and supervision of the service animal at school, including, toileting, feeding, grooming, veterinary care, and exercising. The District is not responsible for supervising or otherwise caring for a service animal unless required by law.

F. Control of Service Animal

A service animal must be under its handler's control at all times. A service animal must be on a harness, leash, backpack, or other tether unless the person's disability prevents the use of the device or the device interferes with the service animal's safe and effective performance of work or tasks. In this case, the person with a disability or the handler must use voice, signal, or other effective means to maintain control of the service animal.

G. Exclusion of Service Animal

The District may exclude a service animal from District property or functions if:

- the animal is out of control and the handler does not take effective action to control it;
- the animal is not housebroken;
- the animal poses a direct threat to the health or safety of others; or
- the animal's presence fundamentally alters the nature of the District's programs, services, or activities.

If District officials determine that the service animal should be excluded from District facilities for one of the above reasons, the person with a disability (or the Parent of a student with a disability) will be notified of the determination, asked to remove the service animal immediately, and given an opportunity to respond to the District's concerns. If a District official determines to exclude a service animal, he or she shall notify the owner in writing and provide a copy of the District's Section 504/ADA grievance procedures. The person with a disability shall be given the opportunity to participate in the District service, program, or activity without the service animal.

H. Allergies

Allergies to pet dander and the fear of dogs are not valid reasons to exclude a service animal from District facilities. A person who has a concern about a service animal's presence in District facilities should contact the building administrator or the District's Section 504/ADA Coordinator.

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I. Denial of Access and Grievance

If a District official denies a request for access of a service animal, the person with a disability or his/her Parent may file a written grievance with the District's Section 504/ADA Coordinator.

Nothing in this Policy diminishes any right a person with a disability may have to be accompanied by a service animal or other assistance animal in District facilities or at District events under other federal or state laws.

J. Service Animals in Training

The District will permit service animals in-training in all areas of the District's facilities where members of the public, invitees, or participants in District services, programs, or activities are permitted, if the service animal in training is accompanied by an animal raiser or trainer for the purpose of training or socializing the animal.

The service animal in training must be under the control of the raiser or trainer and have a harness, leash, or other tether. If the use of these items interferes with the service animal in training's safe and effective performance of work, tasks, training, or socialization, the service animal in training must be otherwise under the control of the animal raiser or trainer.

Allergies to pet dander or fear of the animal are not valid reasons to exclude service animal in training from the District's facilities.

The animal raiser or trainer is responsible for the care and supervision of the service animal in training at school, including, toileting, feeding, grooming, veterinary care, and exercising. The District is not responsible for supervising or otherwise caring for a service animal in training unless required by law.

The District may exclude a service animal in training from District property or functions only if:

- the animal is out of control and the animal raiser or trainer does not take effective action to control it;
- the animal is not housebroken;
- the animal poses a direct threat to the health or safety of others; or
- the animal's presence fundamentally alters the nature of the District's programs, services, or activities.

If District officials determine that the service animal in training should be excluded from District facilities, the animal raiser or trainer will be notified of the determination, asked to remove the service animal in training immediately, and given an opportunity to participate in the District service, program, or activity without the service animal in training.

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The District may not ask or require an animal raiser or trainer to pay the District to be accompanied by a service animal in training on District property. The District may charge the animal raiser or trainer for damages to District property caused by the service animal in training to the extent it charges other persons for damages caused to District property.

The animal raiser or trainer is solely responsible and liable for any damage to District property or injury to persons caused by the animal.

K. Non-Service Animals

Animals on District property that are not service animals as defined by the ADA, such as pets or emotional support animals, are not covered by this Policy. See Policy 3109.

Legal authority: 28 CFR 35.136; MCL 287.291

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Series 3000: Operations, Finance, and Property

3100 General Operations

3115 Non-Discrimination, Anti-Harassment, and Non-Retaliation

The District does not discriminate on the basis of race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, height, weight, familial status, marital status, military service, veteran status, genetic information, disability, or any other legally protected basis in admission, access to District programs and activities, or employment. Unlawful discrimination, including unlawful harassment and retaliation, in District programs, services, and activities is prohibited.

Title IX sexual harassment is covered by Policy 3118.

A contract to which the District is a party will be read to include a covenant by the contractor and its subcontractors not to discriminate against an employee or applicant for employment with respect to hiring, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, national origin, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, height, weight, and marital status.

The Board directs the Superintendent or designee to designate one or more employees to serve as the District's applicable Coordinator(s), as described in Policy 3115B.

A. Definitions: For definitions related to the District's non-discrimination, anti-harassment, and non-retaliation policy, including examples of prohibited conduct, see Policy 3115A – Definitions.

B. Designation of Coordinators: To find the appropriate coordinator/compliance officer, see Policy 3115B – Designation of Coordinators.

C. Supportive Measures: For more information about supportive measures, see Policy 3115C – Supportive Measures.

D. Informal Resolution: For more information about informal resolution, see Policy 3115D – Informal Resolution.

E. Grievance Procedure and Remedies: For more information about the grievance procedure for investigating unlawful discrimination, harassment, and retaliation complaints, and for possible remedies, see Policy 3115E – Grievance Procedure and Remedies.

F. Complaint Dismissal and Appeals: For more information about dismissing a complaint, appealing a complaint dismissal, or appealing a determination of responsibility, see Policy 3115F – Complaint Dismissal and Appeals.

G. Reserved

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H. Training and Notice: For more information about training requirements and notice of the District's non-discrimination policy, see Policy 3115H – Training Requirements and Policy Notice.

Legal authority: 20 USC 1400 et seq., 1681 et seq.; 29 USC 206 et seq., 621 et seq., 701 et seq., 794, 2601 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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3100 General Operations

3115A Definitions for 3115 Series

A. The following definitions apply to policies 3115-3115H, 4101, 4102, and 5202, which address non-discrimination, anti-harassment, and non-retaliation:

1. "Appeals Officer" means a person who is designated to hear a determination appeal or a dismissal appeal. The Appeals Officer may not be the same person as the Coordinator, Decisionmaker, Investigator, or Informal Resolution Facilitator.

2. "Complainant" means: (1) a student or employee who is alleged to have been subjected to conduct that could constitute Unlawful Discrimination; or (2) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Unlawful Discrimination and who was participating or attempting to participate in the District's education program or activity at the time of the alleged Unlawful Discrimination.

3. "Complaint" means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged Unlawful Discrimination.

4. "Coordinator" means the person(s) designated by the District to coordinate the District's compliance with state and federal non-discrimination laws. The Coordinator may be the same person as the Investigator and Decisionmaker.

5. "Day" means a day that the District's central office is open for business, unless otherwise indicated.

6. "Decisionmaker" means the person designated to issue a determination as to whether Unlawful Discrimination occurred. The Decisionmaker may be the same person as the Coordinator and Investigator.

7. "Disciplinary Sanctions" means consequences imposed on a Respondent following a determination that the Respondent engaged in Unlawful Discrimination.

8. "Grievance Procedure" means the process outlined in Policy 3115E.

9. "Informal Resolution Facilitator" means the person designated to facilitate an informal resolution process. The Informal Resolution Facilitator may not be the same person as the Investigator or the Decisionmaker.

10. "Investigator" means the person designated to investigate a complaint of Unlawful Discrimination. The Investigator may be the same person as the Coordinator and Decisionmaker.

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11. “Key Role” means Coordinator, Investigator, Decisionmaker, Informal Resolution Facilitator, or Appeals Officer.

12. “Party” means a Complainant or Respondent.

13. “Remedies” means measures provided, as appropriate, to a Complainant or any other person the District identifies as having had their equal access to the District’s education program or activity limited or denied by Unlawful Discrimination. These measures are provided to restore or preserve that person’s access to the District’s education program or activity after the District determines that Unlawful Discrimination occurred.

14. “Respondent” means a person who is alleged to have violated the District’s prohibition on Unlawful Discrimination.

15. “Retaliation” means intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the District’s education program or activity, for the purpose of interfering with any right or privilege secured by the 3115 Policy Series, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the 3115 Policy Series. Retaliation does not include a requirement that a District employee participate in a Grievance Procedure.

16. “Supportive Measures” means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to:

    a. restore or preserve that Party’s access to the District’s education program or activity, including measures that are designed to protect the safety of the Parties or the District’s educational environment; or

    b. provide support during the District’s Grievance Procedure or during an informal resolution process.

17. “Unlawful Discrimination” means to treat a person differently or less favorably due to the person’s race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, height, weight, familial status, marital status, military service, veteran status, genetic information, disability, or any other legally protected basis or any other legally protected class, and includes unlawful harassment and retaliation based on a person’s membership in a protected classification.

B. Examples of Unlawful Harassment

Unlawful harassment may include, but is not limited to:

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1. ***Race, Color, or National Origin Harassment,*** which is prohibited by Title VI and Title VII of the Civil Rights Act of 1964 and the Michigan Elliott-Larsen Civil Rights Act. Race, color, or national origin harassment is unwelcome conduct based on a person's actual or perceived race, color, or national origin that creates a hostile environment or becomes a condition of continued employment. Race includes traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. Race, color, or national origin harassment may take many forms, including slurs, taunts, stereotypes, or name-calling, as well as racially motivated physical threats, attacks, or other hateful conduct.

   Under this Policy, harassment based on ethnicity, ancestry, or perceived ancestral, ethnic, or religious characteristics, will be considered race, color, or national origin harassment.

2. ***Disability Harassment,*** which is prohibited by the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and the Michigan Persons with Disabilities Civil Rights Act. Disability harassment is unwelcome conduct based on a person's actual or perceived disability that creates a hostile environment or becomes a condition of continued employment. Disability harassment may take many forms, including slurs, taunts, stereotypes, or name-calling, as well as disability motivated physical threats, attacks, or other hateful conduct.

3. ***Sex-Based Harassment,*** which is prohibited by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Michigan Elliott-Larsen Civil Rights Act, and includes harassment based on sex, sex stereotypes, sex characteristics, pregnancy, sexual orientation, and gender identity. Title IX sexual harassment is governed by Policy 3118.

Legal authority: 20 USC 1400 et seq., 1681 et seq.; 29 USC 206 et seq., 621 et seq., 701 et seq., 794, 2601 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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Series 3000: Operations, Finance, and Property

3100 General Operations

3115B Designation of Coordinators

The District designates the following person(s) to serve as non-discrimination Coordinators:

Title IX Coordinator
Rulesha Glover Payne, Chief Human Resources Officer
6160 Towar Ave East Lansing MI 48823
517-333-7413
rulesha.glover@elps.us

Second Title IX Coordinator
Mark Dobson, Assistant Superintendent
6160 Towar Ave East Lansing MI 48823
517-333-7463
mark.dobson@elps.us

Section 504 Coordinator
Dr. Precios Armstrong, Director of Special Education
6160 Towar Ave East Lansing MI 48823
517-333-7461
precios.armstrong@elps.us

Civil Rights Coordinator/Employment Compliance Officer
Dori Leyko, Superintendent
6160 Towar Ave East Lansing MI 48823
517-333-7426
dori.leyko@elps.us

A Complaint against a Coordinator listed above may be made to the Superintendent or Board President. A Complaint against the Superintendent may be made to the Board President. A Complaint against the Board President may be made to the Board Vice President.

Legal authority: 20 USC 1400 et seq., 1681 et seq.; 29 USC 206 et seq., 621 et seq., 701 et seq., 794, 2601 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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Series 3000: Operations, Finance, and Property

3100 General Operations

3115C Supportive Measures

A. Supportive Measures

The District will offer and coordinate Supportive Measures, as appropriate, for Complainants, Respondents, and others whose access to the District's education program and activity was impacted by alleged Unlawful Discrimination. Supportive Measures are designed to restore or preserve a person's access to the District's education program or activity or provide support during the District's Grievance Procedure and informal resolution process. Supportive Measures are available at any time, including before, during, and after the Grievance Procedure or Informal Resolution Process.

Supportive Measures must not unreasonably burden any Party.

B. Students with Disabilities

If a Party is a student with a disability, the applicable Coordinator or designee should consult with one of more members, as appropriate, of the student's Section 504 or Individualized Education Program Team (as applicable), to ensure compliance with Section 504 or the IDEA in the implementation of Supportive Measures.

Legal authority: 20 USC 1400 et seq., 1681 et seq.; 29 USC 206 et seq., 621 et seq., 701 et seq., 794, 2601 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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3100 General Operations

3115D Informal Resolution

In lieu of resolving a Complaint through the Grievance Procedure, and if offered by the District, the Parties may elect to participate in an informal resolution process. If the Complaint involves Title IX Sexual Harassment, the informal resolution process in Policy 3118 applies. Informal resolution is not available to resolve a Complaint that includes allegations that an employee engaged in sex-based harassment of a student, or when such a process would conflict with Federal, State, or local law.

Informal resolution does not require a full investigation and may encompass a broad range of conflict resolution strategies, including, but not limited to, arbitration, mediation, or restorative justice.

Legal authority: 20 USC 1400 et seq., 1681 et seq.; 29 USC 206 et seq., 621 et seq., 701 et seq., 794, 2601 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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Series 3000: Operations, Finance, and Property

3100 General Operations

3115E Grievance Procedure and Remedies

A. Grievance Procedure

1. Generally

   The District has adopted the following Grievance Procedure that provides for the prompt and equitable resolution of Unlawful Discrimination, including harassment and retaliation, Complaints, excluding Title IX Sexual Harassment complaints. This Grievance Procedure will be used to investigate and resolve Complaints of Unlawful Discrimination, including harassment and retaliation, between and among students, employees, volunteers, contractors, and Board members.

   The District will treat Complainants and Respondents equitably.

   The District requires that any individual serving in a Key Role not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. The District presumes that the Respondent is not responsible for the alleged Unlawful Discrimination until a determination is made at the conclusion of the Grievance Procedure.

2. Grievance Procedure Timeframes

   The District anticipates that most investigations will be concluded within 60 days. Investigations that involve several parties or witnesses, or investigations that are more complex, may exceed 60 days.

3. Confidentiality

   The District will take reasonable steps to protect the privacy of the Parties and witnesses during its Grievance Procedure. These steps will not restrict the ability of the Parties to obtain and present evidence, including consulting with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the Grievance Procedure.

4. Evidence Considerations

   The Decisionmaker will objectively evaluate all relevant evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

5. Complaint Consolidation

   The District may consolidate Complaints when the allegations arise out of the same facts or circumstances.

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6. Notice of Allegations

   Upon receiving a Complaint, the applicable Coordinator will notify the Parties of the following:

   a. The Grievance Procedure and any informal resolution process;

   b. Sufficient information available at the time to allow the Parties to respond to the allegations, including the identities of the Parties involved in the incident(s), the conduct alleged to constitute Unlawful Discrimination, and the date(s) and location(s) of the alleged incident(s); and

   c. Retaliation is prohibited.

   If, during an investigation, the District decides to investigate additional allegations of Unlawful Discrimination by the Respondent toward the Complainant that are not included in the notice provided or that are included in a Complaint that is consolidated, the District will notify the Parties of the additional allegations.

7. Investigation

   The District will ensure an adequate, reliable, and impartial Complaint investigation. The burden is on the District - not on the Parties - to conduct an investigation that gathers sufficient evidence to determine whether Unlawful Discrimination occurred.

   The Parties will be provided an equal opportunity to present fact witnesses and other inculpatory and exculpatory relevant evidence.

   Throughout the investigation, the Investigator must determine what, if any, facts remain in dispute. If dispositive facts are not reasonably in dispute (e.g., based on Party admissions, irrefutable evidence), further investigation is not required.

8. Determination

   Following the investigation and evaluation of the evidence, the Decisionmaker will:

   a. Use the preponderance of the evidence standard to determine whether Unlawful Discrimination occurred.

   b. Notify the Parties in writing of the determination whether Unlawful Discrimination occurred, including the rationale for such determination and the procedures and permissible bases for the Complainant and Respondent to appeal, if applicable.

   c. Comply with this Grievance Procedure before imposing any disciplinary sanctions against a Respondent.

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9. Remedies

   If there is a determination that Unlawful Discrimination occurred, the applicable Coordinator will, as appropriate:

   a. Coordinate the provision and implementation of remedies to a Complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by Unlawful Discrimination;

   b. Coordinate the imposition of any Disciplinary Sanctions against a Respondent; and

   c. Take other appropriate prompt and effective steps to ensure that Unlawful Discrimination does not continue or recur within the District's education program or activity.

10. False Statements

    A person who knowingly files a false Complaint or makes a materially false statement is subject to discipline, including discharge from employment or expulsion.

Legal authority: 20 USC 1400 et seq., 1681 et seq.; 29 USC 206 et seq., 621 et seq., 701 et seq., 794, 2601 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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Series 3000: Operations, Finance, and Property

3100 General Operations

3115H Training Requirements and Policy Notice

A. Training Requirements

All Coordinators and individuals assigned to serve in a Key Role must be adequately trained.

B. Nondiscrimination Notice Requirement

The District will prominently post on its website a notice of nondiscrimination, clearly stating that it applies to students, parents, employees, and applicants for admission and employment. The notice of nondiscrimination will comply with all applicable laws.

Legal authority: 20 USC 1400 et seq., 1681 et seq.; 29 USC 206 et seq., 621 et seq., 701 et seq., 794, 2601 et seq.; 38 USC 4301 et seq.; 42 USC 1983, 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1604.1 et seq., 1635; 34 CFR 106.1, et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3301A Purchasing and Procurement with Federal Funds

This Policy applies to purchases of property and services with federal funds that are subject to the Uniform Grant Guidance. The federal regulation is incorporated by reference, and all terms in this Policy have the same meanings as defined therein (2 CFR 200.1-99).

A. State Law Requirements Still Apply

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

B. Procurement Methods

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

   1. Micro-Purchases

      a. In accordance with the requirements of 2 CFR 200.320(a)(1)(iv), the District self-certifies a micro-purchase threshold equal to the state bid threshold established by MDE each year. MDE's publication of the state bid threshold shall be considered the District's adoption, endorsement, and annual self-certification of the micro-purchase threshold.

      b. To the extent District administration determines that the cost of the purchase is reasonable, micro-purchases may be made or awarded without bidding For purposes of this subsection, "reasonable" means the District has determined, supported by documentation, that the purchase is comparable to market prices for the geographic area.

      c. To the extent practicable, the District will distribute micro-purchases equitably among qualified suppliers.

   2. Purchases between the Micro-Purchase Threshold and $350,000 (simplified acquisition threshold)

      The District will use a bidding procedure identified in Policy 3301 subsection C.1.

   3. Purchases over $350,000

      a. The District must either receive sealed bids through formal advertising or prepare a comprehensive request for proposals and submit it to at least 5 sources.

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b. With either method, the District will perform a price analysis, making an independent estimate of costs before receiving bids.

C. The District will take affirmative steps to ensure that small businesses, minority-owned businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms are included in bidding opportunities.

D. A person may protest the veracity, conformity, or eligibility of a bid. The District will handle bid protests as follows:

1. within 48 hours of the time when bid results are made available, the protesting person will submit a written protest to the Superintendent describing in detail the nature of the protest;

2. the Superintendent or designee will review the written protest, and the Superintendent may bring it to the Board's attention in the Superintendent's discretion; and

3. a person's failure to file a protest as described above is an irrevocable waiver of the bid protest.

Nothing in this Policy reduces or eliminates the District's rights or protections afforded under the law.

E. The District will retain all bids and formal bid solicitation documents for a period of 6 years after the bid opening date, or longer if required by law.

Legal authority: 2 CFR 200.1 et seq.

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3300 Facilities, Real, and Personal Property

3303 Gifts and Donations

The Board recognizes and appreciates the generosity and support it receives in the form of gifts, donations, and voluntary contributions ("Donations") from individuals, companies, Parent support groups, the community, and other donors.

The District requests that substantial Donations be accompanied by Form 3303-F Gifts and Donations. All Donations made for a particular purpose must be accompanied by Form 3303-F.

A. Accepting Donations

1. Donations must be lawful and support an educational purpose.
2. Donations accepted by the District will become public funds or public property unless an exception is provided under applicable law.
3. The Board authorizes the Superintendent or designee to accept Donations of personal property on behalf of the Board with an estimated fair market value of $4,999. The Board retains authority, in its discretion, to accept Donations of personal property exceeding $5,000.
4. The Board must approve all Donations of real property, regardless of value.
5. Donations accepted by the District will be used for any specific purpose identified by the donor provided the purpose is lawful and consistent with the District's interests and objectives. A donor may identify the specific purpose of the Donation and any other lawful conditions using Form 3303-F.
6. Except as required by law, the District does not have an obligation to replace a Donation that is lost, destroyed, or becomes obsolete.
7. The Board reserves the right to take any action regarding a donation permitted or required by applicable law.

B. Soliciting Donations

1. The District may solicit donations in accordance with law, which may include pursuing an exemption from registration under the Charitable Organizations and Solicitations Act.
2. Any individual wishing to solicit donations on behalf of the District must obtain prior written approval from the Superintendent or designee before representing any affiliation with the District. Unless otherwise agreed by the Superintendent or designee, the individual will be responsible for all costs and

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liability related to the solicitation and all received donations will become the District's property.

C. Scholarships are governed by Policy 3207.

D. A donor is solely responsible for any tax consequences related to a Donation.

Legal authority: MCL 123.905; MCL 400.271, et seq.

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Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3304 Use of District Property

A. Definitions

1. "Non-curricular education group" means a non-student group comprised of a substantial number of District students organized for the general benefit of students, such as Boy Scouts, Girl Scouts, 4-H, and other similar groups.]

2. "Non-student group" means any group or persons, other than a student group, who requests to use District facilities and are supervised by at least 1 adult responsible for the group.

3. "Student group" means 1 or more students participating in District-sponsored curricular or extracurricular activities supervised by District personnel; or a student-initiated, non-curricular student group, which is permitted to hold meetings and events on school premises. Student groups may include, but are not limited to, an athletic team, student council, academic team, or student club.

B. General Facilities Use Guidelines

1. Rental fees for District facilities and equipment will be set by the Superintendent or designee.

2. Any person or group using District facilities must maintain order and safety, protect property, and restore the facilities to their condition before use.

3. The District may seek reimbursement from a user of its facilities for any costs the District incurs in opening, restoring, or cleaning such facilities.

4. The Superintendent or designee may deny a request to use the District's facilities or equipment if the Superintendent or designee believes that the person or group does not have sufficient financial resources to cover costs required by this Policy or is unwilling to pay them.

5. No person or group using District facilities under this Policy may charge a fee for admission or parking unless approved in writing in advance by the Superintendent or designee.

6. Any person or group using the District's facilities for any purpose must comply with all applicable laws, Board Policies, rules, and regulations.

7. For a non-student group that wishes to use a facility, a supervising adult must submit a written facility use request to the Superintendent or designee. The request, applicable rental fee, and other required documents must be received by the Superintendent or designee before any facility use will be

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considered. The supervising adult assumes primary responsibility for complying with subsection B.2.

8. Leasing District property is addressed in Policy 3305.

C. Use of District Facilities by Student Groups

1. The applicable building principal may determine the time and place of a student group's use of available District facilities.

2. Student groups may use available District facilities without charge.

3. The District may bear any costs associated with use by a student group (e.g., fees paid to a cook or a custodian).

4. Student groups have priority to use District facilities over non-student groups.

D. Use of District Facilities by Non-Student Groups

1. The Superintendent or designee may authorize or limit the use of District facilities by non-student groups consistent with this Policy and applicable law.

2. When any non-student group requests to use District facilities, the group may be required to provide proof of insurance, naming the District as an additional insured, with coverage acceptable to the Superintendent or designee.

3. Use must occur while the facility is available, with minimal interference to scheduled activities, custodians, or other student and personnel facility use.

4. The facility use will occur at times and places determined by the Superintendent or designee.

5. If non-student groups are authorized to use District facilities, the Superintendent or designee will prioritize their use in the following order:

   a. non-curricular education groups;

   b. community groups solely or jointly supporting the District (e.g., booster clubs, PTO);

   c. government organizations within the District's geographic boundaries;

   d. non-profit organizations whose activities are open to the general public and serve the community; and

   e. all other non-student groups.

   The Superintendent or designee has sole discretion to determine the classification of a non-student group.

6. The District's facilities are not public fora and a non-student group's access to such facilities does not create a public forum

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7. Denial of access

   a. The Superintendent or designee may reject a non-student group's request to use District facilities if the group's use of the facilities is for a commercial purpose. A booster club or other organization raising money purely for the support of a student group and not for personal profit is not considered a commercial purpose.

   b. The Superintendent or designee may lawfully restrict, exclude, or impose conditions on a person inappropriately using District facilities or violating this Policy. A person who refuses to comply may be considered a trespasser.

E. Use of Specialty Facilities by Application and Agreement

1. The District permits non-commercial use of the following facilities by persons for their personal health and wellness: weight room, track, and associated locker-room facilities (the "Specialty Facilities"). The District may authorize use of the Specialty Facilities on a monthly basis on conditions determined by the Superintendent or designee, which may include a waiver and use agreement.

2. A person using the Specialty Facilities must comply with applicable provisions of this Policy.

3. A person failing or refusing to abide by this Policy may lose the privilege of using the Specialty Facilities.

4. Users of Specialty Facilities acknowledge that they have reduced privacy rights while on District property and that lockers may be subject to search by District officials.

F. Using District Personal Property

1. A person may use District personal property for non-school use only with the prior permission of the Superintendent or designee.

2. The District may seek reimbursement from a user of its personal property for any costs the District incurs in repairing or replacing such personal property.

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3300 Facilities, Real, and Personal Property

3306 Construction Bidding

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

A. When Competitive Bidding is Required

1. The District must competitively bid all labor and material for a Construction Project if the project cost exceeds the then-current state bid threshold published annually by MDE (the "Bid Threshold").

2. The District must competitively bid energy conservation improvements, operational improvements, or the removal or treatment of asbestos or other material injurious to health for school facilities, if authorized under Revised School Code Section 1274a and the cost exceeds the Bid Threshold.

3. The District does not need to competitively bid a:

    - Construction Project costing less than the Bid Threshold;
    - contract for repair in emergency situations;
    - repair normally performed by District employees; or
    - professional consultant contract.

B. Bidding Procedure

1. If competitive bidding is required, the District must follow the bidding procedure prescribed by Revised School Code Section 1267 and award contracts to the lowest responsible bidder.

2. To determine whether a bidder is a responsible bidder, the District may consider the factors enumerated in Policy 3301 subsection C.3.b.

3. If competitive bidding is not required, the District may use any lawful means to procure contracts.

4. Each bidder must certify that it is not an Iran-linked business as defined by MCL 129.312.

5. If federal or state prevailing wage requirements apply, project specifications must include the schedule of minimum rates to be paid to each relevant class of construction mechanic or laborer. If state prevailing wage requirements apply, the schedule of minimum rates must also be printed on bid forms.

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C. Alternates

1. Bid specifications may require bidders to submit bids with mandatory alternates or allow bidders to submit voluntary alternates; provided, however, that no voluntary alternate may change the nature of the work.

2. The Board, in its discretion, may award bids based on allowable alternates.

D. Michigan Business Preference

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

E. Construction Bidding Using State Aid Act Funds

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

F. Construction Bidding Using Federal Funds

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

Legal authority: 40 USC 3141, et seq.; 2 CFR 200.1, et seq.; MCL 129.311 et seq.; MCL 380.1267; MCL 388.1764c; MCL 408.1101, et seq.

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3400 School Safety and Security

3402 Drills, Plans, and Reports

The Board will take reasonable steps to provide a safe and secure learning environment to protect students and employees.

A. Emergency Drills

The Superintendent or designee will schedule, notify, conduct, report, and post all fire, tornado, and other emergency drills as required by law.

B. Cardiac Emergency Response Plan

The Board will develop, adopt, and provide for annual review a cardiac emergency response plan as required by law. The Board will integrate the cardiac emergency response plan into the protocols of the local emergency response system and emergency response agencies. All high school athletic coaches must be certified in CPR and use of an AED by the American Red Cross, the American Heart Association, or a comparable organization approved by MDE.

C. Drinking Water Management Plan

The Board will develop, adopt, update, implement, and make available upon request a Drinking Water Management Plan as required by law.

D. Cooperation

The Superintendent or designee will act as liaison to work with the School Safety Commission and the Office of School Safety, including to identify model practices for determining school safety measures.

E. Safety and Emergency Plans

The Board will comply with the statewide school information policy, and the Superintendent or designee will provide all reports, information, and notices required by that policy. If the policy does not satisfy the requirements of Revised School Code Section 1308b(3), the Board will develop and adopt an emergency operations plan with public input and participation by at least 1 law enforcement agency having jurisdiction over the District. The statewide school information policy or the emergency operations plan, as applicable, will be reviewed every 2 years in conjunction with at least 1 law enforcement agency having jurisdiction over the District. The Board will notify MDE within 30 days after completing a required review.

Legal authority: MCL 29.19, 29.19b; MCL 380.1241, 380.1308, 380.1308b, 380.1310a, 380.1319, 380.1901, et seq.

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3400 School Safety and Security

3407 Asbestos Management

A. Asbestos Management Plan

The District will maintain an asbestos management plan for each school building and otherwise comply with the requirements of the Asbestos Hazard Emergency Response Act (AHERA) and related regulations.

1. Each asbestos management plan will address building inspections, re-inspections, preventative measures, periodic surveillance, response actions, operations and maintenance, notices, and other information required by law.

2. Each school building will maintain in its administrative offices a complete, updated copy of the asbestos management plan for that school building. The District's administrative offices will maintain complete, updated copies of asbestos management plans for all school buildings. The District will make asbestos management plans available for inspection without cost but may charge a reasonable amount to make copies.

3. The District will provide training and information, maintain records, and perform asbestos-related obligations with accredited persons as required by law.

4. The Board designates Supervisor of Operations and Maintenance to oversee the District's compliance with the asbestos management plan and AHERA.

B. Asbestos Abatement Contractors

1. The District will not enter into an agreement with an asbestos abatement contractor for an asbestos abatement project unless the contractor provides an affidavit describing (i) any criminal convictions relating to compliance with environmental laws or regulations, (ii) any notices of violation of environmental laws or regulations, and (iii) whether it has been subject to any administrative order or consent judgment within the preceding 5 years.

2. The District will not enter into an agreement with an asbestos abatement contractor for an asbestos abatement project unless the District conducts a background investigation of the contractor seeking to bid on the project. At a minimum, the background investigation will include (i) consulting the webpage of the Michigan Department of Environment, Great Lakes, and Energy to determine if the contractor has received notices of violation of environmental regulations, or has been subject to an administrative consent order or a consent judgment involving environmental regulations, and (ii) consulting the webpage of the United States Department of Labor, Occupational Safety and

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Health Administration to determine if the contractor has received notices of violation of asbestos regulations.

3. The District will not enter into an agreement with an asbestos abatement contractor for an asbestos abatement project if:

   a. the contractor's affidavit discloses a criminal conviction related to compliance with environmental regulations; and/or

   b. the contractor has been issued five or more notices of violation of environmental regulations, or has been subject to an administrative consent order or a consent judgment involving environmental regulations within the immediately preceding five years, unless (i) the District investigates each of the notices, administrative consent order, or consent judgment and determines that the contractor is able to adhere to the agreement based on the District's observations of improvements or other demonstrated ability to comply with environmental regulations, (ii) the District makes such determinations in writing and publicly available, and (iii) the District conducts at least one public hearing for public input with at least thirty days' notice.

Legal authority: 15 USC 2641 et seq.; 29 CFR 1910.1001; 40 CFR 763 Subpart E; MCL 338.3351 et seq.; MCL 338.3371 et seq; MCL 388.861 et seq.

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3400 School Safety and Security

3410 Opioid Antagonist

The District will provide adequate control, supervision, and training to maintain, distribute, and administer opioid antagonists consistent with state law.

A. Emergency Preparedness

1. The Superintendent or designee may obtain and distribute opioid antagonists as authorized by law.

2. An opioid antagonist maintained by a school may only be administered to a person who is believed to be having an opioid-related overdose by:

   a. a licensed registered professional nurse employed or contracted by the District; or

   b. a District employee appropriately trained in accordance with state law.

B. Notice and Reporting

The building principal or designee will:

1. contact 911 if a student is believed to be having an opioid-related overdose;

2. promptly notify the Parent of a student to whom an opioid antagonist has been administered and document all actual and attempted notices. The District will encourage the Parent to seek treatment for the student from a substance use disorder services program; and

3. document all instances of opioid antagonist administration at school.

Legal authority: MCL 15.671 et seq.

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Series 4000: District Employment

4100 Employee Rights and Responsibilities

4101 Non-Discrimination

A. Equal Employment Opportunity

The District is committed to equal employment opportunity and compliance with federal, state, and local laws that prohibit workplace Unlawful Discrimination, including unlawful harassment and Retaliation, based on any protected class or activity. This Policy applies to all aspects of employment, including recruiting, advertising, hiring, training, job placement, evaluation, classification, promotion, transfer, work assignment, compensation, benefits, discipline, demotion, termination, reduction in force, recall, and any other term or condition of employment.

This Policy prohibits discrimination against employees or applicants for employment based on the following protected classes: race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity or expression, pregnancy, height, weight, marital status, age, disability, genetic information, veteran status, military service, or any other legally protected class. This Policy also prohibits Retaliation based on a protected activity.

The District prohibits unlawful employment discrimination as required by applicable civil rights statutes, including:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, religion, or national origin;
- Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, religion, sex (including gender identity, and sexual orientation), or national origin;
- Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex;
- Age Discrimination in Employment Act of 1967 (ADEA), which prohibits discrimination based on age as to persons who are at least 40 years old;
- Equal Pay Act of 1963, which prohibits sex discrimination in payment of wages for persons performing substantially equal work in the same establishment;
- Section 504 of the Rehabilitation Act of 1973 (Section 504), which prohibits discrimination based on disability;
- Americans with Disabilities Act of 1990 (ADA), which prohibits discrimination against qualified persons with disabilities in employment, public service, public accommodations, and telecommunications;

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- Pregnancy Discrimination Act of 1978, which prohibits discrimination based on pregnancy, childbirth, or related medical conditions;
- Pregnant Workers Fairness Act (PWFA), which requires covered employers to provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause an undue hardship;
- Genetic Information Non-Discrimination Act of 2008 (GINA), which prohibits discrimination based on genetic information as to health insurance and employment;
- Michigan Elliott-Larsen Civil Rights Act of 1976 (ELCRA), which prohibits discrimination based on race, color, national origin, age, sex, pregnancy, sexual orientation, gender identity or expression, religion, height, weight, or marital status;
- Michigan Persons with Disabilities Civil Rights Act of 1976 (MPDCRA), which prohibits discrimination against qualified persons based on disability that is unrelated to that person's ability to perform the duties of a particular position or genetic information; and
- Michigan Equal Pay Act, which prohibits discriminatory wage practices based on sex.

The District also complies with and prohibits employment action that violates the following statutes:

- Family and Medical Leave Act of 1993 (FMLA), which requires covered employers to provide up to 12 work weeks of unpaid, job-protected leave to eligible employees for certain family, military, and medical reasons, and up to 26 work weeks to care for a covered service member with a serious injury or illness;
- Earned Sick Time Act (ESTA), which provides eligible employees with earned sick time that may be used for certain reasons;
- Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), which provides job protection and reemployment rights to individuals who voluntarily or involuntarily leave employment to undertake military service, including military reservists and National Guard members called to duty;
- Public Employment Relations Act of 1947 (PERA), which prohibits a public employer from discriminating against an employee based on membership or non-membership in a labor organization;

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- Fair Labor Standards Act of 1938 (FLSA), which establishes minimum wage, overtime pay, record keeping, and youth employment standards affecting employees; and
- Michigan Whistleblower Protection Act of 1980, which protects employees who report a violation or suspected violation of state, local, or federal law and employees who participate in hearings, investigations, or court actions.

B. Reporting Requirements

Any employee who believes he/she has been subjected to behavior that violates this Policy is encouraged to file a complaint promptly with a supervisor. A complaint implicating an individual's civil rights will be investigated pursuant to the procedures outlined in Policy 4104 and 3115-3115H. A complaint alleging Title IX sexual harassment will be investigated pursuant to the procedures outlined in Policy 3118.

Employees with questions about compliance with this Policy and applicable laws should contact the Superintendent or the Employment Compliance Officer(s) identified in Policy 3115B.

Board members, administrators, and supervisors must promptly report incidents of Unlawful Discrimination and Retaliation that he/she observes or about which he/she receives information.

Board members, administrators, or supervisors who receive a complaint alleging a violation of this Policy must promptly report the complaint, in writing, to the Employment Compliance Officer(s) identified in Policy 3115B.

A failure to comply with reporting requirements may result in discipline, including discharge.

C. Employment Discrimination Compliance Training

The District will train administrators, supervisors, and the Employment Compliance Officer(s) on how to address and investigate Unlawful Discrimination and Retaliation complaints.

The District may also provide Unlawful Discrimination and Retaliation training to Board members and employees.

Training may be provided by an outside entity or person approved by the District.

Legal authority: 20 USC 1681 et seq.; 29 USC 206 et seq., 701 et seq., 2601 et seq.; 38USC 4301 et seq.; 42 USC 2000d et seq., 2000e et seq., 2000ff et seq., 12101 et seq.; H.R. 2617-1626, 117th Cong. § 103(1) (signed into law December 29, 2022); MCL 37.1101 et seq., 37.2101 et seq.; MCL 423.201 et seq.; MCL 750.556; 34 CFR 106.1 et seq.; MCL 408.934b,

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408.961 et seq., *Mothering Justice v Attorney General*, 515 Mich 328 (2024)

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Series 4000: District Employment

4100 Employee Rights and Responsibilities

4104 Employment Complaint Procedure for Allegations Implicating Civil Rights

This employment complaint procedure for allegations implicating an employee's civil rights is designed to facilitate: (1) prompt notification of alleged Unlawful Discrimination, including unlawful harassment and Retaliation; (2) a prompt and thorough investigation of good faith allegations; and (3) the implementation of appropriate corrective action, if necessary, to eliminate verified Unlawful Discrimination, harassment, and Retaliation from the workplace.

A. Initiating a Complaint

1. A Board member, employee, or employment applicant who believes he/she has been the subject of Unlawful Discrimination, harassment or Retaliation, must timely file a complaint, preferably within 10 business days of the alleged or suspected violation or when the reporter obtained knowledge of the alleged or suspected violation, with the Employment Compliance Officer or applicable coordinator listed in Policy 3115B.

2. A complaint of Unlawful Discrimination, including harassment or Retaliation, may be made verbally or in writing. The complaint will be memorialized on Form 3115-F-1.

3. A complaint alleging Title IX sexual harassment must be submitted in writing and signed by the complainant. Policy 3118 governs the Title IX sexual harassment complaint procedures.

B. Investigation Procedures

A written or verbal report (including an anonymous report) of Unlawful Discrimination, including harassment or Retaliation, will be investigated promptly and thoroughly using the Grievance Procedure outlined in Policy 3115E, unless the Complaint is dismissed pursuant to Policy 3115F or informal resolution is reached pursuant to Policy 3115D.

A complaint alleging Title IX sexual harassment will be investigated pursuant to the process set forth in Policy 3118.

C. Reports to State or Federal Administrative Agencies

Any person who believes that he/she was the victim of Unlawful Discrimination, including unlawful harassment or Retaliation, may file a complaint with the Michigan Department of Civil Rights (MDCR) or the Equal Employment Opportunity Commission (EEOC) at any time:

Michigan Department of Civil Rights
Telephone: 1-800-482-3604

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Email: MDCRServiceCenter@michigan.gov
Public Portal: https://www.michigan.gov/mdcr/public-portal

Equal Employment Opportunity Commission Patrick V. McNamara Building
477 Michigan Avenue - Room 865
Detroit, MI 48226
Phone: 800-669-4000
Fax: 313-226-4610
TTY: 800-669-6820
ASL Video: 844-234-5122
Public Portal: https://publicportal.eeoc.gov/portal/
Email: info@eeoc.gov

An agency complaint may be filed before, during, or after a complaint is filed with the District, or a person may forego filing a complaint with the District and rely solely on the MDCR or EEOC. The District recommends that a person who has been subjected to Unlawful Discrimination, including unlawful harassment or Retaliation, also file a complaint with the District to ensure that the District can take steps to prevent further Unlawful Discrimination, including unlawful harassment or Retaliation, and to discipline the Respondent, if appropriate. The MDCR and EEOC do not serve as an appellate body for District decisions. An investigation by the MDCR or EEOC will occur separately from any District investigation.

Legal authority: U.S. CONST. amend. XIV; 20 USC 1681 et seq.; 29 USC 701 et seq.; 42 USC 2000d et seq., 2000e et seq., 2000ff et seq., 6101 et seq., 12101 et seq.; 29 CFR 1630; 34 CFR 104, 106.1, et seq.; MCL 15.261 et seq.; MCL 37.1101 et seq., 37.2101 et seq.

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Series 4000: District Employment

4100 Employee Rights and Responsibilities

4113 Michigan Earned Sick Time Act (ESTA)

A. General

Eligible employees will accrue paid leave as provided by the ESTA. Applicable provisions of a collective bargaining agreement, individual employment contract, or handbook remain in place and may provide additional paid leave time that is not provided by the ESTA.

Unless otherwise agreed with union representation, the ESTA does not apply to employees subject to a conflicting collective bargaining agreement in effect on February 21, 2025, until the collective bargaining agreement expires.

The ESTA does not apply to an employee subject to a conflicting individual employment contract in effect on February 21, 2025, until that contract expires, if all of the following are satisfied:

- the District and the employee signed the contract on or before December 31, 2024;
- the contract is effective for not longer than 3 years; and
- the District notified the Michigan Department of Labor and Economic Opportunity (LEO) of the contract.

B. Definitions

1. "ESTA benefit year" means the 12-month period from July 1 to June 30.
2. "Eligible employee" means an employee engaged in service to the District. The following, however, are not eligible employees:
   a. an unpaid trainee or unpaid intern;
   b. a person employed in accordance with the Michigan Youth Employment Standards Act, MCL 409.101, *et seq*; or
   c. positions when the employee may schedule their own working hours as approved by the Superintendent or designee. For those approved positions, the District will not take adverse personnel action for failure to schedule a minimum amount of working hours.

   If a collective bargaining agreement or contract meets the requirements in Section A above, then an employee covered by that contract is not an eligible employee until the contract expires.
3. "Family member" is defined as:

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a. biological, adopted, or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the eligible employee stands *in loco parentis*;

b. biological parent, foster parent, stepparent, or adoptive parent or legal guardian of an eligible employee or an eligible employee's spouse (under the laws of any state) or domestic partner or a person who stood *in loco parentis* when the eligible employee was a minor child;

c. an individual to whom the eligible employee is legally married under the laws of any state or a domestic partner;

d. grandparent, grandchild, and biological, foster, or adopted sibling;

e. an individual related by blood; or

f. an individual whose close association with the eligible employee is the equivalent of a family relationship.

4. "Earned sick time" means paid leave as allowed by the ESTA.

5. All other ESTA-defined terms apply to this Policy.

C. Wait Period and Leave Reinstatement Upon Re-Employment

A newly hired eligible employee may not use accrued earned sick time until 120 calendar days after the employee's start date, unless otherwise provided in a collective bargaining agreement, individual employment contract, employee handbook, or the ESTA.

Upon discharge or other separation from employment, an employee automatically loses accrued earned sick time unless the employee is rehired by the District within 2 months of the separation.

Accrued earned sick time that is not used before an employee's separation from employment will have no monetary value. If an employee separates from employment and is rehired by the District not more than two (2) months after separation, the District will reinstate previously accrued and unused earned sick time and allow the employee to use that earned sick time and accrue additional earned sick time upon reinstatement. This paragraph does not apply if the District paid the employee the value of the employee's unused accrued earned sick time at the time of separation.

D. ESTA Leave Accrual and Frontloading

1. Leave Accrual

Unless the District frontloads earned sick time under Section D(2), an eligible employee begins accruing earned sick time on February 21, 2025 or the employee's start date, whichever is later.

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An eligible employee will accrue 1 hour of earned sick time for every 30 hours worked, but the eligible employee may only use up to 72 hours of earned sick time in a single ESTA benefit year. An FLSA-exempt eligible employee is assumed to work 40 hours per workweek unless the employee's normal workweek is less than 40 hours.

Up to 72 hours of unused accrued earned sick time will carry over from ESTA benefit year to ESTA benefit year.

2. Frontloading Leave

For each ESTA benefit year, the District may frontload earned sick time consistent with this policy, a collective bargaining agreement, or individual employment contract.

If frontloading, the District will grant a full-time eligible employee 72 hours of earned sick time at the beginning of an ESTA benefit year. For a part-time eligible employee, the District will provide the employee with:

- a written notice of how many hours the employee is expected to work during the ESTA benefit year at the time of hire;
- an amount of earned sick time at the beginning of the ESTA benefit year that is proportional to the earned sick time the employee would accrue if the employee worked all the hours in that written notice; and
- 1 hour of earned sick time for every 30 hours worked after the employee exceeds the work hours in that written notice.

Frontloaded earned sick time will not carry over from one ESTA benefit year to the next unless authorized in the applicable collective bargaining agreement, individual employment contract, or handbook.

3. Compliance Presumption

The District is in compliance with this Section D if it:

- provides an eligible employee with paid time off in at least the same amounts of time off described in the ESTA that may be used for ESTA purposes or any other approved purpose, with the time used for an ESTA purpose being subject to the ESTA; or
- is a signatory to a collective bargaining agreement that requires contributions to a multiemployer plan under the Employee Retirement Income Security Act, subject to certain conditions.

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E. Additional Absences

Additional absences, above and beyond earned sick time under the ESTA, are governed by an applicable collective bargaining agreement, individual employment contract, or Board Policy.

F. Permissible Uses

An eligible employee may use earned sick time for the following reasons:

1. the employee's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee;

2. for the employee's family member's mental or physical illness, injury, or health condition, medical diagnosis, care, or treatment of the employee's family member's mental or physical illness, injury, or health condition or preventative medical care for a family member of the employee;

3. if the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability, to obtain services from a victim services organization, to relocate due to domestic violence or sexual assault, to obtain legal services, or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault;

4. for meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or

5. for closure of the employee's place of business by order of a public official due to a public health emergency, for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

G. Use of Earned Sick Time

If the eligible employee's need to use leave is foreseeable, the employee must provide notice to the District of the employee's intent to use earned sick time at least 7 days prior to the date leave is to begin. If the eligible employee's need to use leave is not foreseeable, the employee must provide notice to the District of the employee's intent to use earned sick time as soon as practicable. For leave of more than 3 consecutive days, upon District request, the eligible employee must provide the District – within 15 days after the request – reasonable

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documentation that earned sick time was used for an ESTA purpose. The District will be responsible for paying the eligible employee's costs in obtaining the requested documentation.

In cases of domestic violence or sexual assault, reasonable documentation includes any of the following:

- a police report indicating that the employee or the employee's family member was a victim of domestic violence or sexual assault;
- a signed statement from a victim and witness advocate affirming that the employee or the employee's family member is receiving services from a victim services organization; or
- a court document indicating that the employee or the employee's family member is involved in legal action related to domestic violence or sexual assault.

All health, sexual assault, and domestic violence information and documentation received from an employee about earned sick time remains confidential and will not be disclosed, except to the employee, with the employee's written permission, or as and to the extent required by law.

Failure to comply with notice procedures or document requests to support the use of earned sick time, or using earned sick time for a non-permissible use, may result in discipline, including discharge.

Unless otherwise provided in an employee's collective bargaining agreement, individual employment contract, or handbook:

- earned sick time must be used in hourly increments; and
- an employee using earned sick time will not receive overtime pay, holiday pay, or bonuses for the earned sick time.

H. Notice and Recordkeeping

The District will:

1. provide an ESTA notice created by LEO to each eligible employee at hire (see 4113-F-1);
2. display in a conspicuous location in each of its buildings the ESTA poster created by LEO; and
3. retain for not less than 3 years records documenting hours worked and earned sick time taken by eligible employees.

Legal authority: MCL 408.934b, 408.961 et seq., *Mothering Justice v Attorney General*, 515 Mich 328 (2024)

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4200 Employee Conduct and Ethics

4201 Employee Ethics and Standards

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

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

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

A. Employee Ethical Conduct

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

1. supporting the physical and emotional welfare and safety of students, Parents, colleagues, administrators, Board members, and community members;
2. complying with federal and state law;
3. competently and appropriately performing duties and responsibilities for which the employee is trained or assigned;
4. assigning tasks to District personnel who are qualified and hired to perform the assigned task;
5. refraining from unlawful discrimination, including unlawful harassment, and retaliation as defined by Policy;
6. immediately reporting suspected child abuse or neglect;
7. immediately reporting reasonable cause to believe or suspect abuse, neglect, or exploitation of a vulnerable adult;
8. maintaining confidential information, including student, medical, personnel, financial, and security information, as protected by statute;
9. appropriately using District funds, resources, and technology;

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10. maintaining consistent and reliable work attendance, unless excused by the employee's supervisor or the Superintendent or designee, as applicable;

11. engaging in activities or behaviors that enhance the operational and instructional environment;

12. professionally communicating with students, Parents, colleagues, Board members, and community members, including through electronic means;

13. completing time and effort reporting under 4201-AG;

14. abiding by professional, ethical, and licensing standards established by relevant governmental agencies, professional licensing boards, and professional associations, including the Michigan State Board of Education; and

15. self-reporting a criminal charge and plea or conviction, as required by law.

B. Conflict of Interest

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

1. soliciting or accepting anything of value (such as a gift, loan, contribution, or reward), other than compensation received from the District in exchange for services provided to the District, that would influence the employee's judgment when performing the employee's duties;

2. using public funds to purchase alcoholic beverages, jewelry, gifts, fees for golf, or any item the purchase or possession of which is illegal, except as consistent with and permitted by Policy 3205 and Revised School Code Section 1814;

3. using or authorizing the use of the employee's public employment or any confidential information received through public employment to obtain personal, professional, political, or financial gain other than compensation received from the District in exchange for services provided to the District for the employee or a member of the employee's immediate family, or a business with which the employee is associated;

4. using or authorizing the use of District personnel, resources, property, or funds under the employee's care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or using those items for personal, professional, political, or financial gain;

5. providing private services, lessons, tutoring, or coaching for students assigned to the employee for additional remuneration, except as permitted by Policy 4214;

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6. engaging in any activity of a sexual or romantic nature with another employee(s) or contractor(s) that the employee supervises, unless the individuals are engaged to be married, married, or cohabitating;

7. engaging in any activity of a sexual or romantic nature on school property or at school-sponsored events;

8. directly or indirectly supervising, making, or contributing to an employment decision pertaining to a relative or significant other, or relative of a relative or significant other (as defined by Policy 4213); and

9. engaging in any other activity that promotes an employee's financial and pecuniary interests over those of the District.

C. Student Fraternization

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

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

1. communicating about alcohol use, drug use, or sexual activity when the discussion is not appropriately related to a specific aspect of the curriculum or the employee's duties;

2. providing drugs, alcohol, tobacco, e-cigarettes, or other items students cannot possess under the District's Student Code of Conduct;

3. commenting about matters involving sex, using double entendre, or making sexually suggestive remarks with no appropriate educational purpose;

4. displaying sexually inappropriate images, materials, or objects;

5. offering or soliciting sexual advice, whether written, verbal, or physical;

6. engaging in any activity of a sexual or romantic nature, including following graduation where the relationship arises out of an employee-student relationship;

7. inappropriate kissing;

8. inappropriately intruding on a student's personal space, such as by touching unnecessarily, moving too close, or staring at a portion of the student's body;

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9. communicating directly or indirectly (e.g., by phone, email, text messaging, or social media) on a matter that does not pertain to school without first obtaining the express permission of the student's Parent. Electronic communications with students generally are to be sent simultaneously to multiple recipients and not just to one student except when the communication is clearly school related and inappropriate for persons other than the individual student to receive (e.g., grades);

10. permitting a specific student to engage in conduct that is not permitted or tolerated from other students;

11. inappropriately discussing with a student the student's personal issues or problems that should normally be discussed with a Parent or counselor unless the employee is the student's family member;

12. inappropriately giving a student a personal gift;

13. allowing a student to live in the employee's residence without first obtaining the express permission of the student's Parent unless the student is the employee's family member, a foreign exchange student placed with the employee, or if the employee serves as the student's foster parent or legal guardian;

14. giving a student a ride in the employee's vehicle without appropriate authorization;

15. taking a student on an activity outside of school without first obtaining the express permission of the student's Parent and a District administrator;

16. inviting a student to the employee's home or residence without first obtaining the express permission of the student's Parent;

17. going to a student's home when the student's Parent or an adult chaperone is not present unless the employee is the student's family member; or

18. engaging in any other conduct which undermines the special position of trust and authority between a District employee and a student.

D. Abuse and Neglect

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

   An employee should consult with their immediate supervisor about their duty to cooperate with CPS investigations or to disclose student records to CPS.

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2. Vulnerable Adults: An employee who has reasonable cause to believe or suspect abuse, neglect, or exploitation of a vulnerable adult must: (a) immediately report the matter to Adult Protective Services (APS) consistent with Michigan's Social Welfare Act and Policy 4202, and (b) notify the Superintendent or designee and the building principal or supervisor that the report has been filed.

   A reporter's identity will remain confidential unless disclosure is authorized by the reporter's consent or by court order.

   An employee should consult with their immediate supervisor about their duty to cooperate with APS investigations or to disclose student records to APS.

Legal authority: MCL 380.11a, 380.601a, 380.634, 380.1308a, 380.1814; MCL 722.621 et seq.; MCL 400.11a.

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4205-AG-1 Criminal Justice Information Security (Non-Criminal Justice Agency)

The District will conduct background checks, consistent with Policy 4205(C) and Administrative Guideline 4205-AG-1, and will have the Michigan State Police ("MSP") obtain criminal history record information ("CHRI") from both the state and Federal Bureau of Investigation ("FBI") for all District employees, contractors, and vendors and their employees who regularly and continuously work under contract as provided in Policy 4205(C)(2). Employees who fail to follow these procedures will be subject to discipline subject to the Superintendent's review and written approval of any corrective action.

The District will provide employees, contractors, volunteers, and vendors and their employees for whom the District conducts background checks the most current version of the MSP RI-030 Live Scan consent form.

The District will complete and maintain a Noncriminal Justice Agency User Agreement (RI-087) provided by the Michigan State Police.

A. Local Agency Security Officer ("LASO")

The District Superintendent will appoint the Chief Human Resources Officer, a District employee, who: (1) is an authorized user, (2) has completed a fingerprint-based background check as required, (3) has been found appropriate to have access to CHRI, and (4) is directly involved in evaluating an individual's qualifications for employment or assignment as its LASO, who is responsible for the adoption of this guidance along with data/system security. When changes in the appointed LASO/CHRISS Administrator occur, the District will complete and return a new appointment notification form (CJIS-015) to MSP-CJIC-ATS@michigan.gov.

1. The LASO is responsible for ensuring:

   a. compliance with these regulations and laws;

   b. personnel security screening procedures are followed under this administrative guideline;

   c. approved and appropriate security measures are in place and functioning properly to protect CHRI;

   d. annual Awareness Training is being completed by all personnel authorized to access CHRI;

   e. only approved District employees have access to and are using the information in compliance with the law;

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f. compliance with this administrative guideline;

g. that the MSP Information Security Officer (ISO) is promptly informed of any security incidents by submitted the MSP CJIS-016 Information Security Officer (ISO) Security Incident Report;

h. information security policy/procedures are reviewed and updated at least annually and after any security events involving CHRI; and

i. the District (1) displays posters, (2) offers supplies inscribed with security and privacy reminders, (3) displays logon screen messages, (4) generates email advisories or notices from District officials, or (5) conducts awareness events to increase security and privacy awareness of system users.

2. The LASO is also responsible for identifying and documenting, to the extent applicable:
   a. District equipment connected to the MSP system; and

   b. who is using or accessing CHRI and/or systems with access to CHRI.

3. When a new LASO is established, the District will complete and deliver a LASO appointment form to the MSP and will keep a copy of the appointment form on file indefinitely. The LASO will make all MSP fingerprint account changes.

B. Personnel (Authorized User) Security

Only authorized users will have access to CHRI. An authorized user must be vetted through the national fingerprint background check and be given CHRI access by the LASO to evaluate potential employees, contractors, or volunteers for employment or assignment. If the District maintains digital CHRI, the LASO will assign authorized users unique passwords compliant to 4205-AG-1 (C)(3) to access it. Those who are not authorized users but who, by the function of their job, will be close to CHRI or computer systems with access to CHRI will be supervised by an authorized user. Employees who do not comply with state or federal laws or District policies or administrative guidelines will be subject to discipline, up to discharge.

4. Security with Separated Authorized Users

   After an authorized user is separated from the District, that individual's access to CHRI will be terminated within 24 hours. This includes, but is not limited to, returning keys, access cards, and ceasing access to digital CHRI.

   a. The Human Resources director or designee must notify the LASO of the effective termination date of a user's employment by written email communication no later than 24 hours after the termination date.

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b. The Human Resources director or designee will require the return of any keys, access cards, files, and other related items.

c. The LASO must ensure that access to the District's digital CHRI records system is disabled and the user's CHRISS account is deactivated.

2. Security with Transferred Authorized Users

When an authorized user is transferred or reassigned, the LASO will take steps necessary to block that individual's access to CHRI within 24 hours, unless the LASO determines that the individual must retain access.

C. Media Protection

Authorized users may only access CHRI on authorized devices, which does not include a personally owned mobile device, cell phone, computer, or other technology, consistent with specific terms and conditions, for access. All CHRI (including digital media) will be maintained in a physically secure location or controlled area. A physically secure location or controlled area will (1) be locked whenever an authorized user is not present or supervising and (2) limit access to unauthorized users. An authorized user accessing CHRI must position the media to prevent unauthorized users from accessing or viewing CHRI. Physical CHRI will be stored in a locked filing cabinet, safe, or vault. Digital CHRI will be encrypted consistent with FBI CJIS Security Policy. If digital CHRI is stored on a storage device without encryption, it must be stored like physical CHRI.

CJI and information system hardware, software and media are located and processed in [add: location and description].

3. Media Transport

The LASO must approve all CHRI media transportation and will not grant approval unless transportation is reasonably justified. The LASO or LASO's designee will transport CHRI, which must be secured during transport. Physical CHRI must remain in the physical presence of authorized personnel until it is delivered. Physical CHRI must be transported in a sealed, locked, or secured medium and digital CHRI must be encrypted, and if not, secured in the same fashion as physical CHRI.

4. Media Disposal/Sanitization

CHRI media will be stored and retained for the duration required by law. Disposal must be made with the written approval of the LASO and the Superintendent. Only authorized users may dispose of CHRI media. Physical media will be cross-cut shredded or incinerated. Digital media must either be overwritten at least three (3) times or degaussed, passing a strong magnet over the media, before disposal or reuse. The LASO will keep written records (date and authorized user's signature) of CHRI media destroyed and the process for destroying or sanitizing CHRI media for ten (10) years.

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5. Passwords

When the LASO assigns a unique password to an authorized user, it must have the following attributes:

a. at least eight (8) characters;

b. not consisting of only a proper noun or word found in a dictionary;

c. not similar or identical to the username;

d. not be displayed while entered or transmitted outside of the physically secure location or controlled area;

e. expires every ninety (90) days; and

f. cannot be the same as the previous ten (10) passwords.

4. Security Awareness and Incident Response Training and Testing

a. The District will provide all authorized users role-based security and privacy and incident response training consistent with the following roles, as applicable:

Basic Role: users with unescorted access to a physically secure location;

General Role: users with physical and logical access to CJI;

Privileged Role: information technology personnel including system administrators, security administrators, network administrators and other similar roles;

Security Role: users responsible for ensuring confidentiality, integrity, and availability of CJI and compliant implementation of technology with the Criminal Justice Information Services (CJIS) Security Policy (CJISSECPOL).

b. The District will provide users with security awareness training about the user's responsibilities and expected behavior when accessing CJI and the systems which process CJI, and on handling information security incidents as follows:

i. for new users, prior to accessing CJI; and

ii. for all users annually about the user's responsibilities and expected behavior when accessing CJI and the systems which process CJI, and on handling information security incidents;

iii. when required due to system changes; and

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iv. within 30 days of any security event for individuals involved in the event.

c. The LASO will keep a current record of all users who have completed training.

5. CHRI Dissemination

The District must maintain a record of any CHRI dissemination to another authorized agency for all dissemination outside the CHRISS system, consistent with the Revised School Code, which must include (1) date of release, (2) records released, (3) means of sharing, (4) District personnel who disseminated the CHRI, (5) whether authorization to disseminate was obtained, and (6) the agency to whom the CHRI was disseminated and (7) the recipient's name.

D. Incident Handling, Monitoring, and Reporting

1. In General

The District has established operational incident handling procedures for instances of an information security breach. The LASO will track CHRI security breach incidents and will report such incidents to the superintendent and MSP ISO using the MSP CJIS-016 reporting from. The District has provided specific incident handling capabilities for CHRI, consistent with the following table:

Capabilities shall be handled according to the following description:	**Physical-Hard Copy CHRI**	**Digital-Digitally Accessed/Saved CHRI**
Preparation	**The CHRI container will be locked at all times in which it is stored. When office staff is not present, the office must be locked.**	**Firewalls, anti-virus protection, and anti-malware/spyware protection will be maintained.**
Detection	**Physical intrusions to the building will be monitored. A** [add company name of building alarm]**building alarm or video surveillance will monitor for physical or unauthorized intrusions. The building must be locked at night.**	**Electronic intrusions will be monitored by the virus and malware/spyware detection.**
Analysis	**The LASO will work with police authorities to determine how the**	**The IT department will determine what systems**

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	incident occurred and what data was affected.	**or data were affected and compromised.**
Containment	**The LASO will lock uncompromised CHRI in a secure container or transport CHRI to a secure area.**	**The IT department will stop the spread of any intrusion and prevent further damage.**
Eradication	**The LASO will work with local law enforcement, East Lansing Police Department, to remove any threats that compromise CHRI data.**	**The IT department will remove the intrusion before restoring the system. All steps necessary to prevent recurrence will be taken before restoring the system.**
Recovery	**Local law enforcement, East Lansing Police Department, will handle and versee the recovery of stolen CHRI media. The LASO may contact MSP for assistance in re-fingerprinting, if necessary.**	**The IT department will restore the agency information system and media to a safe environment.**

2. CHRI Security Breach Incident

   When a CHRI security breach incident occurs, the following will take place:

   a. Notice: Personnel will notify the LASO immediately or no later than one hour after the incident was discovered.

   b. Secure Systems: The LASO or appointed authorized user will stop any unauthorized access, secure the media, and shut down the systems necessary to avoid further unauthorized exposure.

   c. Assessment: The LASO will determine whether notification to individuals is needed, assess the extent of harm, and identify any applicable privacy requirements.

   d. Automated Reporting: Using automated mechanisms, such as email, website postings with automatic updates, and automated incident response tools, the LASO will report confirmed incidents to the CJIS Systems Officer (CSO), State Identification Bureaus Chief (SIB Chief), or Interface Agency Official.

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e. Supply Chain Coordination: The LASO will provide incident information to product or service providers or organizations involved in the supply chain or supply chain governance for systems or system components related to the incident.

f. Records: The LASO or appointed authorized user will record all necessary information regarding the breach, the District's response to the breach, and who was involved in taking response measures.

g. Coordination of Incident Handling and Contingency Planning: The LASO will coordinate incident handling activities with contingency planning activities and incorporate lessons learned from ongoing incident handing activities into incident response procedures, training, and testing implementing the resulting changes.

h. Predictability: The LASO will ensure the rigor, intensity, scope, and results of incident handling activities are comparable and predictable across the organization.

i. Review of Policy/Procedures: The LASO will review and update information security policy/procedures at least annually and after security incidents involving CHRI.

j. Legal Action: When such incident results in legal action (either civil or criminal) against a person or the District, the local law enforcement agency shall be contacted to collect, retain, and present evidence, according to the evidentiary rules of the appropriate jurisdiction(s).

E. Incident Response Support and Plan

1. Response Support Resource: The District will provide a response support resource that offers advice and assistance to system users for handling and reporting incidents.

2. Automation Support: The District will use automated mechanisms, such as access to a website or to an incident response vendor, to increase availability of incident response information and support.

3. Incident Response Plan: The District will develop an incident response plan that:

a. provides a roadmap for implementing incident response capability;

b. describes the structure and organization of incident response capability;

c. provides high-level approach for how incident response capability fits into overall organization;

d. meets unique requirements of the District related to mission, size, structure and functions;

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e. defines reportable incidents;

f. provides metrics for measuring District incident response capability;

g. defines resources and management support needed to effectively maintain and mature an incident response capability;

h. addresses sharing of incident information;

i. is reviewed and approved by the superintendent annually; and

j. explicitly designates responsibility for incident response to District personnel with incident reporting responsibilities and CSO or CJIS WAN Official.

4. Incident Response Plan Management: The District will:
   a. distribute the incident response plan to personnel with incident handling responsibilities;

   b. update the incident response plan to address system and organizational changes or problems during plan implementation, execution or testing;

   c. communicate incident response plan changes to District personnel with incident handing responsibilities; and

   d. protect the incident response plan from unauthorized disclosure and modification.

5. Incident Response Plan Breaches: The District will include in the incident response plan for breaches involving personally identifiable information:

   a. process to determine if notice to individuals or organization is needed;

   b. assessment process to determine extent of harm, embarrassment, inconvenience, or unfairness to affected individuals and any mechanism to mitigate such harms; and

   c. identification of applicable privacy requirements.

F. Audit and Accountability
   1. The District develops, documents, and disseminates to organizational personnel with audit and accountability responsibilities:
      a. agency and system-level audit and accountability policy;

      b. addresses purpose, scope, roles, responsibilities, management commitment, coordination among organization entities, and compliance;

      c. is consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines; and

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d. procedures to facilitate the implementation of the audit and accountability policy and the associated audit and accountability controls.

2. The District reviews and updates the current audit and accountability policy and procedures annually and following any security incidents involving unauthorized access to CJI or systems used to process, store, or transmit CJI.

3. The District identifies the types of events that the system is capable of logging in support of the audit function and coordinates the event logging function with other organizational entities requiring audit-related information to guide and inform the selection criteria for events to be logged.

4. The District specifies certain event types for logging within the system, provides rationale for the adequacy of the event types selected for logging, and annually reviews and updates the selected event types.

5. The District ensures that audit records contain information that establishes the following:

   a. what type of event occurred;

   b. when the event occurred;

   c. where the event occurred;

   d. source of the event;

   e. outcome of the event; and

   f. identity of any individuals, subjects, or objects/entities associated with the event.

6. The District generates audit records containing the following information:

   a. session, connection, transaction, and activity duration;

   b. source and destination addresses;

   c. object or filename involved; and

   d. number of bytes received and bytes sent (for client-server transactions) in the audit records for audit events identified by type, location, or subject.

7. The District limits personally identifiable information contained in audit records to the minimum PII necessary to achieve the purpose for which it is collected.

8. The District allocates audit log storage capacity to accommodate the collection of audit logs to meet retention requirements.

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9. The District alerts organizational personnel with audit and accountability responsibilities and system/network administrators within one (1) hour in the event of an audit logging process failure and restarts all audit logging processes and verifies that systems are logging properly.

10. The District reviews and analyzes system audit records weekly and reports findings of potential or actual inappropriate or unusual activity to those with the relevant responsibilities.

11. The District adjusts the level of audit record review, analysis, and reporting within the system based on changes in input from law enforcement or intelligence agencies.

12. The District integrates audit record review, analysis, and reporting processes using automated mechanisms.

13. The District analyzes and correlates audit records across different repositories to gain organization-wide situational awareness.

14. The District provides and implements an audit record reduction and report generation capability that both supports on-demand audit record review, analysis, and reporting requirements and after-the-fact investigations or incidents; and does not alter the original content or time ordering of audit records.

G. Access Control Policy

1. The District will develop, document, and disseminate to personnel with access control responsibilities:

   a. Agency-level access control policy that:

      i. addresses purpose, scope, roles, responsibilities, management commitment, coordination among organizational entities, and compliance; and

      ii. is consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines.

   b. Procedures to facilitate implementation of the policy and the associated access controls.

2. The LASO will:

   a. manage the development, documentation, and dissemination of the access control policy and procedures; and

   b. review and update the access control policy annually and following any security breaches.

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H. Account Management

1. The District will:

   a. define and document the types of accounts allowed and specifically prohibited for use within the system;

   b. prohibit use of personally-owned information systems, including mobile devices (i.e., bring your own device [BYOD]), and publicly accessible systems for accessing, processing, storing, or transmitting CJI;

   c. assign account managers;

   d. require conditions for group and role membership;

   e. specify authorized users of the system, group and role membership, and access authorizations (i.e., privileges) and attributes listed for each account;

   f. at least annually, review accounts for compliance with account management requirements;

   g. establish and implement process for changing shared or group account authenticators (if deployed) when individuals are removed from the group; and

   h. align account management processes with personnel termination and transfer processes.

I. Access Enforcement

The District will:

2. enforce approved authorization for logical access to information and system resources will be enforced in accordance with applicable access control policies; and

3. provide automated or manual processes to enable individuals to access elements of their personally identifiable information.

J. Information Flow Enforcement

The District will enforce approved authorizations for controlling the flow of information within the system and between connected systems by preventing CJI from being transmitted unencrypted across the public network, blocking outside traffic that claims to be from within the District, and not passing any web requests to the public network that are not from the District-controlled or internal boundary protection devices.

K. Separation of Duties

The District will:

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1. identify and document separation of duties based on specific duties, operations, or information systems, as necessary to mitigate risk to CJI; and

2. define system access authorizations to support separation of duties.

L. Least Privilege

1. The District will allow only authorized accesses for users (or processes acting on behalf of users) that are necessary to accomplish assigned organizational tasks.

2. The District will:

   a. authorize access for personnel including security administrators, system and network administrators, and other privileged users with access to system control, monitoring, or administration functions (e.g., system administrators, information security personnel, maintainers, system programmers, etc.) to:

      i. established system accounts, configured access authorizations, set events to be audited, set intrusion detection parameters, and other security functions; and

      ii. security-relevant information in hardware, software, and firmware.

   b. require users of system accounts (or roles) with access to privileged security functions or security-relevant information (e.g., audit logs), use non-privileged accounts or roles, when accessing non-security functions;

   c. restrict privileged accounts on the system to privileged users;

   d. review annually the privileges assigned to non-privileged and privileged users to validate the need for such privileges;

   e. reassign or remove privileges, if necessary, to correctly reflect organizational mission and business needs; and

   f. log the execution of privileged functions.

M. Unsuccessful Logon Attempts

The District will enforce a limit of five (5) consecutive invalid logon attempts by a user during a 15-minutes time period, and automatically lock the account or node until released by an administrator when the maximum number of unsuccessful attempts is exceeded.

N. System Use Notification (required when access via logon interfaces with human users)

1. A system use notification message will be displayed to users before granting access to the system that provides privacy and security notices

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consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines stating that:

a. users are accessing a restricted information system;

b. system usage may be monitored, recorded, and subject to audit;

c. unauthorized use of the system is prohibited and subject to criminal and civil penalties; and

d. use of the system indicates consent to monitoring and recording.

2. The notification message or banner will be retained on the screen until users acknowledge the usage conditions and take explicit actions to log on to or further access to the system.

3. For publicly accessible systems, before the District grants further access to publicly accessible systems:

a. system use information consistent with applicable laws, executive orders, directives, regulations, policies, standards, and guidelines will be displayed;

b. references, if any, to monitoring, recording, or auditing that are consistent with privacy accommodations for such systems that generally prohibit those activities will be displayed; and.

c. a description of the authorized users of the system will be included.

O. Device Lock and Session Termination

1. The device lock will conceal information previously visible on the display with a publicly viewable image.

2. Further access to the system will be prevented by initiating a device lock after a maximum of 30 minutes of inactivity.

3. Users must log out when a work period has been completed.

4. Users must initiate a device lock before leaving the system unattended.

5. The device lock will be retained until the user reestablishes access using established identification and authentication procedures.

P. Remote Access

The District:

2. establishes and documents usage restrictions, configuration/connection requirements, and implementation guidance for each type of remote access allowed;

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3. authorizes each type of remote access to the system prior to allowing such connections;

4. employs automated mechanisms to monitor and control remote access methods;

4. implements cryptographic mechanisms to protect the confidentiality and integrity of remote access sessions;

5. routes remote access through authorized and managed network access control points;

6. authorizes the execution of privileged commands and access to security-relevant information via remote access only in a format that provides assessable evidence and for compelling operational needs; and

7. documents the rational for remote access in the security plan for the system.

Q. Wireless Access

The District:

1. establishes configuration requirements, connection requirements, and implementation guidance for each type of wireless access;

2. authorizes each type of wireless access to the system prior to allowing such connections;

3. protects wireless access to the system using authentication of authorized users and agency-controlled devices, and encryption; and

4. disables wireless networking capabilities embedded within system components prior to issuance and deployment when not intended for use.

R. Access Control for Mobile Devices

The District:

1. establishes configuration requirements, connection requirements, and implementation guidance for organization-controlled mobile devices, to include when such devices are outside of controlled areas;

2. authorizes the connection of mobile devices to organizational systems; and

3. employs full-device encryption to protect the confidentiality and integrity of information on full-and limited-feature operating system mobile devices authorized to process, store, or transmit CJI.

S. Use of External Systems

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1. The District permits authorized individuals to use an external system to access the system or to process, store, or transmit organization-controlled information only after:

    a. verification of implementation of controls on external system as specified in the District's security and privacy policies and security and privacy plans; or

    b. retention of approved system connection or processing agreements with the organizational entity hosting the external system.

2. The District restricts the use of District-controlled portable storage devices in external systems including how the devices may be used and under what conditions the devices may be used.

T. Information Sharing

The District:

3. enables authorized users to determine whether access authorizations assigned to a sharing partner match the information's access and use restrictions as defined in an executed information exchange agreement; and

4. employs attribute-based access control or manual processes as defined in information exchange agreements to assist users in making information sharing and collaboration decisions.

U. Identification and Authentication (IA) (CJISSECPOL 5.6)

V. Physical and Environmental Protection (CJISSECPOL 5.9)

W. Systems and Communications Protection (CJISSECPOL 5.10)

X. System and Services Acquisition (CJISSECPOL 5.14)

Y. System and Information Integrity (CJISSECPOL 5.15)

Z. Maintenance (CJISSECPOL 5.16)

AA. Planning (CJISSECPOL 5.17)

BB. Contingency Planning (CJISSECPOL 5.18)

CC. Risk Assessment (CJISSECPOL 5.19)

Legal authority: Criminal Justice Information Services (CJIS) Security Policy 6.0 December 27, 2024

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4210 Drug and Alcohol Free Workplace; Tobacco Product Restrictions

A. General

Employees serve as role models to students at school and in the community. Employee substance abuse constitutes a threat to the physical and mental well-being of employees and students and significantly impedes job performance and effectiveness.

The District maintains a drug and alcohol free workplace. In addition, to the extent permitted by law, the District strives to maintain a tobacco product free workplace.

This policy does not prohibit the use of nicotine replacement therapies for smoking cessation, such as Food and Drug Administration approved nicotine gum, patches, or lozenges.

B. Definitions

1. “District premises” means District buildings, facilities, or other District property which is owned, leased, or used for a District purpose or District-owned vehicles or vehicles used for a District purpose.

2. “District purpose or function” means a District-sponsored or District-approved activity, event, function or other activity performed by an employee under the District’s jurisdiction, which is within the scope of employment, duties, or job description.

3. “Electronic nicotine delivery system” means any product containing or delivering nicotine, a nicotine analog, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. “Electronic nicotine delivery system” includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, e-hookah, vape pens, mods, and tank systems, regardless of any other product name or descriptor that is used. “Electronic nicotine delivery system” includes any component part of a product, whether marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

4. “Illicit substance” means any consumable alcohol; illegal drugs, including but not limited to those substances defined as “controlled substances” pursuant to federal or state law; marihuana; anabolic steroids, human growth hormones or other performance-enhancing drugs; and substances purported to be illegal, abusive, or performance-enhancing (i.e., “look-alike” drugs). This

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definition also includes any other substance used by an employee as an intoxicant.

5. “Imitation tobacco product” means any edible non-tobacco product designed to resemble a commercial tobacco product, or any non-edible non-tobacco product designed to resemble a commercial tobacco product and intended to be used by children as a toy. “Imitation tobacco product” includes, but is not limited to, candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snus, and shredded beef jerky in containers resembling snuff tins.

6. “Reasonable suspicion” means specific, contemporaneous, and articulable observations concerning an employee’s behavior, speech, appearance, or odor that suggests the employee is under the influence of an illicit substance.

7. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, cannabis, or other plant, whether natural or synthetic, that is intended for inhalation. “Smoking” also includes carrying or using an activated electronic nicotine delivery system. “Smoking” does not include the use of traditional or sacred tobacco used by many Native communities for spiritual and medicinal purposes.

8. “Tobacco industry” means manufacturers, distributors, or wholesalers of tobacco products or tobacco-related devices (e.g., Juul, Altria). This includes parent companies and subsidiaries.

9. “Tobacco product or commercial tobacco product” means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes; electronic nicotine delivery systems; cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco.

10. “Tobacco-related device” means ashtrays, rolling papers, wraps, or pipes for smoking and any components, parts, or accessories of electronic nicotine delivery systems.

11. “Under the influence” means the use or misuse of an illicit substance or other intoxicant (including over-the-counter and prescription medication) by an employee that in any degree impairs, negatively affects, or tends to deprive

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that person of any physical or mental capacity normally possessed and required to perform job responsibilities.

12. "Use of tobacco product" means any of the following:

    a. the carrying by a person of a lighted cigar, cigarette, pipe, other lighted smoking device, or electronic nicotine delivery system;

    b. the inhaling or chewing of a tobacco product;

    c. the placing of a tobacco product within a person's mouth; or

    d. the smoking or use of an electronic nicotine delivery system, imitation tobacco product, or other substitute forms of cigarettes, clove cigarettes, or other lighted smoking devices for consuming or inhaling tobacco, nicotine, or any other substance.

C. Standards of Conduct

Employees are prohibited from the following conduct on District premises, at a District function:

1. manufacturing, selling, soliciting, possessing, using (including application, injection, inhalation, or ingestion), dispensing, or distributing any illicit substance;

2. being under the influence as defined in this Policy;

3. misusing over-the-counter and prescription medications;

4. manufacturing, selling, soliciting, dispensing, displaying, promoting, or distributing any tobacco product, tobacco-related device, or imitation tobacco product. This includes products or paraphernalia displaying tobacco industry brand; or

5. using or consuming a tobacco product on District premises or at a District function.

Violating these standards will subject an employee to discipline, including discharge.

It shall be a violation of this Policy for an employee to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry or from any tobacco products shop for use at a District premises or District function. This includes, but is not limited to, donations, money for sponsorship, advertising material, alleged educational materials, promotions, loans, scholarships, or support for equipment, uniforms, sports, or training facilities. It shall also be a violation of this Policy to participate in any type of service funded by the tobacco industry on District premises or at a District function.

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If a reasonable suspicion exists that an employee is under the influence, the Superintendent or designee may direct the employee to submit to a drug test or breathalyzer. If the employee refuses, the employee may be subject to discipline, including discharge, based on the District's observations.

D. It shall not be a violation of this policy:

1. for commercial tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in an instructional or work-related activity in the District school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product;

2. for a person to possess or provide tobacco, tobacco-related devices, imitation tobacco products, or lighters to any other person as part of an indigenous practice used by Native communities for spiritual and medicinal purposes. It shall not be a violation of this policy to use tobacco, tobacco-related devices, initiation tobacco products, or lighters as part of an educational experience related to traditional or sacred tobacco practices that has been approved by administrators;

3. to use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a nicotine dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

E. Support

Administrators shall consult with the local public health department or other appropriate health and allied community-based organizations to provide students, staff, and administrators with information and access to support systems, programs, and services to encourage them to abstain from the use of commercial tobacco products. Administrators shall identify and offer evidence-based programs and services for individuals that use commercial tobacco products to support them in complying with this policy.

F. Notice

The District shall provide notice of this policy in staff handbooks, through orientations and employee or staff training, and when offering employment.

G. Reporting Requirements for Transportation Employees Subject to Omnibus Transportation Employee Testing Act

An employee subject to the Omnibus Transportation Employee Testing Act must notify the Superintendent or designee of any criminal drug conviction for a violation occurring in the workplace no later than 5 calendar days after that conviction. Upon receiving notice of an employee's conviction of a criminal drug

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violation occurring in the workplace, the Board or designee must take appropriate action within 30 calendar days.

Legal authority: 20 USC 7101 et seq.; 41 USC 8101 et seq.; 42 USC 12101 et seq.; Schedules I-V of Chapter 13 of the Controlled Substances Act, 21 USC 812; 29 USC 701 et seq.; MCL 37.1211; Schedules 1-5 of the Michigan Uniform Controlled Substances Act, MCL 333.7201 et seq.; MCL 380.11a, 380.601a; MCL 436.1101 et seq.; MCL 750.473.

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Series 4000: District Employment

4200 Employee Conduct and Ethics

4216 Personal Communications Devices

"Personal communications device" includes employee-owned cell phones, computers, tablets, or any other device that is capable of, but not limited to, text messaging, voice communication, downloading applications, entertainment, navigation, accessing the internet, sending and receiving photos and videos, or producing email. Employee use of personal communications devices during the work day, including school-sponsored activities, and to conduct school-related business, is limited as follows:

A. except in emergencies, an employee's use of a personal communications device shall not interfere with instructional activities or work-related duties. Employees taking an authorized break may use a personal communications device in a manner that does not disrupt the District's operations or violate the confidentiality of students or others;

B. employees shall not use a personal communications device to access inappropriate content or engage in unlawful activities while on duty, on District property, or attending a District-related event;

C. employees must not use a personal communications device to inappropriately communicate with other employees, students, or Parents;

D. employees must ensure that the District's records and files, including confidential student information, are only maintained on District-provided technology and that confidentiality is maintained. District records and files must not be stored on a personal communications device;

E. employees recognize that when a personal communications device accesses the District's network, the employee's use may become subject to the District's Acceptable Use Policy;

F. employees may not use a personal communications device to record communications or images during the work or school day or at a school-sponsored event other than a public performance or sporting event, unless the employee has received permission from the Superintendent or designee. Dissemination of any recording is prohibited unless the Superintendent or designee approves that action in writing; or

G. unauthorized recording of communications or images of students, Parents, co-workers, or non-public meetings is prohibited unless there is an educational purpose to do so, and may result in discipline, including discharge.

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

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4500 Administrators/Supervisors

4508 Administrator Non-Renewal

A. Administrators Subject to Revised School Code Section 1229(2)

Administrator contract non-renewal may be subject to Revised School Code Section 1229(2) depending on the person's responsibilities, duties, and certification. If the non-renewal of an Administrator is subject to Revised School Code Section 1229(2), this Policy shall be implemented consistent with that statute.

"Non-renewal" is an action to discontinue an employment contract at contract expiration. Termination during the term of an existing employment contract is addressed in Policy 4507.

If Revised School Code Section 1229(2) applies, the non-renewal of an Administrator's individual employment contract must be preceded by a notice to the employee that the Board is considering non-renewal. Written notice of consideration of non-renewal must be given to the Administrator at least 90 calendar days before the expiration date of the Administrator's contract. The Administrator will be provided notice of the Board meeting at which the consideration of non-renewal will be reviewed and may request an open or closed session, where appropriate. The Board must act in open session on the recommendation to consider non-renewal.

The Superintendent or designee will notify the Administrator of the Board's decision to consider non-renewal, including a written statement of the reason(s). The employee may request to meet with a majority of the Board to discuss the reason(s) in open or closed session, where appropriate. The meeting with the majority of the Board to discuss the reason(s) it is considering non-renewal must take place following notice to the administrator of the consideration of non-renewal and before any action of non-renewal.

There must be a minimum of 30 calendar days between the time that the administrator is provided written notice that the Board is considering non-renewal, including a statement of the reason(s) for consideration of non-renewal, and the Board's action to renew or non-renew the administrator's individual employment contract. The resolution and notice of non-renewal must be provided to the administrator not less than 60 calendar days before the expiration date of the administrator's individual employment contract.

If the non-renewal is based on a reduction in personnel and not for a performance reason, the Board's review and action must take place in open session.

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If the employee holds tenure rights as a classroom teacher and the District seeks to terminate those tenure rights, the District will comply with the Teachers' Tenure Act.

B. Non-Renewal of a Supervisor or Director

A Supervisor's or Director's contract may be non-renewed in accordance with the applicable individual employment contract or collective bargaining agreement. If the Supervisor or Director is not subject to an individual employment contract or collective bargaining agreement, the Superintendent or designee will present a recommendation of non-renewal to the Board at least 60 calendar days before June 30, stating the reason(s) for the recommendation. Advance written notice of the recommendation, the time, date, and location of the Board meeting, and the option for closed session deliberation will be provided to the Supervisor or Director.

Legal authority: MCL 380.1229

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Date revised:

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Series 4000: District Employment

4600 The Superintendent

4602 Hiring

The Board will determine and select the best candidate to serve as the Superintendent, based on qualifications, experience, demonstrated capabilities, and other relevant factors as determined by the Board. The Board may enlist professional consultants, employees, community members, or others to assist with the recruitment and selection process.

Qualified candidates will possess and maintain certifications, permits, and approvals required by federal and state law for the office of Superintendent. The hiring process will comply with the Michigan Open Meetings Act.

Before hiring the selected candidate, an offer of employment will be conditioned on successful completion of a background check as described in Policy 4205.

The Board should consult with legal counsel when drafting the Superintendent's employment contract.

The Superintendent's employment contract shall not exceed five years in duration. If a Superintendent vacates the position before a new Superintendent is selected, the Board shall appoint an interim Superintendent to oversee operations until a new Superintendent is selected. Hiring decisions shall be based on qualifications, skills, knowledge, abilities, education, certifications/licenses, experience, demeanor, and other criteria the Board may deem relevant.

Legal authority: MCL 15.261 et seq.; MCL 380.1229(1), 380.1536

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5200 Student Conduct and Discipline

5209 Student Use of Wireless Communications Devices

Students may not use Wireless Communications Devices on school grounds during instructional time, except as otherwise provided in this Policy.

"Wireless Communications Device" is an electronic device capable of, but not limited to, text messaging, voice communication, entertainment, navigation, accessing the internet, sending and receiving photos and videos, or producing email.

"Instructional time" is defined as the start of the school day when instruction begins until dismissal at the end of the school day excluding lunch and passing time.

"School grounds" means a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school. School grounds does not include a building used primarily for adult education or college extension courses.

Students may use Wireless Communications Devices on school grounds during school hours, including during instructional time, if the Wireless Communications Device is:

- medically necessary for a student to monitor a health issue;
- required by a student's Section 504 Plan or IEP;
- a District-owned device;
- designated by the District to be used for instructional purposes;
- permitted by a classroom teacher for lesson-specific academic assignments; or
- used during an emergency situation in accordance with the District's emergency operations plan under Policy 3402, so long as it does not interfere with school emergency protocols or first responders or endanger students or staff.

Students are personally and solely responsible for the security of their Wireless Communications Devices. The District is not responsible for theft, loss, or damage of any Wireless Communications Device.

Students may not use Wireless Communications Devices while they are in locker rooms, restrooms, or any other area in which others may have a reasonable expectation of privacy unless medically necessary or required by the student's Section 504 Plan or IEP.

Taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal photographs, video, audio, or other similar data, whether by electronic data transfer or otherwise (including via cell phone or other electronic device), may

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constitute a crime under state or federal law. A student engaged in any of these activities at school, at a school event, or on school-provided transportation, may be subject to discipline pursuant to this Policy and the student code of conduct. A student engaged in any of these activities outside of school may be disciplined if the student's activities substantially disrupt the school environment.

The Superintendent, building principals, and teachers are authorized to develop building-level and classroom rules for students' use of Wireless Communications Devices. Those rules must be clearly communicated to students. A student who violates the rules or this Policy is subject to corrective or disciplinary action, consistent with Policy and the student code of conduct.

School administrators and teachers may confiscate a student's Wireless Communications Device if the student's use or possession of the Wireless Communications Device violates this Policy, the student code of conduct, or any applicable building or classroom rule. The building principal or designee may require a meeting with the student's Parent to discuss the rule violation before returning the Wireless Communications Device.

Students who violate this Policy are subject to corrective or disciplinary action, consistent with Policy and the student code of conduct.

Legal authority: MCL 380.1303a

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5500 School Sponsored and Extracurricular Activities

5507 Extracurricular Activities

A. General Purpose

"Extracurricular activities" are defined as District-sponsored optional activities, including athletics, that are not for grade or credit.

Extracurricular activities, while an important part of the total school experience, are secondary to the academic program. Participation in extracurricular activities is a privilege, not a right.

Extracurricular activities do not include:

1. co-curricular activities such as band and choir, in which students must participate as part of the requirements for enrollment in and receiving a grade for a particular course; or

2. student-initiated, noncurricular student groups, which are permitted to hold meetings and events on school premises. These groups are not school-sponsored and are governed by Policies 3304 and 5510.

B. Governance

The District has exclusive control over extracurricular activities including, but not limited to, formation, naming, structure, operation, financing, and discontinuance.

Students and sponsors are governed by all Policies, applicable codes of conduct, and any other applicable rules or behavioral expectations.

Extracurricular groups may use District facilities consistent with Policy 3304.

C. Student Eligibility

Students are encouraged to participate in extracurricular activities. Participation is open to students who meet the eligibility requirements established by the District and any applicable governing body.

Students who wish to participate in extracurricular activities must abide by Board Policy, applicable codes of conduct, and any other applicable rules or behavioral expectations. A student's failure to comply with Board Policy, applicable codes of conduct, and any other applicable rules or behavioral expectations may result in disciplinary action and exclusion from extracurricular activities.

Students who participate in interscholastic athletics may not use performance-enhancing substances. Performance-enhancing substances include

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any substance banned by the NCAA. Students who use performance-enhancing substances may be disciplined and excluded from the activity.

D. Advisors and Coaches

Each extracurricular activity must have an advisor or coach who is a District employee or a selected community member who is qualified by virtue of education, training, experience, or special interest to serve as the advisor or coach, as determined by the Superintendent or designee.

The Superintendent or designee will assign activity advisors and athletic coaches. Advisors and coaches serve at the will of the Superintendent, who may remove an activity advisor or athletic coach in the Superintendent's sole discretion, absent contrary contractual provisions.

Sponsors may be required to develop materials, activities, and a budget; promote membership and participation; communicate with the building principal or designee, staff, students, and Parents; schedule meeting dates and locations; plan meaningful experiences; supervise students during activities; evaluate and make program recommendations; and submit a year-end report to the building principal or designee.

E. Fundraising Activities

Fundraising activities must comply with Policy 5501.

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5700 Student Health and Safety

5710 Student Suicide Prevention

The Board is committed to providing a safe and supportive environment to all students. Suicide is one of the leading causes of death among youth. This Policy established procedures for timely and appropriately responding to students at risk of suicide.

A. Suicide Prevention Coordinator

The Superintendent or designee will appoint a Suicide Prevention Coordinator for the District. In ELPS, this role is filled by the Mental Health Coordinator. The Suicide Prevention Coordinator is responsible for providing this Policy annually to all building principals and coordinating annual staff training on suicide intervention and prevention and this Policy. The Suicide Prevention Coordinator is:

Heather Findley, LMSW
District Mental Health Coordinator
East Lansing Public Schools
heather.findley@elps.us
(517) 333-7429

B. Staff Professional Development

The District will annually provide professional development about suicide prevention consistent with state law and best practices.

C. Initial Response

Employees, volunteers, and contractors must immediately notify the building principal or the Suicide Prevention Coordinator if a student is exhibiting signs of unusual depression, expressing suicidal thoughts, or threatening or attempting suicide or self-harm.

The student will be continuously supervised to ensure the student's safety. District staff will ensure that the student does not have access to potentially dangerous items.

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Students who exhibit concern for threats, statements, actions, or behaviors related to suicide will be administered a Suicide Risk Assessment. Exceptions may be made on a case-by-case basis as determined by District Administration and the Suicide Prevention Coordinator.

D. Parent Notification

The Suicide Prevention Coordinator or designee will promptly contact the student's Parent if a student is exhibiting signs of unusual depression, expressing suicidal thoughts, or threatening or attempting suicide or self-harm. If the Parent is not available or responsive, the Suicide Prevention Coordinator will contact the student's emergency contact(s). If school administrators or the Suicide Prevention Coordinator are unable to reach the Parent or an emergency contact within an hour after the end of the school day, the student will remain onsite and supervised by school personnel. District administration may contact emergency services for support at this time.

District personnel who suspect that the student may have a disability under Section 504 of the Rehabilitation Act or the Individuals with Disabilities Act will immediately refer the student for an evaluation.

When a student is exhibiting signs of unusual depression, expressing suicidal thoughts, or threatening or attempting suicide or self-harm. The Suicide Prevention Coordinator will discuss with the student's Parent safety at home and will ask if the student has access to a firearm, weapon, medication or other lethal means. The Suicide Prevention Coordinator or designee will:

- Ask if firearms, weapons, medications, or other lethal means are kept in the home or are otherwise accessible to the student;
- Recommend that Parent secure or store away from the home firearms, weapons, medications, or other lethal means while the student is struggling; and
- Recommend to the Parent that the student may need further evaluation/ support by a mental health professional or, if considered urgent or emergent, the student may be referred to emergency services. If the Parent declines, Child Protective Services (CPS) may be contacted.

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- Provide the Parent with school and community-based resources on suicide prevention, and how to access services as needed.

E. The District will provide age-appropriate instruction and professional development about suicide prevention, consistent with Policy 2203 and state law. Age-appropriate instruction may include, but is not limited to: promoting healthy mental, emotional, and social growth of students; suicide risk factors and warning signs; ways to help suicidal youth; and reducing mental health stigma.

F. MDHHS Suicide Prevention Materials

The District will post on its website homepage and in a conspicuous location in the school counselor's office MDHHS model information materials about suicide prevention services, suicide, depression, and anxiety.

Legal authority: MCL 380.1171, 380.1893

Date adopted: December 13, 2021

Date revised: March 14, 2022

Date revised: December 12, 2022

Date revised: January 13, 2025

Date revised:

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5700 Student Health and Safety

5710A Student Identification Cards[

The District may issue student identification cards. If the District issues identification cards to any student in grades 6-12, it will ensure that a 24-hour national, state, or local suicide prevention hotline telephone number is printed on the cards.

Legal authority: MCL 380.1893(1)

Date adopted:

Date revised:

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5700 Student Health and Safety

5714 Threat Assessment and Response

A. General

The Board is committed to providing a safe environment for all members of the school community. Our commitment to security includes creating and maintaining a safe school climate and supportive culture as a foundation for preventing violence and mitigating risk.

To further that commitment, the Board directs the Superintendent to:

1. Establish a behavior threat assessment and management (BTAM) team for each school operated by the District.

2. Ensure each BTAM team includes, at a minimum, the following individuals: a school administrator, a mental health professional as defined by MCL 330.1100b, and a school resource officer or another law enforcement official from the local law enforcement agency that has jurisdiction over the school.

3. Ensure each BTAM team is assigned at least the duties described in MCL 380.1308e(2).

4. Develop and implement threat assessment protocols. The threat assessment protocols must include training for individuals who administer threat assessments and a framework for determining when a threat assessment should be used.

B. Reporting Threats

District employees, volunteers, and contractors must immediately report any threat to the designated BTAM team school administrator. Reports may be made in person, by email, or by telephone. Threats requiring immediate intervention should also be reported to the local law enforcement.

Students are encouraged to immediately report any threat. Threats may be reported to any District employee in-person, by email, or by telephone. Students may also report threats through the OK2SAY program.

If there is a concern about student self-harm, the building principal or designee should comply with Policy 5710.

C. Threat Response

When a threat is reported, the BTAM team school administrator or designee will determine whether to initiate the District's threat assessment protocol.

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Any disciplinary action taken in response to a reported threat must be consistent with the Student Code of Conduct and applicable law and policies.

D. Training

All District employees must receive awareness training on this Policy and the District's threat assessment process at least annually. Additional training will be provided as required by the District's threat assessment process.

E. Communication with the School Community about Reported Threats

All communications about reported threats or safety concerns will comply with applicable law, including the Family Educational Rights and Privacy Act.

Legal authority: MCL 380.1308e

Date adopted: January 13, 2025

Date revised:

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B. **Recommendation for Appointment — Professional Development Advisory Committee** **110**

Motion: I move that the Board of Education approve the following individuals to serve on the Professional Development Advisory Committee.

Non-Teaching Representative: Mary Claugherty
Teaching Representatives: Aimee Holbrook, Katelyn Newcombe, Mark Pendred
Special Education Representative: Patty Sanchawala
Administrative Representative: Rinard Pugh
Parent Representative: Susan Mayes

East Lansing
Public Schools

MEMORANDUM

TO: **Dori Leyko, Superintendent**

FROM: **Mark Dobson, Assistant Superintendent**

SUBJECT: **Recommendation for Appointment – Professional Development Advisory Committee**

DATE: **August 24, 2026**

I am pleased to recommend the following individuals as Representative on the DIstrict Professional Development Advisory Committee:

Mary Claugherty, MacDonald Middle School/Non-Teaching Representative
Aimee Holbrook, Whitehills Elementary
Susan Mayes, Parent Representative
Katelyn Newcombe, MacDonald Middle School
Mark Pendred, East Lansing High School
Rinard Pugh, Red Cedar Elementary/Administrative Representative
Patty Sanchawala, East Lansing High School/Special Education Representative

Pursuant to the Pupil Accounting Manual:

“ Under Section 101(10) of the State School Aid Act (MCL 388.1701), a district may count up to 38 hours of qualifying professional development time for teachers as hours of pupil instruction if all of the following requirements are satisfied:

• A district-wide professional development advisory committee appointed by the district board recommends at least 8 hours of the qualifying professional development counted as hours of pupil instruction. The advisory committee must be composed of teachers employed by the district who represent a variety of grades and subject matter specializations, including special education; nonteaching staff; parents; and administrators. The majority membership of the committee shall be composed of teaching staff.”

C. **Recommendation for Pool Timing System** **112**

Motion: I move that the Board of Education approve a contract with Riegle Timing Consultants, LLC of Ypsilanti, Michigan, in the amount of $171,780 for the East Lansing High School pool timing system, including a $15,000 allowance for electrical items as needed, with the project funded from bond proceeds.

East Lansing Public Schools

MEMORANDUM

TO: East Lansing Board of Education members

FROM: Dori Leyko, Superintendent

SUBJECT: Recommendation for Pool Timing System

DATE: August 24, 2026

Recommendation

Administration recommends that the Board of Education approve a contract with Riegle Timing Consultants, LLC of Ypsilanti, Michigan, in the amount of $171,780 for the East Lansing High School pool timing system. The contract amount includes a $15,000 allowance for electrical items as needed and will be paid from bond proceeds.

Background and Bid Review

The district issued the bid for the East Lansing High School pool timing system on June 15, 2026, and bids were opened on July 14, 2026. Communications by Design completed its bid review on August 10, 2026 and identified Riegle Timing Consultants, LLC as the selected bidder at $171,780.

The bid review included the following due diligence:

- Review of all bids for compliance with contract provisions and a post-bid interview with bidders on July 28, 2026.
- Research regarding systems commonly used by Capital Area Activities Conference (CAAC) schools, along with evaluation of proposed designs and equalization of bids to allow an adequate comparison.
- Assessment of the contractor's ability to complete the work, probable project timelines, potential program disruption, and contractor references.
- Evaluation of system compatibility with pool athletic management platforms. The review found the Colorado Timing System to provide stronger compatibility, including with Hy-Tek Meet Manager, which is used in the CAAC.
- Consideration of championship-event compatibility. The review noted that MHSAA Aquatic Finals are typically held at the University of Michigan or Oakland University, both of which use Colorado systems, supporting alignment with MHSAA Timing System Framework and NCAA standards.

Input from East Lansing Aquatics coaches, who indicated that the Colorado system software is more functional, faster, easier to use, and therefore preferred.

Board Action

Recommended Motion: Move to approve a contract with Riegle Timing Consultants, LLC of Ypsilanti, Michigan, in the amount of $171,780 for the East Lansing High School pool timing system, including a $15,000 allowance for electrical items as needed, with the project funded from bond proceeds.

East Lansing Public Schools

Bid Tabulation

Name: ELPS Pool Timing System
Date: July 14, 2026

#	Bidder Name	Pool Timing System	Pool Timing System Electrical	Pool Timing System Total	NOTES:
1	Centennial Electric - International Sports Timing S	$105,904.90	$63,015.10	$168,920.00	Complete Turnkey
2	Centennial Electric - Colorado Timing System	$153,780.00	$75,110.00	$228,890.00	Complete Turnkey
3	Riegle Timing - Colorado	$156,780.00	$15,000.00	$171,780.00	Electrical is allowance only (110v).
4	IST Direct Proposal	$106,629.40	$15,000.00	$121,629.40	Electrical is allowance only (208v). Proposal exempts installation equipment and deck protection. Required relay judging platforms not included.
5					
6					
7					
8					
9					
10					

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communications BY DESIGN

Bid Review Report

EAST LANSING PUBLIC SCHOOLS -
HIGH SCHOOL
POOL TIMING SYSTEM
Issued: June 15, 2026
Opened: July 14, 2026

Review Date	August 10, 2026
Selected Bidders	Riegle Timing Consultants, LLC
Contract	**$171,780.00**
Designer Approval	Carl VanderZee
Owner Approval	Christian Palasty

IN REVIEW OF BID(S), THE FOLLOWING DUE DILIGENCE WAS PERFORMED:	
A	Reviewed all bids received for compliance and contract provisions.
B	Conducted post-bid interview with bidders on July 28, 2026
C	Researched the most common systems in Capital Area Activities Conference (CAAC) Schools for familiarity and potential component sharing. (Colorado)
D	Evaluated overall proposed designs.
E	Equalized bids to ensure adequate comparison.
F	Evaluated the ability for the Contractor to complete work and assessed probable project timelines and program interruption potential.
G	Contacted contractor references.
H	Determined the Colorado Timing System provides better compatibility with multiple pool athletic management systems. Particularly, and importantly a better compatibility with Hy-Tek Meet Manager - used in CAAC.
I	Noted that MHSAA Aquatic Finals are typically held at the University of Michigan or Oakland University - which both have Colorado systems, partially because they better align with the MHSAA Timing System Framework and NCAA standards required for major championship events.
J	East Lansing Aquatics coaches find the Colorado system software to be more functional, faster, and easier to use, and therefore preferred.

Recommendation	Board Motion
	To approve a contract with Riegle Timing Consultants, LLC. of Ypsilanti, Michigan in the amount of $171,780.00. This includes $15,000.00 in allowance for electrical items as needed to be paid with funds from bond proceeds.

VIII. **Committee Reports**

A. Academic and Technology Committee
B. Facilities Committee
C. Finance Committee
D. Intergovernmental Relations
E. Personnel Committee
F. Policy Committee
G. Ingham School Officers Association (ISOA)

IX. **Announcements**

A. The next regular scheduled meeting of the Board of Education is September 28, 2026.

X. **Adjournment**

Respectfully Submitted,

Dori Leyko
Superintendent